

(6) GWA GENERAL WATERSHED AREA DISTRICT

The GWA, General Watershed Area Overlay District, establishes regulations for protecting the portion of a water supply watershed outside the WCA. These regulations are specified in Chapter 7, Article A (Watershed Protection Overlay Districts).

(Ord. of 7-1-93, § 1; Ord. No. 93-113, Pt. 1(§ 1), 12-13-93; Ord. No. 01-14, Pt. 10,11,12, (§1), 4-5-01; Ord. No. 03-42, Pt. 2, (§ 1), 8-7-03)

9-4-3 FLOATING DISTRICTS

(a) **PLANNED UNIT DEVELOPMENT DISTRICT REQUIREMENTS**

(1) General Requirements

- a. Findings: Applications for Conditional Use - Planned Unit Development Districts shall be approved only if all of the following findings are made:
1. That application of planned unit development requirements to the property will produce a development of equal or higher quality than otherwise required by the strict application of conventional regulations of districts designated by the adopted Land Use Plan;
 2. That application of planned unit development requirements to the property will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;
 3. That application of planned unit development requirements to the property will produce a development functioning as a cohesive, unified project; and
 4. That application of planned unit development requirements to the property will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the City.
- b. Effect of Approval: The approved Conditional Use Permit and the approved Unified Development Plan shall govern all uses and development activities in a planned unit development. Any use or development activity not in conformance with this permit and these plans shall constitute a violation of this Ordinance and shall be subject to the enforcement remedies in Chapter 8 (Enforcement).
- c. Relationship to Other Applicable Regulations: Except as provided by this Section, a planned unit development shall be subject to all of the applicable standards, procedures, and regulations in other sections of this Ordinance.

(2) Minimum Size and Uses Allowed

a. Conditional Use - Planned Unit Development - Residential (CU - PDR):

1. A CU-PDR District shall contain at least twenty (20) contiguous acres under unified ownership or control.
2. Uses Allowed: A CU-PDR District allows all uses permitted in residential districts, in the Neighborhood Business (NB) District, or in the Limited Office (LO) District.

b. Conditional Use - Planned Unit Development - Mixed (CU-PDM):

1. Minimum Size: A CU-PDM District shall contain at least twenty (20) contiguous acres under unified ownership or control.
2. Uses Allowed: A CU-PDM District allows all permitted uses except those uses which are only allowed in the Heavy Industrial (HI) District or the Agricultural (AG) District.

c. Conditional Use - Planned Unit Development - Limited (CU-PDL):

1. Minimum Size: A CU-PDL District shall contain at least five (5) but fewer than twenty (20) contiguous acres under unified ownership or control.
2. Uses Allowed: A CU-PDL District allows all uses permitted in residential, office, or commercial districts.

(3) Development Standards

Those development standards in Chapters 4, 5, and 6 pertaining to density; size, location, and arrangement of buildings and structures; lot dimensions; and landscaping are waived in CU-PDR, CU-PDM, and CU-PDL Districts. The development standards below in this Section, those in the approved Unified Development Plan, and any in the approved Conditional Use Permit shall apply.

a. Dimensional Standards: The dimensional standards of this Ordinance are waived in CU-PDR, CU-PDM, and CU-PDL Districts except that within fifty (50) feet of any RS District, the height regulations of that RS district shall apply.

b. Access:

1. Areas between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.

2. Primary vehicular access to office, commercial, or industrial development shall not be through intervening residential development.
- c. Commercial Areas:
1. Commercial areas in all CU-PD Districts shall be arranged to promote pedestrian access from adjacent residential, office, and industrial areas into commercial areas.
 2. Commercial uses in a CU-PDR District shall be located on and shall face an internal street of the development.
 3. Ten percent (10%) of the total land area in a CU-PDR District may be occupied by or used for commercial purposes, provided that at no time shall the cumulative amount of land developed for commercial purposes exceed the cumulative amount of land developed for residential purposes.
 4. Commercial areas are permitted in a CU-PDR District if they are designed and located to serve primarily the residents of the planned unit development.
- d. Alleys: Alleys, both public and private, shall be permitted in Planned Unit Developments. All alleys shall observe the following standards:
1. Alleys shall follow the appropriate Minimum Design and Construction standards in use by the City at the time of construction.
 2. Where alleys intersect streets, then a 10-foot by 70-foot sight distance triangle shall be shown on the final subdivision plat, and structures and fences shall not be placed so as to obstruct vision at the intersection or within the designated sight distance triangle. The dimensions of the required sight distance triangle may be modified by the Technical Review Committee.
 3. Alleys shall be contained within blocks defined by streets.
 4. Water, sewer, and storm water utilities shall not be located within alleys unless approved as a modification by the Technical Review Committee; all other utilities may be permitted provided they are placed underground.
 5. No parking shall be permitted in a public alley.
- e. Local Street Design: Local streets shall be located and designed so that they do not encourage through access by traffic with origins and destinations outside of the development.

f. Boundary Treatment:

1. The scale and setbacks of buildings and structures in a CU-PDR and CU-PDM District within one hundred and fifty (150) feet of the perimeter of the planned unit development shall be in harmony with development on adjacent lands.
2. No commercial or industrial use in a CU-PDR or CU-PDM District shall be permitted within one hundred and fifty (150) feet of the perimeter of the planned unit development, unless the adjacent zoning district permits the same or a similar use adjacent to the perimeter at the time of zoning district approval.
3. The scale and setbacks of buildings and structures in a CU-PDL District within seventy-five (75) feet of the perimeter of a planned unit development shall be in harmony with development on adjacent lands.
4. No nonresidential use in a CU-PDL District shall be permitted within seventy-five (75) feet of the perimeter of a planned unit development, unless the adjacent zoning district permits the same or similar uses adjacent to the perimeter at the time of zoning district approval.
5. Any Planned Unit Development located within the Core City area as defined by the adopted Core City Plan is exempt from the above boundary treatment requirements.

g. Signs:

1. Specifications of size, type, height, setback, location, design, illumination, and number of signs shall be in the Common Sign Plan element of the Unified Development Plan. Specifications shall be as restrictive or more restrictive than the regulations of the zoning districts designated below unless exceptions are approved by the City Council. However, no exception shall be approved by the City Council with respect to type of sign permitted.

Predominant Use in Section of PUD	No Less Restrictive than
Residential areas	RM-12
Office areas	LO
Commercial areas in CU-PDR	NB
Commercial areas in CU-PDM and CU-PDL	LB
Industrial areas	CP

2. All signs shall use a coordinated color, style, and lettering scheme shown on the Common Sign Plan.
- h. Parking: Off-street parking for each use in a planned unit development shall be provided in accordance with the standards set forth in this Ordinance. The Technical Review Committee may approve a reduction in the number of spaces if the Unified Development Plan provides convenient pedestrian and/or bicycle access among uses.
 - i. Environmentally Sensitive Areas: The following areas shall be left natural and undisturbed except for street crossings, utilities, and erosion control devices:
 1. Land within a Floodway or Floodway Fringe; and
 2. Wetlands, steep slopes, and other critical ecological areas.
 - j. Open Space and Common Recreational Facilities:
 1. In a planned unit development district, open space is only that land dedicated to the public or designated by the development plan for the use, benefit, and enjoyment of all residents of the planned unit development. Open space may be common area owned by an owners' association, or parkland or drainageway and open space dedicated to the public.
 2. To qualify as open space, land shall be usable for recreation purposes or provide visual, aesthetic, or environmental amenities, and may not be occupied by streets, drives, parking areas, or structures other than recreational structures.
 3. Common area open space shall conform to the location requirements of Subsection 9-4-11(a)(2) d.4. and 5.
 4. Land within a Floodway or Floodway Fringe may be used to provide not more than fifty percent (50%) of the open space required in a planned unit development.
 5. All property owners in the planned unit development shall have access to the open space by means of a public or private street or an all-weather walkway in an easement a minimum of twenty (20) feet in width.
 6. The following amounts of open space are required:
 - i. Two and one-half (2 1/2) acres per one hundred (100) dwelling units; and
 - ii. Ten percent (10%) of the gross land area devoted to nonresidential uses.

7. The Technical Review Committee may reduce the required open space in any CU-PD District, depending upon the nature and extent of active recreational facilities provided.
 8. Open space shall be provided within each phase of the Planned Unit Development in sufficient amounts to serve a substantial portion of the expected population or occupancy of that phase.
- (4) Procedures
- a. Rezoning to a Conditional Use-Planned Unit Development District:
 1. Prior to submitting an application for rezoning to a CU-PD District, the applicant shall submit a Sketch Plan prepared in accordance with Appendix-Map Standards that also includes:
 - i. The general location and amount of land proposed for single family residential, multifamily residential, office, commercial, industrial, open space/recreation, and street use;
 - ii. The number of dwelling units or gross floor area and the acreage of each tract or area shown on the Sketch Plan;
 - iii. The maximum height of buildings and structures in each such tract or area;
 - iv. The location and amount of land in flood hazard areas and any other lands not suitable for development; and
 - v. Proposed watershed protection measures, including their general location, if the development is within a Watershed Critical Area District or a General Watershed Area District.
 2. The Technical Review Committee shall review this Sketch Plan for consistency with the requirements of Chapter 6 (Subdivisions: Procedures and Standards) and other applicable standards in this Ordinance. The Technical Review Committee, upon finding such consistency, shall approve the Sketch Plan for submission to the Planning and Zoning Commission in combination with a rezoning application. If the Sketch Plan is not approved for submission, it shall be returned to the applicant with written reasons for disapproval and/or requests for further information. The applicant may then revise and resubmit the Sketch Plan.
 3. The rezoning application shall consist of the following materials:
 - i. A rezoning application prepared in accordance with Section 9-3-13 (Conditional Use Districts and Conditional Use Permits);

- ii. The Sketch Plan approved by the Technical Review Committee for submission. This Sketch Plan constitutes a map-based presentation of proposed zoning conditions attached to the Conditional Use Permit application. It does not constitute a Conditional Use Site Plan as required by Subsection 9-3-13(b)(8) (Submission of Site Plans); and
 - iii. A traffic impact analysis.
 4. The completed application shall be processed in accordance with Chapter 3 (Permits and Procedures).
 5. Approval of the rezoning application establishes the maximum density/intensity, maximum height, and general location of each use of each tract or area shown on the Sketch Plan.
 6. Any proposed change in use, increase in density/intensity, decrease in open space and common recreational facilities, or substantial change in the location of permitted uses or streets from what is shown on the approved Sketch Plan shall be deemed a major change requiring an amendment of the Conditional Use Permit in accordance with Chapter 3 (Permits and Procedures). Factors to be considered by the Enforcement Officer in determining if a change is substantial include, but are not limited to, the extent of the locational change and the expected impact on properties adjacent to the planned unit development.
 7. A Unified Development Plan may be processed concurrently with the application for rezoning for action by the Planning and Zoning Commission and City Council.
- b. Unified Development Plan Approval:
 1. The applicant shall submit a Unified Development Plan for recommendation by the Planning and Zoning Commission and approval by the City Council. The Unified Development Plan and all subsequent preliminary plats and site plans pursuant to it constitute Conditional Use Site Plans as required by Subsection 9-3-13(b)(8) (Submission of Site Plans).
 2. The Unified Development Plan shall contain the following materials:
 - i. The Sketch Plan with proposed phase lines, if any;
 - ii. Land use, density/intensity, and traffic data required in Subsection 9-4-3(a)(4) above;
 - iii. Common Sign Plan in accordance with Subsection 9-4-3(a)(3)f. (Signs); and

- iv. Documents which specify proposed setbacks or other regulations governing building placement, and other information which the Planning and Zoning Commission or City Council may deem pertinent to plan recommendation or approval. The applicant may use district regulations provided by this Ordinance or may propose regulations unique to this development. In no case shall the Unified Development Plan leave any area proposed for development unregulated.
 3. The Enforcement Officer shall review the Unified Development Plan for consistency with the Sketch Plan and for compliance with all applicable provisions of this Ordinance.
 4. The Sketch Plan, Common Sign Plan and documents specified in Subsection 9-4-3(a)(4)b.2..iv. above shall be recorded in the Office of the County Register of Deeds after Unified Development Plan approval and prior to any conveyance of the property, or portion thereof, or Final Plat recordation.
- (5) Phased Development
 - a. General Requirements: Planned Unit Developments may be developed in phases provided the following requirements are met:
 1. All phases shall be shown on the Unified Development Plan and numbered in the expected order of development;
 2. Open space and common facilities shall be included such that at any given phase of development the cumulative area of open space in all recorded phases and the total number of dwelling units and the gross land area devoted to nonresidential land uses approved in those phases comply with Subsection 9-4-3(a)(3)(i) (Open Space and Common Recreational Facilities); and
 3. The phasing shall be consistent with the traffic circulation, drainage, and utilities plans for the overall planned unit development.
 - b. Final Plat Approval: No Final Plat for a phase of a planned unit development shall be approved unless:
 1. All open space and common facilities included in previous phases have been conveyed and/or completed; and
 2. There is no violation of the Unified Development Plan or Conditional Use Permit in any previous phase.

designation has not been made by the City Council, the relocation, demolition, or destruction of any building, site or structure located on the property of the proposed landmark or in the proposed district may be delayed by the Commission for a period of up to one hundred eighty (180) days or, until the City Council takes final action on the designation, whichever occurs first.

- c. The City Council may enact an ordinance to prevent the demolition by neglect of any designated landmark or any building or structure within an established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue economic hardship.
- d. An application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Historic Preservation Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

(8) Boundaries of Districts:

a. Johnson Street Historic District:

The boundaries of the Johnson Street Historic District shall be as shown on the Official Zoning Map of the City of High Point as filed in the Department of Planning and Development and shall generally follow the rear property lines of lots fronting on Johnson Street from East Parkway Avenue north to East Lexington Avenue excluding those properties listed on Guilford County Tax Map 222, High Point Township, Block 7, Lots 9, 8, 3 and Block 8, Lots 16, 15 and 14.

b. Sherrod Park Historic District:

The boundaries of the Sherrod Park Historic District shall be as shown on the Official Zoning Map of the City of High Point as filed in the Department of Planning and Development and shall generally follow the rear property lines of lots fronting on Woodrow Avenue from North Hamilton Street east to Forrest Street including those properties listed on Guilford County Tax Map 223, High Point Township, Block 13, Lot 29 and Block 14, Lot 1 and the lots fronting Montlieu Avenue listed on Guilford County Tax Map 125, High Point Township, Block 8, Lot 11 and Guilford County Tax Map 227, Block 9, Lots 1 and 2 and excluding those properties listed on Guilford County Tax Map 225, High Point Township, Block 6, Lot 4 and Block 10, Lot 1.

c. West High Avenue Historic District:

The boundaries of the West High Avenue Historic District shall be as shown on the Official Zoning Map of the City of High Point as filed in the Department of Planning and Development and shall generally follow the properties that front along the south side of W. High Avenue from its western terminus eastward to S. Lindsay Street; the rear property lines of lots fronting on S. Lindsay Street from W. High Street south to W. Green Drive and the rear property lines of lots fronting on W. Green Drive from S. Lindsay Street west to W. Russell Avenue. The specific parcels of this district are Guilford County Tax Map 35, High Point Township, Block 1, Lots 2, 19, 20 & 21 and Guilford County Tax Map 27, High Point Township, Block 1, Lots 2, 3, 8 & 9.

(c) **SCENIC CORRIDOR OVERLAY DISTRICTS**

- (1) Overlay District Based on Corridor Plan: Before a Scenic Corridor Overlay District is established for any particular road, a corridor plan shall be prepared by the Department of Planning and Development describing the conditions, boundaries, and requirements for each proposed Scenic Corridor Overlay District. The plan shall, at a minimum, address the following issues:
 - a. The arrangement of land uses along the corridor which shall create a visually pleasing impression.
 - b. The unique qualities of the corridor, such as landmark buildings, views and vistas, and natural features which lend themselves to special consideration.
 - c. The value of the corridor as an entryway to the City which can influence the perception of individuals or firms considering investment in the community.
 - d. Transportation, including vehicular access, dedication of right-of-way, driveway limitations, and traffic impact.
- (2) Corridor Plan Approval: The plan shall be forwarded, with the recommendations of the Planning and Zoning Commission to the City Council for approval.
- (3) General Requirements: The following general requirements will apply to the Scenic Corridor Overlay District:
 - a. For the purposes of this Ordinance, a Scenic Corridor Overlay District is a district which supplements the underlying zoning district established on the site. The boundaries of the overlay district are indicated on the Official Zoning Map. The requirements herein shall apply to all new construction, additions, alterations, or expansions to existing buildings, parking lots or vehicular

storage areas, unless explicitly exempted, in addition to the underlying zoning district(s).

- b. Permitted Uses: All uses permitted in the underlying zoning districts are allowed as regulated by said districts.
- c. Development Requirements: The specific development requirements of a particular scenic corridor overlay district shall apply uniformly to all property within said district, as specified in the officially adopted corridor plan and this section. Said requirements shall be incorporated in Subsection(4) below of this Section after adoption of the corridor plan.

(4) Eastchester/N.C. Highway 68 Scenic Corridor Overlay District Established:

The Eastchester/N.C. Highway 68 Scenic Corridor Overlay District is hereby established as a scenic corridor overlay district.

- a. Boundaries of the Scenic Corridor Overlay District: The boundaries of the Eastchester Scenic Corridor Overlay District shall be as shown on the Official Zoning Map.
- b. Applicability:
 - 1. Application: The Eastchester Scenic Overlay District regulations shall apply to all principal buildings on lots or open uses of land constructed, reconstructed, or established after (the effective date of this ordinance), except as exempted or otherwise provided in Subsections 9-4-4(c)(4)b.2. and 9-4-4(c)b.3. below.
 - 2. Exemptions:

The Eastchester Scenic Corridor Overlay District regulations shall not apply to:

- i. Single family detached dwellings or two-family dwellings on their own lots.
- ii. Those lots where an application for a building permit for the improvement, repair, or renovation of an existing structure or building is requested so long as the proposed changes do not result in a change in the type of occupancy as set forth in the N.C. State Building Code.
- iii. Those buildings and their accessory uses including parking or vehicular storage areas existing on November 5, 1986 whose gross square footage of building or pavement area is not expanded in excess of twenty-five percent (25%) of that which existed on November 5, 1986.

- iv. Those projects that are built or those projects that at a minimum have established a vested right under N.C. zoning law as of (the effective date of the revised Eastchester Scenic Corridor regulations), based on at least one of the following criteria: 1) substantial expenditure of resources (time, labor, money) based on a good faith reliance upon having received a valid local governmental approval to proceed with the project; or 2) having a valid outstanding building permit; or 3) having expended substantial resource (time, labor, money) and having an approved site specific or phased development plan in compliance with NCGS 153A-344.1 or NCGS 160A-385.1.

3. Expansion of Existing Uses:

For those buildings and their accessory uses, including parking or vehicular storage areas, which are expanded in excess of twenty-five percent (25%) of their gross square footage of building or pavement area after November 5, 1986 the following requirements shall be met:

- i. Where feasible, required planting yards shall be provided. In locations where the entire width of the required planting yard cannot be provided due to existing development, planting yards shall be provided to the extent possible, with no reduction in the size or numbers of required plantings.
- ii. The expanded portion only of any new parking lot or vehicular storage area shall meet the full planting requirement for parking and vehicular surface areas.

c. Landscaping Requirements:

Landscaping shall be in accordance with the provisions of Table 4-4-1 and the following requirements:

1. Peripheral planting yards, for lot boundaries other than street frontages, shall be as required by Section 9-5-11 of the Ordinance.
2. Street planting yards may be used in a limited fashion for signage, crosswalks, pools, fountains and other amenities, as long as no more than 15 percent of the yard is covered with impervious surfaces.
3. Tree yard preservation within required planting yards and the required survey area shall be required where feasible, to satisfy the landscaping requirements of the Ordinance. Feasibility of preservation shall be determined by the Enforcement Officer utilizing the following criteria:
 - i. Tree specimens and size.

- ii. Health of the tree.
 - iii. Whether the location of the tree prevents all reasonable access to the property.
 - iv. Whether the location of the tree prevents the construction of utility lines or drainage facilities.
 - v. Whether the location of a tree precludes all reasonable use of the property.
 - vi. Impact of tree on health of remaining trees.
 - vii. The tree enhances the streetscape appearance.
4. Tree Survey Requirements: The required tree survey shall identify canopy trees of 8-inch caliper dbh or greater, and understory trees of 4-inch caliper dbh or greater. The tree survey shall be utilized by the Enforcement Officer to evaluate the feasibility of tree preservation.
 5. Watershed detention ponds shall be screened with landscaping so as to obscure, to the maximum extent feasible, view from public rights-of-way.
 6. The landscaping design and maintenance standards of Section 9-5-11(c) shall apply, except as otherwise provided in this section.
 7. Procedures: Prior to obtaining a land-disturbing permit or building permit, an applicant shall receive approval from the Enforcement Officer of a Landscape Plan, prepared in accordance with the landscaping regulations. The landscaping plan and grading plans shall depict all existing trees proposed to be preserved.

d. Signage:

Signage shall be in accordance with Table 4-4-1 and the following requirements. In case of conflict with the signage provisions of the underlying zoning districts, the stricter standard shall apply.

1. Prohibited signs: In addition to signage prohibited by Section 9-5-16(b) of the Ordinance, the following signs shall be prohibited in the Eastchester Corridor Overlay District:
 - i. Changeable copy signs (message boards), except for fuel pricing and church identification signs as allowed by Subsections 9-4-4(c)d.iii. and 9-4-4(c)d.iv. below.

- ii. Animated signs, including electronic changeable copy signs, except for time and temperature signs which do not exceed fifteen square feet of copy area.
 - iii. Ground surface signs.
 - iv. Posters
 2. Freestanding signs shall display only the name, trademark, registered logo.
 3. Freestanding fuel pricing signs shall display only the name, trademark, registered logo or vehicular fuel product and prices.
 4. Church identification signs shall display only the church name, service hours and church related events.
 5. In nonresidential districts, illumination of all signage shall be limited to cut-out letter and indirect lighting, except for wall signage in commercial districts. In commercial districts, back lit wall signage shall be permitted; however, signs with panels over fluorescent lighting shall be opaqued.
 6. All developments shall be required to prominently display their address so as to be visible from Eastchester Drive.
- e. Architecture:
 1. Metal and vertical sided buildings, which include but are not limited to buildings sided with vinyl and masonite, and which are visible from the Eastchester Drive right-of-way, are prohibited unless architectural building plans and elevations are submitted to the City Council for review and approval based on the following criteria:
 - i. A minimum of 50 percent of each wall elevation mass shall be a non-metal/ vertical siding material; and horizontal runs shall have a vertical break in building materials.
 - ii. The color(s) of the metal/vertical siding shall be complementary with the color of non-metal/vertical siding materials used on the building.
 - iii. Metal/vertical siding shall be used in a manner which maintains the architectural unity and integrity of the entire building.
 - iv. In a multi-building development, metal/vertical sided building(s) shall utilize a uniform architectural theme with other buildings on the site, and shall be designed to create a harmonious style

through consideration of scale, proportion, detail, materials, color and site planning.

- v. Corrugated and/or sheet metal are prohibited.
2. Recognizing topographical and other physical features of a site, decorative screening and/or landscaping shall be installed so as to obscure as much as reasonably possible from view from public rights-of-way all trash rooms, trash holding receptacles, loading or service areas, mechanical or electrical equipment, storage facilities or bins, or other unsightly building appurtenances. Appropriate screening shall also be provided to obscure as much as reasonably possible all roof-mounted equipment, appurtenances, and roof vents from view from public rights-of-way.
 3. Design guidelines for multi-tenant commercial developments and/or nonresidential group developments shall be required for the purpose of facilitating unified developments with compatible architecture, scale, proportion and building elements that provide visual unity and are harmonious with other buildings in the surrounding area. Prior to the development of any phase of a commercial multi-tenant and/or non-residential group development, design guidelines governing the appearance of all buildings within the property shall be submitted by the developer for the review and approval of the Director of Planning and Development prior to the approval of any final development plan or the issuance of any permits. Said guidelines shall address and include the following criteria:
 - i. Common signage plan requirements and criteria, including locations, area(s), copy, illumination proposed, height(s), material(s), proposed color schemes, and provisions for shared use of signage.
 - ii. Exterior building materials and colors, including examples of materials and colors to be consistent throughout the development.
 - iii. Facade design, mass and rhythm.
 - iv. Common landscaping scheme, including street yard(s) and peripheral plantings, parking area plantings, and tree preservation.
 - v. In addition, at the discretion of the developer, the design guidelines shall address at least two of the following criteria, which shall be unified throughout the development:
 - Building heights

- Roof shapes
 - Pedestrian circulation, sidewalks
- f. Character of Development for Developments Located at Entrances to Existing Residential Subdivisions:
1. Any exterior modifications, alterations, additions, or construction of any new structure on property located at entrances to residential subdivisions must retain a residential character, nature and appearance, including the following criteria:
 - i. A maximum two-story height.
 - ii. A roof line compatible with adjacent residences.
 - iii. Building materials compatible with adjacent residences.
 - iv. The location of parking areas in a manner which minimizes the impact on adjacent residential dwellings.
 - v. Window treatments compatible with adjacent residences.
 - vi. Landscaping around the foundation of principal buildings.
 - vii. The style, size and location of any exterior lighting.
 - viii. The location, size, color, materials, height and illumination of proposed signage.
 2. Design guidelines which, at a minimum, address the above criteria, shall be submitted by the developer for the review and approval of the Director of Planning and Development prior to the approval of any development plans or the issuance of any permit.

(www) PARKING, AUTOMOTIVE (AS A PRINCIPAL USE ON THE ZONE LOT)

- (1) Where Required: All residential districts.
- (2) Applicability:
 - a. Land uses not permitted in a particular residential zoning district that desire to establish parking within that residential district, shall be required to obtain a Special Use Permit. The application for such Special Use Permit shall contain an explanation of need for the proposed parking and an analysis of any alternative sites. The Special Use Permit, if granted, shall contain provisions designed to minimize adverse impacts on adjacent residentially zoned or used property, including but not limited to noise, lighting, landscaping and security.
 - b. Land uses permitted in a particular residential zoning district that desire to establish parking within that district shall comply with these development standards, but shall not be required to obtain a Special Use Permit.
- (3) Setback: Parking for land uses not required to obtain a Special Use Permit shall be set back a minimum distance equivalent to the street setback required in the zoning district or the average building line of the adjoining developed properties, whichever is greater. For land uses required to obtain a Special Use Permit, such parking at a minimum shall be located outside any required planting yard. In addition, City Council in approving the Special Use Permit may require a greater setback as determined necessary to lessen potential impacts on adjacent properties and maintain the character of the area, based on such factors as compatibility with adjacent land uses, size of the parking area, and existing and proposed screening of parking area.
- (4) Landscaping: A planting yard shall be provided at the required setback line located parallel to the street right-of-way line. A landscape screen shall be provided along all side and rear lot lines abutting residentially zoned property.
- (5) Location: Parking must begin within two hundred (200) feet, on property under the same ownership or parking encumbrance agreement as the site containing the use which the parking facility is intended to serve. No fee shall be charged for parking and it shall be operated solely as a convenience to the customers, patrons, employees, guests, or residents of the use which the parking facility is intended to serve.
- (6) Time of Use: Parking shall be used principally during daylight hours. Parking intended to be used principally at night shall require a Special Use Permit, prepared in accordance with paragraph (2)a., above.
- (7) Prohibitions: Only parking of automobile/passenger vehicles is permitted. No loading or unloading of goods from vehicles is permitted. Long-term or dead storage of vehicles is prohibited.

(xxx) PETROLEUM AND PETROLEUM PRODUCTS (WHOLESALE)

- (1) Where Required: HI District.
- (2) Setback:
 - a. Storage tanks protected by either an attached extinguishing system approved by the Fire Marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance equal to the greater dimension of either the diameter or height of the tank, except that such distance need not exceed one hundred and twenty (120) feet; and
 - b. Storage tanks not equipped as indicated in a. above shall not be located closer to an exterior property line than a distance equal to one and one-half (1 1/2) times the greater dimension of either the diameter or height of the tank, except that such distance need not exceed one hundred and seventy-five (175) feet.
- (3) Use Separation: Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- (4) Access: Gravel or paved roadways shall be provided to all storage tanks.
- (5) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- (6) Dikes:
 - a. Tanks or groups of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainageways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area;
 - b. Dikes or retaining walls shall be of earth, steel, concrete, or solid masonry designed and constructed to be liquid tight and to withstand a full hydraulic head. Earthen dikes three (3) feet or more in height shall have a flat section at the top not less than two (2) feet in width. The slope shall be consistent with the angle or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than six (6) feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, drums, or barrels shall be permitted within the diked area; and
 - c. Where provision is made for draining rainwater from diked areas, such drains shall normally be kept closed and shall be designed so that when in use they will not permit flammable liquids to enter natural watercourses, public sewers,

or public drains. Where pumps control drainage from the diked area, they shall not be self- starting.

(7) Tank Maintenance:

- a. All storage tanks shall be maintained in a leak-proof condition with an adequately painted, rust-free exterior surface; and
- b. A firm substrate shall be constructed under each storage area to eliminate differential subsidence and to prevent the product from seeping.

(8) Operation: The product shall be sold in the same form as received and shall not be altered, except that two (2) or more products may be blended. Any other alteration of the product shall be deemed a manufacturing use, requiring approval of a Special Use Permit.

(9) Storage: All storage facilities shall comply with the latest edition of the "Flammable and Combustible Liquids Code, NEPA 30" of the National Fire Protection Association.

(yyy) PRIVATE DORMITORIES

- (1) Where Required: RM-12, RM-18, RM-26, and LO Districts.
- (2) Property Separation: The property on which the use is located shall be within a one-half (1/2) mile radius of property developed as the primary campus of a college, business college, trade school, or university.
- (3) Maximum Density: For the purpose of calculating maximum density, two (2) bedrooms shall be equivalent to one (1) dwelling unit.

(zzz) PUBLIC PARKS

- (1) Where Required: All residential districts, LO, NB and TN Districts.
- (2) Parking: Overflow parking (in addition to required parking) shall be designated on the site plan and kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.
- (3) Access: All parks greater than ten (10) acres shall have primary access to a collector or thoroughfare street.

(aaaa) PUBLIC RECREATIONAL FACILITIES

- (1) Where Required: All residential Districts, LO, NB and TN Districts.

- (2) Parking: Overflow parking (in addition to required parking) shall be designated on the site plan and kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.

(bbbb) RECREATIONAL VEHICLE PARKS OR CAMPSITES

(1) Where Required:

- a. Recreational Vehicle Parks: AG and HB Districts.

(2) General Requirements: The following requirements apply to Recreational Vehicle Parks.

- a. Site Plan Required: It shall be unlawful for any person to construct a new park, or to make an addition or alteration to an existing park, unless a Site Plan for the park has been approved by the Technical Review Committee.
- b. Minimum Tract Area: The minimum park size shall be five (5) acres.
- c. Number of Spaces: There shall be a minimum of fifteen (15) spaces and a maximum of three hundred (300) spaces.
- d. Setback: All spaces shall be located a minimum of fifty (50) feet from all public streets and property lines.
- e. Number of Dwellings and Vehicles Per Space: No more than one (1) recreational vehicle may be parked or set-up on any space.
- f. Access:
1. No space shall have direct vehicular access to a public street; and
 2. All spaces shall directly abut a private street constructed to the standards of Table 6-16-3 with a minimum width of twenty (20) feet, unless additional width is deemed necessary because of topographical conditions or street curvature.
- g. Recreational Areas and Facilities: Recreational areas and facilities to serve the needs of the anticipated population of the park shall be provided and shall consist of at least the following:
1. A play lot for pre-school children containing a minimum size of one thousand two hundred (1,200) square feet shall be located within five hundred (500) feet of every space; and
 2. One (1) or more playgrounds for school-age children and adults, containing a minimum size of one (1) acre per one hundred (100)

spaces. These recreation areas shall not be in an area utilized for septic tank fields.

- h. **Recreational Vehicle Sales:** The sales of recreational vehicles on a commercial basis shall not be permitted in any parks.
- i. **Drainage and Grading of Spaces:**
 - 1. All spaces shall be located on ground above the 100-year flood elevation and graded to prevent water from ponding;
 - 2. Each space shall be graded and grassed to prevent erosion and provide adequate storm drainage away from the manufactured dwelling or recreational vehicle pad; and
 - 3. The slope of the surface of the stand or pad shall not exceed three percent (3%).
- j. **Garbage and Refuse Disposal:**
 - 1. **Containers:** All refuse shall be stored in conveniently located, leakproof containers with tight-fitting lids. Containers shall be provided in sufficient number and capacity for proper storage of all refuse. Racks or concrete platforms shall be provided on which to store containers for refuse. Such containers, racks, or platforms shall be so designed as to prevent tipping, to minimize spillage and container deterioration, and to facilitate cleaning. Dumpsters on pads meeting City standards shall be required in lieu of individual containers in areas where municipal water or sewer are available; and
 - 2. **Collection:** All refuse shall be collected at least twice weekly or more often if the need is indicated.
- k. **Registration:** It shall be the duty of the operator of the park to keep an accurate register containing a record of all occupants. The register shall contain the following information:
 - 1. Name, address, and space number of each occupant;
 - 2. The date the recreational vehicle entered the park; and
 - 3. The license number of each recreational vehicle and/or car, truck, etc. with state of issuance, make, and type of vehicle. The operator shall keep the register available at all times for inspection by the Enforcement Officer, law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register.

- l. Park Manager Residence: A single family detached dwelling may be constructed for the manager of the park.
 - m. Pre-existing Dwellings: Pre-existing dwellings on the site may remain provided that they occupy approved spaces.
- (3) Recreational Vehicle Park Regulations: The following design requirements apply only to Recreational Vehicle Parks:
- a. Minimum Space Requirements:
 1. Each space shall consist of a minimum of two thousand (2,000) square feet; and
 2. Each space shall be designated on the ground by permanent markers or monuments.
 - b. Setbacks: All structures, buildings, and sewage facilities shall meet the setback requirements for the district in which they are located.
 - c. Driveways: The park shall have all-weather driveways that directly abut all spaces and meet the minimum design standards of Chapter 6 (Subdivisions: Procedures and Standards).
 - d. Parking: An all-weather surface area with sufficient dimensions to accommodate at least one (1) automobile and camping vehicle shall be constructed within each space.
 - e. Utilities:
 1. The installation, alteration, or use of all utilities including, but not limited to, electrical service, plumbing fixtures, and sewage disposal systems shall conform with all applicable codes;
 2. Water Supply:
 - i. Each park shall obtain water from a municipal water supply when available and, when unavailable, from a source approved by the County Health Department. The water supply and pressure shall be adequate for the park requirements; and
 - ii. Areas around faucets or drinking fountains shall be properly drained.
 3. Sanitary Facilities:
 - i. Each park shall have a central structure or structures that will provide separate toilet and bathing facilities for both sexes;

- ii. The minimum number of facilities per sex to be provided shall follow the schedule below:

Toilets:	1 per 15 spaces
Urinals:	1 per 30 spaces (male facilities only)
Lavatories:	1 per 15 spaces
Showers:	1 per 15 spaces;

- iii. All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean, sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible to all persons and conveniently located; and

- 4. Sewage Disposal: Each park shall be provided with an adequate sewage disposal system, either by connection to a public sewer or a septic tank constructed in compliance with the regulations of the County Health Department. All sewage wastes from the park, including waste from toilets, showers, bathtubs, lavatories, wash basins, refrigerator drains, sinks, faucets, and water-using appliances not herein mentioned, shall be piped into the park's sewage disposal system.
- f. Insect and Rodent Control Measures: Insect and rodent control measures to safeguard the public health shall be used in the park.
- g. Retail Sales: The park may contain a retail sales counter or coin operated machines for the park residents' use only, provided they are enclosed within a structure and there is no exterior advertising.
- h. Permanent Sleeping Quarters: Permanent sleeping quarters for guests shall not be permitted within the park.
- i. Manufactured Dwellings in Recreational Vehicle Parks: It shall be unlawful for a person to park or store a manufactured dwelling in a Recreational Vehicle Park, except that one (1) manufactured dwelling may be located within the park for exclusive use by the park manager or operator. This manufactured dwelling shall be located in an area designated on the site plan and approved by the Technical Review Committee.

(cccc) RECYCLING PROCESSING CENTERS

- (1) Where Required: AG, LI and HI Districts.
- (2) Use Separation: No such facility shall locate within three hundred (300) feet of any residentially or public-institutionally zoned property, except for an access drive and/or weigh station, which shall not locate within one hundred (100) feet of any

residentially or public-institutionally zoned property, and except for outdoor storage areas as regulated in (3) below.

(3) Outdoor Storage:

- a. Recycling processing centers that handle primarily household recyclables (glass, plastic containers, newspaper, metal and aluminum cans, etc.) shall be required to store such materials, whether processed or unprocessed, in an enclosed structure.
- b. Recycling processing centers that are designed to handle recyclable construction or demolition materials (lumber, concrete, siding, steel or other metals, etc.) shall be permitted to store such materials outdoors only in areas so designated on an approved site plan or watershed development plan. Storage areas shall not be less than 100 feet from site property lines, all surface waters, residential dwellings, commercial or public buildings and wells.

(4) Operation:

- a. Recycling processing centers for household recyclables shall be operated in a wholly enclosed building, except that loading to a flatbed railcar may take place outside the building provided no materials remain on the loading area for more than twenty-four (24) hours.
- b. Recycling processing centers for recyclable construction or demolition materials may be operated in a building not wholly enclosed, if such building meets the use separation requirements of (2), above and provided that the noise level generated by the facility does not exceed eighty (80) decibels at any point on the property line.

- (5) Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

(dddd) REFRIGERATOR OR LARGE APPLIANCE REPAIRS

- (1) Where Required: GB, HB, and CB Districts.
- (2) Outdoor Storage: No outdoor storage of appliances, equipment, or parts shall be permitted.

(eeee) RESTAURANTS (NO DRIVE THRU)

- (1) Where Required: LB District.
- (2) Maximum Area: A maximum of five thousand (5,000) square feet of gross floor area shall be permitted per establishment.

- (3) Outside Storage: No outside storage of materials shall be permitted.
- (4) Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, churches, elementary or secondary schools, or public parks.

(ffff) RESTAURANTS (SERVING MIXED ALCOHOLIC BEVERAGES)

- (1) Where Required: LB
- (2) Maximum Area: A maximum of five thousand (5,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage of materials shall be permitted.
- (4) Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, churches, elementary or secondary schools, or public parks.

(gggg) RURAL FAMILY OCCUPATIONS (RFO) (SEE APPENDIX-ILLUSTRATIONS).

- (1) Where Required: AG District.
- (2) Permitted Activities: Permitted activities shall be limited to products assembled or manufactured on-site for resale elsewhere, or services, including incidental stock-in-trade, sold or provided on the premises. Sales of goods or products other than stock-in-trade clearly incidental to a rural family service shall be prohibited.
- (3) Operation:
 - a. The RFO shall be owned and operated by the landowner who must reside on the property;
 - b. No more than five (5) persons, other than those residing on the property, shall be employed;
 - c. No more than two (2) commercial vehicles shall operate in conjunction with the RFO; and
 - d. The RFO shall not operate between the hours of 9:00 p.m. and 6:00 a.m.
- (4) Minimum Area:
 - a. The RFO shall be located on a tract of two (2) acres or more; and

- b. A minimum of forty thousand (40,000) square feet, with a minimum width of one hundred and fifty (150) feet, shall be designated and exclusively for residential use.
- (5) Maximum Area: The total floor area of all buildings occupied by the RFO shall not exceed five thousand (5,000) square feet. The land area used in conjunction with the RFO shall not exceed fifteen thousand (15,000) square feet.
- (6) Setback: All operations of the RFO shall be no closer than one hundred (100) feet to any property line.
- (7) Location: All operations of the RFO shall be located behind the rear building line of the principal residence.
- (8) Landscaping: All operations of the RFO, including buildings, outside storage areas, and parking shall be treated as a principal use subject to the landscaping provisions of this Ordinance.
- (9) Environmental Review: The County Environmental Health Division shall evaluate each RFO request to determine its impact on the surrounding area with respect to excessive noise, dust, air emissions, odors, and surface or groundwater discharge. The owner shall reduce the impact of these and other environmental concerns. A written evaluation of the potential impacts is required by the Environmental Health Division prior to action on a Special Use Permit application.

(hhhh) SALVAGE YARDS, AUTO PARTS OR SCRAP PROCESSING

- (1) Where Required: AG and HI Districts.
- (2) Minimum Area: The minimum area required to establish a salvage yard shall be five (5) acres.
- (3) Fencing: An opaque fence of suitable screening material approved by the Enforcement Officer and of uniform construction, a minimum of eight (8) feet in height shall be required around the perimeter of the activity. Such fencing shall be located between the salvage yard and all required planting yards.
- (4) Use Separation: No salvage yard shall be located within three hundred (300) feet of any residence (existing or under construction) at the time of its initiation.

(iiii) SATELLITE DISHES/TV AND RADIO ANTENNAE TOWER (ACCESSORY)

- (1) Where Required: All Districts.
- (2) Location:
 - a. All supporting cables and anchors shall be contained within the property; and

- b. In residential districts, structures shall be located to the rear of the principal building and behind any street setback or side setback.
 - c. Attached and detached satellite dishes 18 inches in diameter and less shall be exempt from the requirements of this section.
- (3) Height: The satellite dish or accessory television or radio antenna tower may exceed the maximum height of the zoning district with approval of a Special Use Permit.

(jjj)

SEXUALLY ORIENTED BUSINESSES, INCLUDING THE FOLLOWING: ADULT ARCADES, ADULT BOOKSTORES OR ADULT VIDEO STORES, ADULT CABARETS, ADULT MOTELS, ADULT MOTION PICTURE THEATERS, ADULT THEATERS, ESCORT AGENCIES, NUDE MODEL STUDIOS, SEXUALLY ENCOUNTER CENTERS, OR ANY COMBINATION OF THESE USES.

- (1) Where Required: GB District
- (2) Spacing from Other Sexually Oriented Business: No such business shall locate within 1,200 feet of any other sexually oriented business, as measured in a straight line from property line to property line.
- (3) Spacing from Other Uses: No sexually oriented business shall be located within six hundred and fifty (650) feet of a church, public or private elementary or secondary school, child day care or nursery school, public park, residentially zoned property, or any establishment with an on-premise ABC license, as measured in a straight line from property line to property line.
- (4) Maximum Area: The gross floor area of any sexually oriented establishment shall not exceed three thousand (3,000) square feet.
- (5) Prohibition of Sleeping Quarters: Except for an adult motel, no sexually oriented business may have sleeping quarters.
- (6) Restriction of Uses on the Same Property or in the Same Building, Structure, or Portion Thereof: There shall not be more than one sexually oriented business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any sexually oriented business.
- (7) Grant of Special Exception from the Locational Requirement of Sexually Oriented Businesses:
 - a. If the City Clerk denies the issuance of a license to an applicant because the location of the sexually oriented business establishment is in violation of this Ordinance, then the applicant may, not later than 10 calendar days after receiving notice of the denial, file with the City Clerk a written request for an

exception from the locational restrictions of this Ordinance. If the written request is filed with the City Clerk within the 10-day limit, the Board of Adjustment shall hear and consider the request. The Board of Adjustment shall set a date for the hearing within 60 days from the date the written request is received.

- b. The Board of Adjustment may, in its discretion, grant a special exception from the locational requirements of this Ordinance for Sexually Oriented Businesses, subject to the following findings:
- c. That the location of the proposed sexually oriented business will not have a detrimental effect on nearby properties or be contrary to the public safety or welfare; and
 1. That the granting of the special exception will not violate the spirit and intent of this Ordinance; and
 2. That the location of the sexually oriented business will not downgrade the property values or quality of life in the adjacent areas or encourage the development of blight; and
 3. That the location of a sexually oriented business in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any efforts of neighborhood renewal or restoration; and
 4. That all other applicable provisions of this Ordinance and the High Point City Code will be observed.
- d. If the Board grants the special exception, the special exception is valid for one year from the date of the Board's action. Upon the expiration of a special exception, the sexually oriented business is in violation of the locational requirements until the applicant applies for and receives another special exception.
- e. If the Board denies the special exception, the applicant may not re-apply for a special exception until at least twelve (12) months have elapsed since the date of the Board's action.

(kkkk) SHELTERS FOR THE HOMELESS

- (1) Where Required: GO-M, GO-H, GB, HB, CB, LI, HI, and and PI Districts.
- (2) Minimum Floor Area: A minimum floor space of fifty (50) square feet shall be provided for each individual sheltered.
- (3) Property Separation: No such facility shall be located within one-quarter (1/4) mile of an existing shelter for the homeless or a group care facility.

Use:

- a. Sporting and recreation camps include boys and girls camps, fishing camps, dude ranches and summer camps; but do not include hunting camps or nudist camps.
 - b. In the PI District, riding stables, dude ranches or similar equestrian uses shall require the issuance of a Special Use Permit.
 - c. Establishments primarily engaged in operating sports instructional camps such as basketball, baseball, football, karate camps, etc. are classified as a "Sports Instructional Schools" and are not considered a Sporting & Recreational Camp.
- (2) Minimum lot size: 10 acres
 - (3) Setback: There shall be a minimum fifty (50) foot setback for all buildings and other structures, lighted athletic fields and courts, and all swimming pools where adjacent to residentially zoned property.

(ssss) SPORTS INSTRUCTIONAL SCHOOLS

- (1) Where Required: SC and TN District.
- (2) Location of Instruction: No outside instruction shall be allowed.

(tttt) STABLES, COMMERCIAL RIDING

- (1) Where Required: AG, RS-40, and PI Districts.
- (2) Minimum Area: The minimum area required for a riding stable shall be fifteen (15) acres.
- (3) Setback: There shall be a minimum one hundred (100) foot distance between manure storage areas, barns, or stables and any adjacent residentially zoned property.
- (4) Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

(uuuu) STORAGE CONTAINERS, PORTABLE (AS AN ACCESSORY USE)

- (1) Where Required: All Districts, except CB and TN Districts.
- (2) General Requirements:
 - a. Portable storage containers shall not be located or placed within any easements or street rights-of-way.

- b. Portable storage containers are to be used for storage incidental to the principal use on the same zone lot. Storage trailers shall not be used for retail sales or any other principal use.

(3) Temporary Use:

- a. Number: A property may have no more than two (2) portable storage containers as an accessory use.
- b. Size: The gross square footage of an individual portable storage container shall not exceed 150 square feet.
- c. Duration: A portable storage container shall be allowed on a property for a continuous period not to exceed 14 days.

(4) Additional Standards for portable storage containers located within the AG, GB, HB, SC, CP, LI, HI, and PI Districts:

- a. Portable storage containers, in addition to those allowed in subsection 3 as temporary uses, shall be allowed in these districts per the requirements of this subsection.
- b. Number, size, and duration: There is no limit for the number, size or duration of placement of portable storage containers permitted by this subsection.
- c. Location:
 - 1. Storage containers shall observe accessory structure setback regulations for the respective district.
 - 2. Except in the LI and HI Districts, no storage container shall be placed between a principal building and a street right-of-way.
 - 3. In the LI District, storage containers shall not be closer to any public street than the principal building, unless the street is classified as a local industrial or industrial cul-de-sac street.

(vvvv) SWIM AND TENNIS CLUBS

- (1) Where Required: All residential, GO-M, GO-H, HB, CP, LI, PI and TN Districts.
- (2) Minimum Area: The minimum area shall be two (2) acres; it shall be one (1) acre if located on common area within a development.
- (3) Setback: There shall be a fifty (50) foot minimum setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned property.

USES		SPACES REQUIRED
20)	Truck washes	* 3 stacking spaces/stall
21)	Veterinary services (other)	4/doctor plus 1/employee
22)	Vocational, business, or secretarial schools	1/100 sq ft of classroom space plus 1/250 sq ft of office space
23)	Services and repairs (not otherwise classified)	1/250 sq ft gross floor area plus 1/vehicle used in operation
24)	Drive-thrus (not otherwise classified)	* Stacking for 4 vehicles at each bay, window, lane, ordering station, or machine in addition to use requirement
Retail Trade		
1)	Bars, dance halls	1/3 persons in designed capacity of building plus 2/3 employees on largest shift
2)	Convenience stores	* 1/200 sq ft gross floor area plus 4 stacking spaces/side of pump island
3)	Department stores, food stores	1/200 for first 5000 sq ft gross floor area 1/250 thereafter
4)	Fuel oil sales	2/3 employees on largest shift plus 1/vehicle used in operation
5)	Furniture or floor covering sales	1/1000 sq ft gross floor area
6)	Motor vehicle, motorcycle, or recreational vehicle sales or rental; manufactured home sales	5 spaces plus 1/10,000 sq ft of display area plus 2/3 employees on largest shift
7)	Restaurants	1/4 seats plus 2/3 employees on largest shift, plus 11 total stacking spaces with minimum 5 spaces at or before ordering station for single drive-thru lane, or 8 total stacking spaces per lane with minimum 5 spaces at or before each ordering station for double drive-thru
8)	Retail sales (not otherwise classified)	1/200 for first 5000 sq ft gross floor area 1/250 thereafter
9)	Retail sales of bulky items (appliances, building materials, etc.)	1/500 sq ft gross floor area
10)	Service stations, gasoline	* 3/service bay plus 1/wrecker or service vehicle plus 2/3 employees on largest shift plus 4 stacking spaces/side of pump island
11)	Shopping centers (excluding theatres, which shall be calculated separately)	
	a) 400,000 sq ft or less gross floor area	1/250 sq ft gross floor area in main building(s)

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*NCDOT may require additional stacking spaces on state and federal highways.

USES		SPACES REQUIRED
	b) more than 400,000 sq ft gross floor area	1,600 spaces plus 1/350 sq ft gross floor area above 400,000 sq ft
Wholesale Trade		
1)	Market showrooms (furniture, apparel, etc.)	1/2,000 sq ft gross floor area
2)	Wholesale uses	2/3 employees on largest shift plus 1/200 sq ft of retail sales or customer service area plus 1/vehicle used in operation
Transportation, Warehousing and Utilities		
1)	Airport, bus and train terminals	1/4 seats plus 2/3 employees on largest shift
2)	Communication towers; demolition debris landfills; heliports; utility lines or substations	No required parking
3)	Self-storage warehouses	5 spaces
4)	Transportation, warehousing and utility uses (not otherwise classified)	2/3 employees on largest shift plus 1/vehicle used in operation
5)	Recycling Processing Centers	1/employee on largest shift
Manufacturing and Industrial Uses		2/3 employees on largest shift plus 1/200 sq ft of retail sales or customer service area plus 1/vehicle used in operation

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*NCDOT may require additional stacking spaces on state and federal highways.

**TABLE 5-6-2
GEOMETRIC DESIGN STANDARDS**

PARKING						
a PARKING ANGLE (degrees)	b STALL WIDTH* (ft. - in.)	c STALL TO CURB (ft.)	d AISLE WIDTH (ft.)	e CURB LENGTH (ft.)	f1 CENTER-TO-CENTER WIDTH OF TWO-ROW BAY WITH ACCESS AISLE BETWEEN (ft.)	f2 CURB TO CURB OVERLAP C-C
0	8'-6"	8.5	12.0	23.0	29.0	-
	9'-0"	9.0	12.0	23.0	30.0	-
	9'-6"	9.5	12.0	23.0	31.0	-
	10'-0"	10.0	12.0	23.0	32.0	-
30	8'-6"	16.9	11.0	17.0	44.8	37.4
	9'-0"	17.3	11.0	18.0	45.6	37.8
	9'-6"	17.8	11.0	19.0	46.6	38.4
	10'-0"	18.2	11.0	20.0	47.4	38.7
45	8'-6"	19.4	13.5	12.0	52.3	46.3
	9'-0"	19.8	13.0	12.7	52.6	46.2
	9'-6"	20.1	13.0	13.4	53.2	46.5
	10'-0"	20.5	13.0	14.1	54.0	46.9
60	8'-6"	20.7	18.5	9.8	59.9	55.6
	9'-0"	21.0	18.0	10.4	60.0	55.5
	9'-6"	21.2	18.0	11.0	60.4	55.6
	10'-0"	21.2	18.0	11.5	61.0	56.0
90	8'-6"	18.0	25.0	8.5	61.0	-
	9'-0"	18.0	24.0	9.0	60.0	-
	9'-6"	18.0	24.0	9.5	60.0	-
	10'-0"	18.0	24.0	10.0	60.0	-
* 9'-0" recommended; 8'-6" minimum with approval by Department of Transportation (See Illustration in Appendix for handicapped spaces)						
STACKING						
Stacking spaces shall be ten (10) feet by twenty (20) feet.						

(e) LOCATION

(1) Off-site Parking Lots:

- a. When required off-street parking is permitted to be located off-site, it shall begin within four hundred (400) feet of the zone lot containing the principal use except as provided in Subsection 9-5-6(e)(3).

- b. Required off-street parking shall not be located across an intervening major or minor thoroughfare without prior approval of the Technical Review Committee. Information shall be submitted by the developer regarding the off-street parking area, including anticipated pedestrian traffic, predicted time of day for such pedestrian traffic, along with the site plan for the off-street parking area depicting existing conditions (such as sidewalks, pavement markings, signage, or crossing lights) and depicting the proposed pedestrian route from the off-site parking area to the land use it serves. If the Technical Review Committee determines that existing conditions are insufficient to provide an adequate and safe pedestrian crossing, then the Technical Review Committee shall require such necessary pedestrian safety improvements needed to ensure adequate public safety. Any necessary crossing improvements shall be installed by the applicant prior to the use of the off-site parking.
- c. Off-site parking lots shall be subject to a limited use easement which establishes the extent of parking that is provided off-site. The easement shall be approved by the Enforcement Officer and recorded in the County Register of Deeds Office with a copy filed with the Enforcement Officer.

- (2) Parking in Nonresidential Districts: Automobile parking for any use may be provided in any nonresidential district.
- (3) Parking in Residential Districts: Surface parking as a principal use on a zone lot in a residential district shall meet the requirements for "Parking, Automotive" in Section 9-5-2, Development Standards for Individual Uses.

(f) COMBINED PARKING

- (1) Separate Uses: The required parking for separate or mixed uses may be combined in one (1) facility.
- (2) Shared Parking: A maximum of fifty percent (50%) of the parking spaces required for a church, theater, auditorium, assembly hall, or other similar use may also serve as required spaces for another use located on the same zone lot. Shared spaces may also be located off-site as allowed in Subsection 9-5-6(e)(1) (Off-site Parking Lots). In either case, the Enforcement Officer must determine that the various activities will have peak parking demands at different periods of the day or week. Otherwise, no off-street parking required for one (1) building or use shall be applied toward the requirements of any other building or use
- (3) Reassignment: Required off-street parking spaces shall not be leased or otherwise assigned to another use except as provided in Subsection 9-5-6(f)(2) (Shared Parking) above.

(g) PROHIBITION OF LARGE VEHICLES IN RESIDENTIAL DISTRICTS

- (1) The parking of vehicles in excess of twenty-four (24) feet in length, or 14,000 pounds gross vehicle weight shall be prohibited in residential districts, with the following exceptions:
 - a. Recreation vehicles (RV's) as defined in Chapter 2 (Definitions of this Ordinance), provided that any such large RV that was not originally designed and manufactured as an RV shall be situated on the lot and located behind the front building line of the principal building. Occupancy of recreational vehicles or travel trailers shall only be permitted in manufactured dwelling or recreational vehicle parks;
 - b. For temporary loading and unloading purposes;
 - c. For emergency home service; and
 - d. For use in the operation of legal nonconforming uses when the parking of such vehicles is only on the property occupied by said legal nonconforming use.
 - e. Church bus and school bus when used for purposes associated with churches and schools and when vehicle is parked on church or school property.
- (2) The Board of Adjustment is not authorized to grant a variance to the standards of this Section.

(h) LOADING AREAS

- (1) Location: Off-street loading areas shall be located on the same zone lot as the use they serve.
- (2) Design Standards:
 - a. Minimum Number of Loading Spaces Required:
 - 1. Retail operations, including restaurant and dining facilities within hotels and office buildings:

Gross Floor Area (sq. ft.)	Number of Spaces
0 - 20,000	0
20,001 - 40,000	1
40,001 - 75,000	2
75,001 - 150,000	3
150,001 - 250,000	4
For each additional 250,000 sq. ft. or fraction thereof	1

2. Office buildings and hotels:

Gross Floor Area (sq. ft.)	Number of Spaces
0 - 100,000	0
For each additional 100,000 square feet or fraction thereof	1

3. Industrial and wholesale operations:

Gross Floor Area (sq. ft.)	Number of Spaces
0 - 10,000	0
10,001 - 40,000	1
40,001 - 100,000	2
100,001 - 160,000	3
160,001 - 240,000	4
240,001 - 320,000	5
320,001 - 400,000	6
For each additional 90,000 square feet or fraction thereof	1

- b. Each loading area shall be at least twelve (12) feet wide, sixty-five (65) feet long, and fourteen (14) feet in height clearance. No portion of the loading area shall project into a street right-of-way. (See Appendix-Illustrations).
- c. All off-street loading areas shall be arranged and marked to provide for orderly and safe unloading and loading, and shall not hinder the free movement of vehicles and pedestrians. All loading and unloading maneuvers shall take place on private property. All loading areas shall be designed to prevent backing maneuvers from or into the street unless otherwise approved by the Director of Transportation.

(Ord. No. 93-113, Pt. 2(§ 1), 9-16-93; Ord. No. 93-113, Pt. 1(§ 1), 12-13-93; Ord. No. 94-39, § 1, 3-17-94; Ord. No. 94-96, § 1, 12-1-94; Ord. No. 96-74, Pt. 1, (§1), 12-12-96; Ord. No. 99-75, Pt. 6, (§ 1), 10-4-99; Dev. Ord. 01-14, Pt. 20, (§1), 4-5-01; Ord No. 01-93, Pt. 2 (§1), 11-1-01; Ord. No. 02-95, Pt. 1, (§1), 11-07-02; Ord. No. 04-40, Pt. 12, (§1), 5-03-04)

9-5-7 THROUGH 9-5-10 (RESERVED)

- (2) Area for Multi-faced Signs: For multi-faced signs, the sign area shall be computed by including all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
- (3) Height: Sign height shall be computed as the distance from the base of the sign at the finished grade or from the nearest adjacent street grade to which the sign is oriented and on which the lot has frontage, whichever is higher, to the top of the highest component of the sign. Finished grade shall be the grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- (4) Lots with Multi-frontage: Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. The total sign area that is oriented toward a particular street, however, may not exceed the portion of the lot's total sign area that is derived from that street frontage or building frontage.

**TABLE 5-16-1
SPECIFICATIONS FOR SIGNS NOT REQUIRING A PERMIT**

TYPE	# PERMITTED	AREA (sq ft)	SETBACK (feet)	HEIGHT (feet)	ILLUM. (b)
Warning Signs/Res. Districts	NA	4	NA	8	direct
Warning Signs/Non-Res. Districts	NA	6	NA	8	direct
Historical, Memorial Markers/All Districts	1/lot	4	R/W (a)	6	indirect
Flags, Emblems, Insignia/All Districts	1/frontage	60	R/W (a)	40	indirect
Religious, Philosophical, or Educational Signs/All Districts	1/frontage	6	R/W (a)	6	none
Temp. Real Estate, Yard Sale & Construction Signs/AG & RS Districts	1/frontage	6	R/W (a)	6	none
Temp. Real Estate & Construction Signs/RM, Non-Res. Districts, & Major Subdivisions in RS Districts	1/frontage	100	R/W (a)	12	none
Temp. Political Signs/All Districts	6	6	R/W (a)	6	none
Identification Signs/All Districts (c)	1/building	2/unit	R/W (a)	6	none

Footnotes:

- (a) Signs must be located outside public street right-of-way and outside any sight distance area.
- (b) Electrical permit required if sign is illuminated.
- (c) As specified in Section 9-5-16(d) (Signs That Do Not Require A Permit), refers to the following identification signs: name and address plates, including those identifying home occupations and rural family occupations, and building markers (cornerstones or plaques).

**TABLE 5-16-2
SPECIFICATIONS FOR ACCESSORY FREESTANDING SIGNS REQUIRING A PERMIT**

ZONING DISTRICT	NUMBER	AREA		SETBACK (feet)	HEIGHT (feet)	COMPUTATION
		max	min(a) (sq. ft.)			
Public and Institutional Uses/Res. Districts	1/lot front.	50	NA	R/W (b)	6	NA
AG (non-residential uses only)	1/lot front	50	NA	R/W (b)	10	NA
PI, LO, NB	1/lot front.	100	12	R/W (b)	6	.25 sq ft/linear ft lot front.
GO-M, GO-H, CP, LB	1/lot front.	100	25	R/W (b)	15	.25 sq ft/linear ft lot front.
GB, LI, HI	1/lot front.	200(c)	75	R/W (b)	30 (d)	1.0 sq ft/linear ft lot front.
HB	1/lot front.(m)	200(c)	75	R/W(b)	30(d)	1.0 sq ft/linear ft lot front
Outparcel & Lease Lot	1/parcel (m)	50	NA	R/W(b)	6	NA
CB (p)	1/street frontage(n)	100	50	R/W (b)	6 (e)	1.0 sq ft/linear ft lot front.
SC (f) Development Identification	(k) 1/street front.	300	200	10	30 (d)	# business 2-15 = 200 sq ft 16+ = 300 sq ft
Outparcel & Lease Lot	1/parcel	50	NA	R/W (b)	6	NA
Playbill	1/theatre complex	200	NA	10	30	NA
Individual Lot of Record	1/lot	100	50	R/W (b)	6	.5 sq ft/linear ft lot front.
(g) Development entrance/All Districts	1 pair/entrance	50/ entrance	NA	R/W (b)	6	NA
Off-site Directional Signs/GB, HB, LI, HI	See Note #4	8	NA	R/W (b)	6	NA
(h) Identification Signs/All Districts	1/building entrance	20	NA	15 (o)	10	NA
(i) Instructional Signs/All Districts	NA	6	NA	R/W (b)	8	NA
(j) Banners for Temporary Events/All Districts	1/500 ft frontage	20	12	R/W (b)	20	Linear Frontage 0-100 ft = 12 sq ft 101-200 ft = 16 sq ft > 200 ft = 20 sq ft
Portable Signs for Temporary Events/All Districts	1/lot	32	NA	R/W (b)	6	NA
Special (1) Promotion Signs/All Districts	NA	NA	NA	R/W (b)	NA	NA

Notes:

- 1) Freestanding signs shall be allowed only as accessories to a principal use.
- 2) Indirect illumination of signs is allowed in all districts. In residential districts, direct illumination of signs shall be subject to the approval of a Special Use Permit and compliance with the following requirements: i) the sign must be for a permitted non-residential use; ii) the non-residential use and sign must front on a thoroughfare; and iii) illumination of the sign must be needed for identification of the non-residential use due to the use's non-daylight activities.

In non-residential districts, direct illumination of signs is allowed, except in the NB, LO, GO-M and CP Districts where direct illumination shall be limited to cut-out letter and shielded silhouette lighting. In the PI District, direct illumination of signs shall be subject to the approval of a Special Use Permit and compliance with the following requirement: i) illumination of the sign must be needed for identification of the use due to the use's non-daylight activities.

- 3) Any sign greater than 6 ft in height shall not be located within 100 ft of any residential district.
- 4) The number of off-premise directional signs permitted shall be determined through the Special Use Permit process by recommendation of the Planning and Zoning Commission and City Council approval, and shall be based on the need for the sign(s) and the difficulty of access to the establishment. Where two (2) or more establishments at the same location receive approval of directional signs, such signs shall share the same support structure. The Special Use Permit shall expire after two (2) years and shall be subject to reapproval.
- 5) For the purposes of sign permitting, individual lots within an Integrated Multiple Use Development, (IMUD) shall be permitted freestanding signage in accordance with the regulations governing outparcels and lease lots in the SC District. Development entrance or development identification signs for IMUD's shall be permitted in accordance with the governing zoning district.

Footnotes:

- (a) "Minimum" sign area refers to the minimum sign size allowed by right, regardless which would be allowed by computation.
- (b) Signs must be located outside public street right-of-way and outside any sight distance area. Development entrance signs may be erected in the public right-of-way provided that such signs have been permitted by an encroachment agreement in accordance with Subsubsection 9-5-16(l). Off-premise directional signs shall be subject to the permission and written agreement of the property owner for the sign location.
- (c) The maximum size of a sign may be increased by 75 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway.
- (d) The height of a sign may be increased to 50 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway, provided that the increase in height is not permitted if government sponsored logo signs are installed.
- (e) The height of a sign in the CB District may be increased to 15 feet if the sign is a monument sign.
- (f) Sign may identify only the name of the shopping center and the tenants. Height may be increased by 5 ft. and maximum size may be increased by 50 sq. ft. a permitted freestanding playbill is not separately installed, but is combined with the Shopping Center Identification sign.
- (g) Permitted only in: (1) major subdivisions; (2) developments of over fifteen thousand (15,000) square feet of gross floor area; (3) multifamily developments with more than eight (8) dwelling units in a single building; or (4) developments with more than forty thousand (40,000) sq ft in open air uses of land. Sign may identify only the name of the development, management or developer, and/or address or location of development.
- (h) Refers to the following identification signs: Directory signs (listing occupants of buildings and their address) in developments with multiple occupants; individual tenant signs and building name and address signs for buildings with multiple occupants. An individual tenant identification sign may only be erected at an entrance if there is no wall mounted identification sign present.
- (i) Colleges and universities, hospitals, coliseums, and convention centers may have signs that exceed the allowable square footage if approved by the Board of Adjustment as a special exception subject to the finding that any larger sign is a public necessity.
- (j) Would require a Temporary Event Permit in accordance with Section 9-3-3(e).
- (k) One additional freestanding sign may be allowed provided: 1) the lot frontage exceeds 1,000 linear feet; 2) the minimum area referred to in footnote (a) does not apply to the additional sign; 3) the sign allocation may be apportioned between the two signs, but in no case shall the maximum area for either sign exceed 200 square feet; 4) the additional signs shall not be located closer than 250 feet to any other freestanding sign on the same zone lot; and 5) the additional sign shall not be located closer than 250 feet to any freestanding sign on an adjoining zone lot.
- (l) Freestanding signs erected for Special Promotions shall be limited in duration to a maximum of 30 continuous days not more than 2 times in a calendar year.
- (m) Under no circumstance shall there be more than one accessory freestanding sign per principal building.
- (n) A maximum of three (3) such signs per zone lot shall be permitted.
- (o) A directory sign or single tenant identification sign shall, at its closest point, be located within 6 feet of the entrance it is intended to identify.
- (p) For properties in the Central Business (CB) District, the area and height of one (1) permitted freestanding sign may be increased provided that:
 1. No wall signs shall be permitted or erected on the same side of the building. This is deemed to include all sections of the building wall parallel with or within 45 degrees of parallel with the property line or street right-of-way line.
 2. The sign face is placed parallel to the building, and is located such that it does not impair vehicular sight distance from driveways or along public streets.
 3. The area of the freestanding sign does not exceed 50% or 150 square feet, whichever is smaller, of the area of wall signage that would be permitted on the side of the building where the freestanding sign is to be located. The wall signage calculation shall include all sections of the building wall parallel with or within 45 degrees of parallel with the property line or street right-of-way line.
 4. The height of the freestanding sign does not exceed forty (40) feet or the height of the building (or average height where variations in height occur), whichever is less.

(Ord. No. 02-67, Pt. 1-5, (§ 1), 8-1-02; Ord. No. 04-40, Pt. 3, (§1),5-03-04;)

**TABLE 5-16-3
SPECIFICATIONS FOR ACCESSORY ATTACHED SIGNS REQUIRING A PERMIT**

ZONING DISTRICT	NUMBER	AREA		HEIGHT (feet)	COMPUTATION
		max	min(a) (sq. ft.)		
WALL SIGNS					
PI, LO, NB	See Note #1	NA	25	top of wall	5% of wall area (b)
GO-M, GO-H, CP, LB	See Note #1	NA	25	top of wall	7.5% of wall area (b)
GB, HB, CB, LI, HI, SC (including outparcels & lease lots)	See Note #1	NA	50	top of wall	10% of wall area (b)
AWNING, CANOPY MARQUEE SIGNS All Non-Res. Districts	1/face	NA	NA	top of canopy (c)	10% of the canopy, (d) awning, or marquee face
SUSPENDED SIGNS All Non-Res. Districts	1/entrance	6	NA	(b)	NA
BANNERS Temporary Events (e) All Districts	1/500 ft. frontage	20	12	(b)	Linear Frontage 0-100 ft = 12 sq ft 101-200 ft = + 4 sq ft 201-500 ft = + 4 sq ft
Temporary Identification for Market Showrooms (f), All Non-Res. Districts	NA	NA	NA	top of wall	50% of wall area
SPECIAL PROMOTION SIGNS (g) All Districts	NA	NA	NA	top of wall	NA
IDENTIFICATION SIGNS All non-Res. Districts	1 only where avg. wall height > 35 ft.	75	> 6	top of wall	1% of wall area (h)

Notes:

- 1) Except in the CB District, one (1) sign is permitted per building wall of a business oriented to a street or parking area. Exceptions:
 - a) In a multi-tenant building, where each tenant has its own separate entrance, each tenant may have one sign, the area of which is based on its proportionate share of the building wall. The wall must be oriented to a street or parking area. The total area of all signage shall not exceed the total allowed for the building wall. A common signage plan shall be prepared and approved by the Enforcement Officer prior to issuance of the first sign permit.
 - b) In a multi-tenant building that is two (2) stories in height or less and contains less than 30,000 sq. ft. gross floor area, and where the tenants share a common entrance, each tenant may have one sign, the area of which may be based on its proportionate share of the building's gross floor area, or may be based equally on the number of tenants. Signs may be grouped on a wall(s) oriented to a street or parking area. The total area of all signs shall not exceed the total allowed for the building wall on which they are located. A common signage plan shall be prepared and approved by the Enforcement Officer prior to the issuance of the first sign permit.
 - c) In a multi-tenant building that is three (3) stories in height or more and/or contains 30,000 sq. ft. or more gross floor area, and where the tenants share a common entrance(s), a maximum of four (4) wall signs shall be permitted. The signs may be grouped on a wall(s) oriented to a street or parking area. However, where signs are grouped, the maximum area of each sign shall be computed using the following formula:
 - For 2 signs, $1.5 \text{ (max. sign area for building wall)} \div 2 = \text{max. area of each sign}$
 - For 3 signs, $2.0 \text{ (max. sign area for building wall)} \div 3 = \text{max. area of each sign}$
 - For 4 signs, $2.5 \text{ (max. sign area for building wall)} \div 4 = \text{max. area of each sign}$