

CHAPTER 5
ZONING: OTHER STANDARDS
ARTICLE A
LAND USE DEVELOPMENT STANDARDS

9-5-1 DEVELOPMENT STANDARDS FOR ALL USES

(a) OUTDOOR LIGHTING

Outdoor lighting structures shall be located, angled, shielded, or limited in intensity so as to cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists.

High mast lighting fixtures greater than 50 feet in height and located in a residential district shall be subject to the Special Use Permit process and the development standards of Section 9-5-2(111).

(b) NOISE

(Reserved)

(c) DUST

(Reserved)

(d) SCREENING

(1) Where screening is required it shall be of an acceptable screening material approved by the Enforcement Officer.

(2) Dumpsters

a. All dumpsters or other similarly large trash receptacles, including compactors, shall be screened from view from the right-of-way of any public or private street, and from any adjacent residential zoning district (as seen from any point on the property line at a height of 6 feet).

b. Dumpsters may be screened by using a single opaque material wall or fence, or by using a combination of opaque materials, berming, and/or evergreen landscaping that provides the required screening effect. Dumpsters may also be screened by a wall(s) of a principal or accessory structure. Chain-link fencing with woven slats of opaque material is not acceptable for screening dumpsters.

- c. The number of sides of the dumpster enclosure or screening and its height will depend upon the location of the dumpster relative to any adjacent residentially zoned property and the view from public or private streets.
- d. Screening of a dumpster shall not be required in the Heavy Industrial (HI) District, unless the dumpster is located within 100 feet of an existing residential land use.
- e. Existing nonconforming dumpsters shall be brought into compliance with this Ordinance if one of the following occurs:
 - 1. If additions or expansions of buildings exceed 1,000 square feet of gross floor area (GFA) or the total of additions or expansions of buildings, parking areas or open uses of land occur that individually or collectively exceed 3,000 square feet; or
 - 2. If there is a change in the existing use of the property requiring a change of use permit from the Enforcement Officer.

(e) MEMBRANE STRUCTURES

Membrane structures shall be permitted only for temporary use as specified in the North Carolina building Code, or as otherwise specified in this Ordinance for Market Showrooms (Section 9-5-2(tt) Development Standards for Market Showrooms), and for Residential Accessory Structures (Section 9-4-13(b) Residential Accessory Structures).

(f) SIDEWALKS

- (1) *General:* Sidewalks shall be installed along public streets that abut a property subject to site plan approval by the Technical Review Committee.
- (2) Required Locations:
 - a. Along the abutting side of major thoroughfares and minor thoroughfares, not otherwise subject to lesser requirements.
 - b. Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the Technical Review Committee, the abutting side may be required where one or more of the following conditions exists:
 - i. The current or projected average daily traffic volume is greater than 8,000 vehicles per day.

- ii. The posted speed limit is greater than 35 miles per hour.
 - iii. The street is identified as a pedestrian route on the City of High Point Pedestrian Plan.
 - iv. Other pedestrian safety, access, or circulation needs are identified.
 - c. Along one side of new and existing local streets not otherwise subject to lesser requirements, unless other pedestrian safety, access, or circulation needs are identified.
 - d. As required by the regulations of the Traditional Neighborhood District in Section 9-4-3(b)(5)d.
- (3) Exempt Locations:
 - a. Along new and existing local and sub-collector residential streets where, upon review by the Technical Review Committee, the following conditions are found to exist:
 - i. The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - ii. The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - iii. There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - b. Along existing streets in predominantly industrial areas where no sidewalks are present and where, upon review by the Technical Review Committee, a sidewalk is not deemed necessary or feasible.
 - c. Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - d. Along streets that are North Carolina Department of Transportation controlled access facilities.
- (4) *Extent.* Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets that the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed.

- (5) *Construction Standards.* All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in accordance with the City’s standard specifications for sidewalks. Preliminary subdivision plats and/or site plans shall address phasing and timing criteria and shall propose a maximum time frame for sidewalks to be installed.

(Ord. No. 01-93, Pt. 3, (§ 1), 11-1-01; Ord. No. 03-39, Pt. 3, (§ 1), 6-19-03)

9-5-2 DEVELOPMENT STANDARDS FOR INDIVIDUAL USES

(a) ADDITIONAL REQUIREMENTS

The development standards listed herein are additional to other requirements in this Ordinance. These development standards are use-specific and apply to those uses designated with a "D" in Table 9-5-1 (Permitted Use Schedule). Uses requiring approval of a Special Use Permit shall be subject to any additional standards set forth herein.

(b) GENERAL RULES

The following rules apply for the types of development standards listed below (See Appendix-Illustrations):

- (1) Property Separation: All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed use is to be located to the lot line of the closest use (or zoned property) from which the proposed use is to be separated.
- (2) Use Separation: All measurements shall be made by drawing straight lines from the nearest point on the wall of a proposed or existing principal building to the nearest point on the wall of the principal building from which the subject building is to be separated, unless otherwise specified.

(c) ACCESSORY DWELLING UNITS (TO SINGLE FAMILY DWELLINGS) (SEE APPENDIX: ILLUSTRATIONS):

- (1) Where Required: AG, all residential, GO-M, GO-H, LO, CB, LI and HI Districts.
- (2) General Provisions: The following requirements apply to all accessory dwelling units, whether attached or detached.

a. Design Standards:

1. No more than one (1) accessory dwelling unit is permitted on the same zone lot with a principal dwelling unit.
2. The accessory dwelling unit and principal dwelling unit shall have the same address and use the same mailbox.

3. No accessory dwelling unit shall be permitted on the same zone lot with a two-family or multifamily dwelling or family care home.
 4. Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from that of the primary residence.
 5. The accessory dwelling unit shall have a maximum of two (2) bedrooms.
 6. The accessory dwelling unit shall be designed to maintain the architectural design, style, appearance and character of the principal residence. The accessory dwelling unit shall incorporate design elements of the principal residence by using similar and compatible materials, façade treatment, colors, window style/treatment and roof design & pitch.
- b. Dimensional Requirements:
1. The principal residence must be located on a lot that meets the minimum area requirements of the zoning district.
 2. The accessory dwelling unit shall be subject to the provision of Section 9-4-13 (*Accessory use building and structure requirements*) of this ordinance. In the event there is a conflict between sections of this Development Ordinance, the more restrictive provision shall apply.
 3. The lot shall not exceed the maximum building coverage with the addition of an accessory dwelling unit.
- c. Utilities & access
1. Have water, sanitary sewer, gas and electrical utilities as part of the principal building.
 2. The accessory dwelling unit shall not be served by a driveway separate from that serving the principal residence, unless the accessory dwelling is accessed from a right of way not used by the principal residence such as a rear alley or separate street access on a corner or through lot.
- (3) Accessory Dwelling Unit Within a Principal Single Family Building:
- a. The principal building shall not be altered in any way so as to appear from a public or private street to be multifamily housing. Prohibited alterations include, but are not limited to: multiple primary or front entranceways. Access to the accessory dwelling unit shall be by means of an existing side or rear door, except where a new entrance is required by the NC State Building Code. No new doorways or stairways to upper floors are permitted if they are attached to the side of a building facing a public or private street.

b. The accessory dwelling unit shall have an area no more than 800 square feet.

(4) Detached Accessory Dwelling Units:

a. A detached accessory dwelling unit may be:

1. A dwelling unit which is part of an accessory garage; or
2. A freestanding dwelling unit meeting the NC State Building Code.

b. The accessory dwelling unit shall:

1. Be erected behind and at least ten (10) feet from the principal building;
2. The accessory dwelling unit shall not exceed fifty percent (50%) of the gross floor area of the principal building, excluding any garage area, carport, porches, decks, patios, crawl spaces and other non-living areas of the principle building.

(d) ADVERTISING SERVICES, OUTDOOR

(1) Where Required: GB, HB and MS Districts.

(2) Outdoor Storage: No outdoor storage of any materials related to outdoor advertising shall be permitted.

(e) AGRICULTURAL CHEMICALS, PESTICIDES, AND FERTILIZERS (WHOLESALE)

(1) Where Required: AG District.

(2) Setback: All structures, buildings, mechanical equipment, or enclosed areas used for the operation shall be a minimum of one hundred (100) feet from all property lines.

(3) Noise: Equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.

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

(5) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around all outside storage areas.

(f) AGRICULTURAL PRODUCTION (LIVESTOCK AND BEES)

(1) Where Required: AG, RS-40, RS-20, RS-15, RS-12, and HI Districts.

- (2) Types of Livestock Permitted: Bees, fowl, horses, cows, sheep, goats, and other livestock, with the exception of hogs. Hog production is prohibited inside the City limits.
- (3) Setback: Animals and bees shall be housed and/or fenced not less than two hundred (200) feet from any property line.
- (4) Minimum Area: The minimum lot size shall be five (5) acres.
- (5) Maximum Density: (Except for the AG and HI Districts)
 - a. Horses, Cows and Other Similar Sized Animals: No more than one (1) such animal over six (6) months of age shall be permitted for every thirty thousand (30,000) square feet of fenced lot area.
 - b. Apiaries (Bees): No more than one (1) colony of bees shall be permitted for every ten thousand (10,000) square feet of lot area.
 - c. Sheep, Goats and Other Similar Sized Animals: No more than one (1) adult animal over six (6) months of age shall be permitted for every ten thousand (10,000) square feet of fenced lot area.
 - d. Fowl: No more than one (1) adult over six (6) months of age shall be permitted for every five hundred (500) square feet of lot area.
- (6) Security Fencing: A minimum four (4) foot high fence, of an acceptable material approved by the Enforcement Officer, shall be provided to prevent animals from leaving the property.

(g) AGRICULTURAL PRODUCTS, OTHER (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)

(h) AIRPORTS

- (1) Where Required: AG District.
- (2) Minimum Area: Fifty (50) acres for Basic Utility Stage 1 airport with two thousand (2,000) foot runway. More area is required for larger airports. Airport size and layout shall conform to current FAA requirements.
- (3) Use Separation: There shall be a minimum three hundred (300) foot distance between airport property and the nearest residence.
- (4) Security Fencing: Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum six (6) feet in height.

(i) AMMUNITION, SMALL ARMS

- (1) Where Required: HI District.
- (2) Use Separation: No such facility shall locate within a five hundred (500) foot radius of any residentially or public and institutionally zoned property.
- (3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such a facility.
- (4) Operation: The facility and its operation shall observe all fire prevention and protection requirements.

(j) AMUSEMENT OR WATER PARKS, FAIRGROUNDS

- (1) Where Required: AG, HB, and LI Districts.
- (2) Minimum Area: Minimum lot size shall be five (5) acres.
- (3) Setback: No principal buildings or structures shall be located within fifty (50) feet of any property line.
- (4) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- (5) Use Separation: No amusement equipment, machinery or mechanical device of any kind may be operated within two hundred (200) feet of any developed residentially or public and institutionally zoned property.

(k) ANIMAL FEEDER/BREEDER

- (1) Where Required: AG District.
- (2) Setback: All structures, buildings or enclosed areas, used for housing poultry, hogs, cattle or other livestock shall be a minimum of one hundred (100) feet from all property lines.
- (3) Operation: Any violation of County Health Department regulations concerning the operation of the feeder/breeder shall be considered a violation of this Ordinance.
- (4) Noise: Mechanical equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.

(l) ANIMAL SERVICES (OTHER)

- (1) Where Required: GO-M, GO-H, LB, GB, HB, CB, MS, SC, and CP Districts.

(2) Outside Storage: Outdoor pens and runs are prohibited.

(m) ANIMALS AND ANIMAL PRODUCTS, OTHER (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)

(n) ANTIQUE STORES AND USED MERCHANDISE STORES

(1) Where Required: NB, LB, GB, HB, CB, MS, SC, LI and TN Districts.

(2) Outdoor Storage: No outdoor storage of any furniture or other items shall be permitted.

(3) Size:

- a. Establishments in the NB and TN Districts shall be less than 5,000 square feet gross floor area.
- b. Establishments in the MS District shall be less than 5,000 square feet gross floor area if the property fronts on Main Street and less than 25,000 square feet gross floor area for other sites as long as the establishment is located in an existing building designed with a single store front and intended for a single occupant.

(o) ASPHALT PLANTS

(1) Where Required: AG and HI Districts.

(2) Setback: Any asphalt plant operations shall be located at least fifty (50) feet from any property line.

(3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of the operation.

(4) Rehabilitation:

- a. Within one (1) year after the cessation of production, all equipment and stock piles incidental to such operation shall be dismantled and removed by and at the expense of the owner.
- b. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainageways, nor to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course.

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

(6) Access:

- a. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.
- b. Access roads shall be located no closer than fifteen (15) feet to any property line other than a railroad right-of-way line.
- c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic and shall be adhered to.

(p) **ATHLETIC FIELDS**

- (1) Where Required: AG, all residential, LO, and NB Districts.
- (2) Access: All athletic fields shall have primary access to collector or thoroughfare streets.

(q) **AUDITORIUMS, COLISEUMS, OR STADIUMS**

- (1) Where Required: HB, CB, SC, MS, LI, and PI Districts.
- (2) Special Use: A Special Use Permit is required for any such facility with a seating capacity that exceeds 100 seats. Applicants required to obtain a Special Use Permit shall demonstrate that vehicular and pedestrian traffic, as well as light and noise created by the use does not create negative impacts on adjacent properties or on the surrounding area. Pedestrian crossing improvements may be required to insure that pedestrians can safely cross nearby streets to access the site.

(r) **AUTOMOBILE RENTAL OR LEASING**

- (1) Where Required: SC and MS Districts.
- (2) Requirements in the SC District: A minimum of one (1) parking space shall be provided for each vehicle rented or leased.

(s) **AUTOMOTIVE REPAIR SERVICES, MAJOR**

- (1) Where Required: GB, HB, LI, and HI Districts.
- (2) Outdoor Storage:
 - a. In the GB and HB Districts: No more than twenty (20) motor vehicles shall be stored overnight on the premises at any one time.

- b. In the LI and HI Districts: No more than one hundred (100) motor vehicles shall be stored overnight on the premises at any one time.
- (3) Screening: A minimum six (6) foot high opaque fence, of an acceptable screening material approved by the Enforcement Officer, shall be provided to screen all outdoor storage of parts and/or materials, and all overnight outdoor storage areas for motor vehicles adjacent to residentially zoned property.
- (4) Location Within a General Watershed Area: All bulk petroleum products, new and used, must be stored in a containment area that will retain 1.5 times the aggregate volume of all containers with walls and floors sealed to prevent contamination of groundwater in the City's water supply watershed.

(t) AUTOMOTIVE REPAIR SERVICES, MINOR

- (1) Where Required: GB, HB, CB, SC, MS, LI and HI Districts.
- (2) Outdoor Storage:
 - a. In the MS, GB, HB, and CB Districts: No more than twenty (20) motor vehicles shall be stored overnight on the premises at any one time. Parts and/or materials shall not be stored between a principal building and a street right-of-way.
 - b. In the SC District: No overnight outside storage of motor vehicles shall be permitted. There shall be no outdoor storage of parts or materials.
 - c. In the LI and HI Districts: No more than one hundred (100) motor vehicles shall be stored overnight on the premises at any one time.
- (3) Screening: A minimum six (6) foot high opaque fence, of an acceptable screening material approved by the Enforcement Officer, shall be provided to screen all outdoor storage of parts and/or materials.
- (4) Location Within a General Watershed Area: All bulk petroleum products, new and used, must be stored in a containment area that will retain 1.5 times the aggregate volume of all containers with walls and floors sealed to prevent contamination of groundwater or the City's water supply watershed.
- (5) Location Within the Main Street District: Automotive Repair Services, Minor shall only be permitted in sub-areas A, C & D.

(u) AUTOMOTIVE TOWING AND STORAGE SERVICES

- (1) Where Required: GB, HB, and LI Districts.
- (2) Maximum Automotive Storage:

- a. In GB and HB Districts, no more than twenty (20) motor vehicles shall be stored on the premises at any one time.
 - b. In the LI District, no more than one hundred (100) motor vehicles shall be stored on the premise at any one time.
- (3) Screening: The automotive storage area shall be surrounded by a minimum six (6) foot high opaque fence of acceptable screening material approved by the Enforcement Officer.
- (4) Operation: No outdoor disassembly or salvaging shall be permitted.

(v) **BANKS, SAVINGS AND LOANS, OR CREDIT UNIONS**

- (1) Where Required: GO-M, GO-H, LB, and CP Districts.
- (2) Maximum Area: The total direct customer service floor space shall not exceed four thousand (4,000) square feet.
- (3) Drive-Thru Teller Services: A maximum of four (4) service lanes for window tellers, remote tellers, or automated teller machines (ATMs) shall be allowed. The point of service for the aforementioned tellers shall be located no closer than seventy-five (75) feet to residentially zoned property.

(w) **BARS**

- (1) Where Required: GB, HB, CB, SC, MS, WMX and TN Districts.
- (2) Property Separation:
 - a. In the GB, HB, CB, SC and TN Districts no such establishment shall be located within two-hundred (200) feet of a church, elementary or secondary school, public park, or residentially zoned property.
 - b. In the MS district, no such establishment shall be located within one hundred (100) feet of a church or an elementary or secondary school.
 - c. In the WMUC Overlay District, no specific property separation distance is required; however, applicants submitting a special use permit application shall demonstrate that the use will not create negative impacts on adjacent properties, particularly churches and schools.
- (3) Orientation: The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses.
- (4) Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, but this does not permit a reduction in planting yard width as provided in Table 5-11-2.

(x) BARS (CAPACITY > 100 PERSONS)

- (1) Where Required: GB, HB, CB, SC, TN, MS, WMX and LI Districts.
- (2) Property Separation:
 - a. In the GB, HB, CB, SC, TN and LI Districts no such establishment shall be located within two-hundred (200) feet of a church, elementary or secondary school, public park, or residentially zoned property.
 - b. In the MS District, no such establishment shall be located within one hundred (100) feet of a church or an elementary or secondary school.
 - c. In the WMUC Overlay District, no specific property separation distance is required; however, applicants submitting a special use permit application shall demonstrate that the use would not create negative impacts on adjacent properties, particularly churches and schools.
- (3) Orientation: The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses.
- (4) Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, but this does not permit a reduction in planting yard width as provided in Table 5-11-2.

(y) BARBER SHOPS, BEAUTY SHOPS

- (1) Where Required: CP District.
- (2) Operation: The barber or beauty shop shall be limited to two (2) operators per establishment.

(z) BATTING CAGES

- (1) Where Required: HB, MS, LI, and HI Districts.
- (2) Security Fencing: In the HB, LI and HI Districts fencing, netting, or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- (3) In the MS District all batting cages and gaming activity shall be located indoors.

(aa) BOAT REPAIRS

- (1) Where Required: GB, HB, LI, and HI Districts.
- (2) Outdoor Storage:

- a. In the GB and HB Districts: No more than twenty (20) boats shall be stored overnight on the premises at any one time. Parts and/or materials shall not be stored between a principal building and a street right-of-way.
 - b. In the LI and HI Districts: No more than one hundred (100) boats shall be stored overnight on the premises at any one time.
- (3) Screening: A minimum eight (8) foot high opaque fence, of an acceptable screening material approved by the Enforcement Officer, shall be provided to screen all outdoor storage of parts and/or materials, and boats which are adjacent to residentially zoned property.

(bb) BODY PIERCING ESTABLISHMENT

- (1) Where Required: GB District.
- (2) Restricted from Public View: All body piercing shall take place in an area of the establishment that cannot be viewed by other customers or by the general public from any public or private street right-of-way or any area commonly accessed by the public (i.e. parking lots, mall corridors, promenades, sidewalks), whether on the same or a nearby property.

(cc) BUILDING SUPPLY SALES (WITH STORAGE YARD)

- (1) Where Required: GB, HB, and SC Districts.
- (2) Screening: All outside storage shall be completely screened from view from all streets and adjacent residentially zoned property.
- (3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around all outside storage areas.
- (4) Dust: All storage areas shall be maintained in a manner so as to prevent dust from adversely impacting adjacent properties.

(dd) BULKY ITEM OUTDOOR DISPLAY

- (1) Where Required:
 - a. As a Principal Use: GB, HB, LI, and HI Districts.
 - b. As an Accessory Use: GB, HB, SC, LI, and HI Districts.
- (2) Portable storage containers and dumpsters that are utilized for the purpose of display must be located behind the minimum setback of the zoning district in which they are located and be located outside any required parking or planting yards. Portable storage containers and dumpsters utilized for their intended purpose (the

storage of material or waste), and not for the purpose of display, are regulated elsewhere in this Ordinance.

- (3) Items other than portable storage containers and dumpsters that are less than or equal to ten (10) feet in height must be located at least ten (10) feet from the street curb or edge of pavement and be located outside any right-of-way, required parking area, or planting yards.
- (4) An item which exceeds ten (10) feet in height must be located behind the minimum setback of the zoning district and be located outside any required parking or planting yards.
- (5) No storage of items shall be located such that sight distance is reduced at a street intersection.

(ee) BUSINESS INCUBATORS

- (1) Where Required: TN District.
- (2) Maximum Floor Area: 18,000 square feet of gross floor area.
- (3) Outdoor Storage: No outdoor storage or display of items associated with the business incubator shall be permitted.
- (4) Operation:
 - a. The business incubator may include space for retail, office, service, workshop, and/or light manufacturing.
 - b. The business incubator shall provide individual workspaces separated by floor-to-ceiling walls.
 - c. The business incubator may provide a maximum of two loading spaces with 15x14 overhead doors. Bay doors shall not face the primary street frontage.
 - d. The business incubator shall include common areas for administrative support services, business equipment, conference and meeting rooms, break room and concessions, truck docks and ramps, and other equipment and facilities.

(ff) BUSINESS PARKS

- (1) Where Required: GO-M and GO-H Districts.
- (2) Minimum Lot Size: Minimum lot size of five (5) acres. Minimum individual office/retail lot size of two (2) acres with shared and subordinate access.
- (3) Access: Business Parks shall have primary access to a collector or thoroughfare street.

- (4) Retail Trade and Service Uses: Retail trade and service uses are allowed subject to the following restrictions and exceptions:
- a. No outdoor sales or displays;
 - b. No sales, servicing, or repair of motor vehicles, engines, or parts thereof;
 - c. No personal service establishment except those permitted in the GO-M or G0-H Districts;
 - d. No convenience stores;
 - e. No gasoline service stations or car wash facilities;
 - f. No restaurants (with drive-thru); and
 - g. Restaurants (serving mixed alcoholic beverages) shall be subject to a separate Special Use Permit and meet all minimum requirements for such use.
- (5) Size and Percentage of Retail Mix:
- a. Combined floor area of retail land uses shall not exceed forty percent (40%) of total floor area of all buildings within the park, or exceed more than seventy-five percent (75%) of the total floor area in any one freestanding building; and
 - b. No individual retail use shall exceed thirty- five hundred (3,500) square feet in gross floor area.
- (6) Outside Storage: No outdoor storage of materials shall be permitted.
- (7) Loading Areas: All loading and unloading and trash collection areas shall be located to the rear or side of the buildings and shall be screened from view of the street and any adjacent residential districts.

(gg) CARETAKER DWELLINGS

- (1) Where Required: All nonresidential districts except AG.
- (2) Operation: A building permit for a principal nonresidential building shall be obtained, or a principal nonresidential use shall be established, prior to occupancy.
- (3) Number: No more than one (1) caretaker dwelling unit shall be permitted per zone lot.

(hh) CAR WASHES

- (1) Where Required: GB, HB, CB, and SC districts.

- (2) Setback: Building(s) shall be not less than seventy-five (75) feet from any interior side or rear property line which adjoins residentially zoned property.
- (3) Screening: A minimum six (6) foot high opaque fence of an acceptable screening material approved by the Enforcement Officer shall be provided adjacent to all residentially zoned property.
- (4) Operation:
 - a. All washing operations shall be contained in a building;
 - b. Specific areas shall be provided for the manual drying, waxing, polishing, and vacuuming of automobiles and other motor vehicles when these services are offered on the site. These areas shall not conflict with on-site circulation patterns;
 - c. Hours of operation shall be between 7:00 a.m. and 10:00 p.m. when the property adjoins developed residentially zoned property; and
 - d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

(ii) CATERERS

- (1) Where Required: NB and 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.

(jj) CEMETERIES/MAUSOLEUMS

- (1) Where Required: All districts.
- (2) Minimum Area: A minimum of three (3) contiguous acres shall be required to establish a cemetery or mausoleum not located on the same tract of land as a church.
- (3) Access: Primary access shall be to a collector or thoroughfare street.

(kk) CHURCHES

- (1) Where Required: All residential districts.

- (2) Access: New church facilities located on sites of three (3) acres or more shall have primary access to a collector or thoroughfare street.

(ll) CLUBS OR LODGES

- (1) Where Required: AG, all residential, and NB Districts.
- (2) Access: Except in the AG District, clubs or lodges shall have primary access to a collector or thoroughfare street.
- (3) Operations: Clubs or lodges shall not be open after 12:00 midnight when located adjacent to residentially zoned property.

(mm) COMMUNICATION TOWERS

- (1) General Requirements:
 - a. Type of Tower Permitted:
 - 1. Overlay Districts: Only stealth communication towers (or accessory communication towers not exceeding the height limit of the zoning district in which they are located) shall be permitted in a Scenic Corridor Overlay District or the Washington Street Mixed Use Center Overlay District. Any tower proposed in a GO-H District within a Scenic Corridor Overlay District shall be regulated as if it were to be located within a GO-M District.
 - 2. All Other Districts: Stealth and monopole communication towers shall be permitted in all districts except within Scenic Overlay Districts.
 - 3. All Nonresidential Districts: Lattice and guyed towers shall be permitted in all nonresidential districts except within Scenic Corridor Overlay Districts.
 - b. Color: Towers shall be light gray or other color designed to blend with its surroundings, except when otherwise required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
 - c. Illumination: Towers shall be illuminated only as required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA). Illumination shall not be oriented to project lighting onto surrounding residential properties consistent with FAA requirements.
 - d. Signage Prohibitions: No signs or logos, for which sign permits are required by this Ordinance, shall be allowed on any tower, antenna, or related device.

- e. Compliance with other Regulations: Any user or carrier shall submit documentation that the tower and antennae will meet American National Standards Institute (ANSI) standards; applicable Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations; and comply with all other applicable federal, state, and local regulations. Approvals by the FAA shall be submitted prior to the issuance of a building permit. At the time of application for building permit, the plans for tower or antenna construction shall be certified by a registered structural engineer as meeting all current safety and design standards of all applicable codes.
- f. Subsequent Co-location (Shared Use) Requirements:
 - 1. Subsequent co-location or shared use on existing communication towers or other structures which do not increase the height of the existing tower or structure shall not require approval of a Special Use Permit.
 - 2. The owner of any new communication tower shall offer first right of refusal to the City for purposes of co-location, at least thirty (30) days prior to entering into the first co-location agreement or lease, and shall provide written notification to the City in advance of said thirty (30) day period. The City shall respond in writing within thirty (30) days of its receipt of the offer with either a letter of intent or a waiver of rights. Should the City decide to locate facilities on the tower that are of a type intended and designed to enhance public safety communications, the site shall be provided at no cost to the City. However, the City shall act in good faith and in a timely manner to pursue use of the tower site and enter into appropriate agreements or leases with the tower owner. If the City waives its right of first refusal, or has not commenced use of the site as intended and has not made a good faith effort to do so within six (6) months of communicating its intent to the tower owner, the co-location site shall be deemed abandoned by the City and the tower owner shall be under no further obligation to provide a co-location site to the City on that tower.
- g. Accessory Buildings in Agricultural and Residential Zoning Districts: The exterior appearance of all equipment storage buildings located in agricultural or residential zoning districts shall resemble a residential structure, including pitched roof(s) and frame or masonry construction. Accessory buildings shall not be used for offices. Equipment cabinets less than six (6) feet in height and twelve (12) feet in width shall be exempted from this requirement.
- h. Security Fencing: There shall be a minimum eight (8) foot high security fence installed around the perimeter of the lease area or tower compound between the tower and required landscaping. Security fencing shall not be necessary if tower is placed on top of a building. Security fencing and landscaping shall not be required for accessory communication towers that do not exceed the height limits of the zoning district.

- i. Replacement or Alteration of Nonconforming Towers: Nothing in this Section shall prevent legally nonconforming towers from being replaced or altered, provided that the height of the tower or any other dimensional nonconformity is not increased.

(2) Specific Requirements:

- a. Communication Towers (Principal Use) exceeding height limits of zoning district:
 - 1. Where Required: All Districts except GO-H, CB and TN.
 - 2. Setbacks:
 - i. In all Districts except LI and HI: Communication towers shall meet the minimum setbacks (given in the table below) from property lines based on the zoning district of adjoining properties with the exceptions given below. In no case shall the setback be less than the minimum for a principal building in the zoning district in which the tower is to be located. Exceptions are allowed for the following:
 - Monopole towers may utilize the same setbacks as stealth structures when directly adjoining or within power transmission line easements.
 - Lattice towers may employ the same setbacks as monopole towers provided they are designed for a minimum of five (5) users.
 - For guyed towers, all guy wires shall be contained on the same property as the tower.

**MINIMUM SETBACKS
COMMUNICATIONS TOWERS (PRINCIPLE USE)
EXCEEDING HEIGHT LIMITS**

Type of Tower	Adjacent to Agricultural and Residential Districts	Adjacent to Nonresidential Districts
Guyed	150% of tower height	100% of tower height
Lattice	125% of tower height	80% of tower height
Monopole	100% of tower height	60% of tower height
Stealth Structures	60% of tower height	40% of tower height
Stealth Buildings	Otherwise Permitted Setbacks	Otherwise Permitted Setbacks

- ii. In LI and HI Districts: Interior setbacks for towers abutting property zoned Light Industrial or Heavy Industrial shall be twenty-five per- cent (25%) of tower height, but in no case shall the setback be greater than fifty (50) feet from the abutting property line.

- 3. Co-location (Shared Use) Search Area Requirements: Towers proposed to be located within a three thousand (3,000) foot radius of another communication tower in agricultural or residential zoning districts, or within a fifteen hundred (1,500) foot radius of another communication tower in nonresidential zoning districts, shall require co-location on such other tower, or submit a letter from a certified engineer or other pertinent documentation that co-location is not feasible for reasons including, but not limited to the following:
 - i. No available towers or suitable structures are located within the required 3,000 or 1,500 foot search radius to meet the applicant's engineering requirements;
 - ii. No existing towers or structures within the search area are of sufficient height to meet the applicant's engineering requirements.
 - iii. No existing towers or structures have sufficient structural strength to support applicant's proposed antenna or related equipment;
 - iv. Antenna would cause electromagnetic interference with existing antenna on the tower or structure; and
 - v. Fees or costs required to co-locate on existing tower or structure, or to adapt the existing tower or structure for shared use, are greater than the cost of a new tower.

- 4. Tower Design Requirements: Towers shall be designed and constructed to support a minimum of three (3) users, one of which shall be a telecommunications user, and such towers shall be made available for

co-location by other users. Site plan shall show space for additional accessory buildings for co-locators. Stealth towers within a building or other structure may be exempt from this requirement if not structurally feasible for co-location.

5. Landscaping: Landscaping shall be required around the perimeter of the lease area or tower compound. Landscaping shall meet the planting width requirements required by the Development Ordinance for a use with a Land Use Classification (LUC) of 3, but shall meet the planting yard requirements for a use with a Land Use Classification of 4. No landscaping shall be required if the tower is placed on top of a building.
- b. Communication Towers (Principal Use) not exceeding height limits of zoning district:
1. Where Required: All Districts
 2. Setbacks:
 - i. In All Districts except CB, LI, and HI: Communication towers shall meet the minimum setbacks (given in the table below) from property lines based on the zoning district of adjoining properties with the exceptions given below. In no case shall the setback be less than the minimum for a principal building in the zoning district in which the tower is to be located. Exceptions are allowed for the following:
 - Monopole towers may utilize the same setbacks as stealth structures when directly adjoining or within power transmission line easements.
 - Lattice towers may employ the same setbacks as monopole towers provided it is designed for a minimum of five (5) years.
 - For guyed towers, all guy wires shall be contained on the same property as the tower.

**MINIMUM SETBACKS
COMMUNICATION TOWERS (PRINCIPLE USE)
NOT EXCEEDING HEIGHT LIMITS**

Type of Tower	Adjacent to Agricultural and Residential Districts	Adjacent to Nonresidential Districts
Guyed	150% of tower height	100% of tower height
Lattice	125% of tower height	80% of tower height
Monopole	100% of tower height	60% of tower height
Stealth Structures	60% of tower height	40% of tower height
Stealth Buildings	Otherwise Permitted Setbacks	Otherwise Permitted Setbacks

1. Where Required: All Districts except GO-H, CB and TN.
2. Setbacks:
 - i. In All Districts except LI and HI: Communication towers shall meet the minimum setbacks (given in the table below) from property lines based on the zoning district of adjoining properties with the exceptions given below. In no case shall the setback be less than the minimum for a principal building in the zoning district in which the tower is to be located. Exceptions are allowed for the following:
 - Monopole towers may utilize the same setbacks as stealth structures when directly adjoining or within power transmission line easements.
 - Lattice towers may employ the same setbacks as monopole towers provided it is designed for a minimum of five (5) users.
 - For guyed towers, all guy wires shall be contained on the same property as the tower.

**MINIMUM SETBACKS
COMMUNICATION TOWERS (ACCESSORY USE)
EXCEEDING HEIGHT LIMITS**

Type of Tower	Adjacent to Agricultural and Residential Districts	Adjacent to Nonresidential Districts
Guyed	150% of tower height	100% of tower height
Lattice	125% of tower height	80% of tower height
Monopole	100% of tower height	60% of tower height
Stealth Structures	60% of tower height	40% of tower height
Stealth Buildings	Otherwise Permitted Setbacks	Otherwise Permitted Setbacks

- ii. In LI and HI Districts: Interior setbacks for towers abutting property zoned Light Industrial or Heavy Industrial shall be twenty-five percent (25%) of tower height, but in no case shall the setback be greater than fifty (50) feet from the abutting property line.
3. Co-location (Shared Use) Search Area Requirements: Towers proposed to be located within a three thousand (3,000) foot radius of another communication tower in agricultural or residential zoning districts, or within a fifteen hundred (1,500) foot radius of another communication tower in non- residential zoning districts, shall require co-location on such other tower, or submit a letter from a certified engineer or other

pertinent documentation that co-location is not feasible for reasons including, but not limited to, the following:

- i. No available towers or suitable structures are located within the required 3,000 or 1,500 foot search radius to meet the applicant's engineering requirements;
 - ii. No existing towers or structures within the search area are of sufficient height to meet the applicant's engineering requirements;
 - iii. No existing towers or structures have sufficient structural strength to support applicant's proposed antenna or related equipment;
 - iv. Antenna would cause electromagnetic interference with existing antenna on the tower or structure; and
 - v. Fees or costs required to co-locate on existing tower or structure, or to adapt the existing tower or structure for shared use, are greater than the cost of a new tower.
4. Tower Design Requirements: Towers shall be designed and constructed to support a minimum of two (2) users, or antennae, and shall be made available for co-location by other users. Towers over eighty (80) feet in height shall be designed and constructed to support three (3) users, one of which shall be a telecommunications user, and such towers shall be made available for co-location by other users. Site plans shall show space for additional accessory buildings for co-locators. Stealth towers within a building or other structure may be exempted from this requirement if not structurally feasible for co-location.
5. Landscaping: Landscaping shall be required around the perimeter of the lease area or tower compound. Landscaping shall meet the planting width requirements required by the Development Ordinance for a use with a Land Use Classification (LUC) of 3, but shall meet the planting yard rate requirements for a use with a Land Use Classification of 4. No landscaping shall be required if the tower is placed on top of a building.
- d. Communication Towers (accessory use) not exceeding height limits of zoning district:
1. Where Required: All Districts.
 2. Setbacks:

- i. In All Districts except CB: Accessory communication towers shall meet the following minimum setbacks from property lines based on the zoning district of adjoining properties:

**MINIMUM SETBACKS
COMMUNICATION TOWERS (ACCESSORY USE)
NOT EXCEEDING HEIGHT LIMIT**

Type of Tower	Adjacent to Agricultural and Residential Districts	Adjacent to Nonresidential Districts
All Types	60% of tower height	40% of tower height

- ii. In CB Districts: Communication towers shall meet the same minimum setbacks required of a principal structure.

(3) Deviations and Amendments to Facilitate Co-Location:

- a. Deviations from the Development Standards to Facilitate Co-Location: The City Council may approve deviations from the development standards for communication towers which facilitate the co-location or shared use of communication towers or other structures. The deviation must solely facilitate co-location which would otherwise be prohibited by the development standards and which will result in equal or better performance, provided that the objective and purpose of the development standards are maintained. Deviations for communication towers permitted by a Special Use Permit may be approved concurrent with the Special Use Permit or as a major amendment to a Special Use Permit, and deviations for towers permitted by right subject to the development standards may be approved by Special Use Permit.
- b. Major Amendments to Facilitate Co-Location: Major amendments to a Special Use Permit that facilitate co-location or shared use on communication towers shall not be subject to the provisions of Subsection 9-3-12(b)(5) (Application Filing), of this Ordinance.

(nn) COMPUTER SALES

- (1) Where Required: CP District.
- (2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage of materials shall be permitted.

(oo) CONGREGATE CARE FACILITIES

- (1) Where Required: RM-12, RM-18, RM-26, GO-M, GO-H, CB, PI and TN Districts.

(2) Operation:

- a. The facility shall provide centrally located shared food preparation, service, and major dining areas;
- b. Common recreation, social, and service facilities shall be provided at a minimum rate of thirty (30) square feet per dwelling unit or per rooming unit;
- c. All facilities shall be solely for the use of residents and their guests; and
- d. Facilities for administrative services and limited medical services for the exclusive use of the residents shall be located on the site.

(pp) CONVENIENCE STORES (WITH GASOLINE PUMPS)

(1) Where Required: CP, MS and TN District.

(2) Requirements in the CP and TN Districts:

- a. Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- b. Outside Storage: No outside storage of materials shall be permitted.
- c. Gasoline Service Islands/Pumps: There shall be no more than one (1) gasoline service island containing no more than four (4) gasoline pumps.

(3) Requirements in the MS District:

- a. Where Permitted: shall be permitted only in sub-areas A & D.
- b. Canopy and fuel pump location: The fuel pumps and the fuel pump canopy shall be located behind the principal building such that the building is located between the pump islands and Main Street or other primary fronting street for those properties without any frontage on Main Street.

(qq) CONVENIENCE STORES (WITHOUT GASOLINE PUMPS)

(1) Where Required: CP Districts.

(2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.

(3) Outside Storage: No outside storage of materials shall be permitted.

(rr) COUNTRY CLUBS WITH GOLF COURSES

- (1) Where Required: All residential, GO-M, GO-H, HB, CP, LI, and PI Districts.
- (2) Minimum Area: The minimum area shall be two (2) acres in addition to the golf course(s).
- (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.
- (4) Security Fencing: Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

(ss) DAIRY PRODUCTS (MANUFACTURING AND INDUSTRIAL USE):

- (1) Where Required: MS District
- (2) Where Permitted: Sub-area A of the MS District
- (3) Requirements:
 - a. No new dairy products use shall be established.
 - b. Expansions of an existing dairy products use shall be permitted only where any new manufacturing, processing and distribution facilities are located a minimum of 230 feet from the Main Street right-of-way.
 - c. Expansions shall be permitted subject to MS District requirements, except that such expansions occurring more than 230 feet from the Main Street right-of-way shall be subject to the dimensional requirements, except maximum building coverage, contained in the LI District (Table 4-11-5, Nonresidential Districts Dimensions Requirements) in lieu of the following MS District requirements:
 1. Section 9-4-5 (a)(2) (Applicability)
 2. Section 9-4-5 (a)(3)a (Build-to-zone)
 3. Section 9-4-5 (a)(3)b (Interior building setbacks)
 4. Section 9-4-5 (a)(3)d (Cross access)
 5. Section 9-4-5 (a)(3)h (Lot size and width)
 6. Section 9-4-5 (a)(4)k (Loading areas)
 7. Section 9-4-5 (a)(4) (Building Standards)

(tt) DAY CARE CENTERS, CHILD OR ADULT (AS A PRINCIPAL USE)

- (1) Where Required:
 - a. Twenty-nine (29) or Less Attendees: AG, all residential, LO, GO-M, GO-H, NB, LB, GB, HB, CP, LI, MS, PI and TN districts.
 - b. Thirty (30) or More Attendees: AG, all residential, LO, GO-M, GO-H, NB, LB, GB, HB, CP, LI, MS, PI and TN districts.
- (2) Security Fencing: Outdoor activity area(s) for children shall be enclosed by a security fence at least four (4) feet in height and located outside the street setback. In addition, in residential districts, said fencing shall be opaque adjacent to residentially zoned property, and of an acceptable screening material approved by the Enforcement Officer.
- (3) Attendee Drop-off/Pick-Up Provisions: An on-site vehicle turnaround, or separate entrance and exit point, and passenger loading area shall be provided.
- (4) Location: In residential districts, all daycare centers shall have frontage on a collector or thoroughfare street.
- (5) Signage: In residential districts, signage shall be restricted to one sign with a maximum area of twenty-four (24) square feet and a maximum height of six (6) feet.
- (6) Compliance with Other Regulations: All day care centers shall comply with all applicable federal, state, and local regulations.

(uu) DAY CARE HOMES, CHILD OR ADULT (AS A HOME OCCUPATION)

- (1) Five (5) or Less Attendees:
 - a. Where Required: AG, all residential, LO, GO-M, GO-H, CB, LI, HI and TN districts.
 - b. Attendee Drop-off/Pick-Up Provisions: An off-street drop-off/pick-up area shall be provided.
 - c. Compliance with Other Regulations: All day care homes shall comply with all applicable federal, state, and local regulations.
- (2) Six (6) to Twelve (12) Attendees:
 - a. Where Required: AG, all residential, LO, GO-M, GO-H, CB, LI, HI and TN districts.

- b. Security Fencing: Outdoor activity area(s) for children shall be enclosed by a security fence at least four (4) feet in height and located outside the street setback. In addition, in residential districts, said fencing shall be opaque adjacent to residentially zoned property, and of an acceptable screening material approved by the Enforcement Officer.
- c. Attendee Drop-off/Pick-Up Provisions: An off-street drop-off/pick-up area shall be provided.
- d. Location: In residential districts, day care homes shall have frontage on a collector or thoroughfare street.
- e. Parking: In addition to the required parking for the residence(s), one (1) parking space shall be provided for each employee not residing on the premises.
- f. Compliance with Other Regulations: All day care homes shall comply with all applicable federal, state, and local regulations.

(x) DEMOLITION DEBRIS LANDFILLS

(1) Demolition Debris Landfills (minor):

- a. Where Required: All districts.
- b. Maximum Area: The landfill shall have a maximum area of two (2) acres.

(2) Demolition Debris Landfills (major):

- a. Where Required: AG and HI Districts.
- b. Setback: There shall be a fifty (50) foot minimum distance from any property line.
- c. Use Separation: There shall be a three hundred (300) foot minimum separation from any residence.
- d. Access: Access to the landfill shall be controlled with gates, chains, fences, ditches, and/or trees to prevent unregulated dumping.
- e. Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- f. Operation: No filling is permitted in any Flood Hazard Area. No filling is permitted in minor drainageways unless the drainage has been piped in accordance with approved plans. No filling is permitted in utility easements.

- g. Closure: Landfills shall be closed with a minimum of two (2) feet of clean soil, graded to a maximum slope of three to one (3:1), and stabilized with vegetation or by other approved means.
- h. Signs: An information board sign shall be posted and maintained at the entrance, listing the name and phone number of the current operator, the types of material accepted, and the hours of operation.

(ww) DISABLED MOTOR VEHICLES (AS AN ACCESSORY USE)

- (1) Where Required: All districts except AG.
- (2) Screening:
 - a. Residential Uses: One (1) vehicle meeting the definition of "Disabled Motor Vehicle" shall be allowed as outside storage. When such a vehicle is located on a property where the principal use is either a single-family detached dwelling or a two-family dwelling (duplex), then the disabled vehicle shall be located behind the front building line of the principal structure. Any additional vehicles meeting said definition shall be enclosed within a building which meets the dimensional requirements of the district in which it is located.
 - b. Nonresidential Uses: Any vehicle meeting the definition of "Disabled Motor Vehicle" shall be stored, parked, or placed on the property in such a manner so as to be totally screened from view from any street and/or from any adjacent residentially or public and institutionally zoned property. Total screening shall be affected by placement of the vehicle(s) either within or behind a building, or by plant materials, fences, berms, or a combination thereof, with a minimum height of six (6) feet.

(xx) DRUGSTORES

- (1) Where Required: CP District.
- (2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage of materials shall be permitted.

(yy) ELEMENTARY OR SECONDARY SCHOOLS (APPLIES ONLY TO NEW SCHOOLS; EXISTING SCHOOLS AND THEIR EXPANSION OR RENOVATION ARE PERMITTED BY RIGHT AND ARE NOT SUBJECT TO THESE DEVELOPMENT STANDARDS).

- (1) Where Required: Agricultural (AG) and all residential Districts.
- (2) Transportation: The site plan shall depict on-site vehicular and pedestrian traffic circulation and shall illustrate any proposed loading and unloading areas, parking

areas, drive lanes, sidewalks, and other transportation improvements, and provide any other supporting information.

(zz) EQUIPMENT REPAIRS, LIGHT

- (1) Where Required: GB, HB, MS and CB Districts.
- (2) Outside Storage: Outside storage is prohibited.

(aaa) FAMILY CARE HOMES

- (1) Where Required: All districts where permitted.
- (2) Use Separation: No family care home shall be established within a one-half mile radius of an existing family care home.

(bbb) FARM SUPPLIES, OTHER (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)

(ccc) FLEA MARKETS (INDOOR) AND ANTIQUE MALLS (INDOOR)

- (1) Where Required: GB, HB, CB, MS, SC and LI
- (2) Outdoor Storage: No outdoor storage if any furniture or other items shall be permitted.
- (3) Where Permitted: In the MS District, the use shall be permitted only in sub-areas A, C and D.

(ddd) FLOWERS, NURSERY STOCK AND FLORIST SUPPLIES (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)

(eee) FRATERNITIES AND SORORITIES (UNIV. OR COLLEGE)

- (1) Where Required: RM-12, RM-18, RM-26, and LO Districts.
- (2) Parking: 1/bedroom, plus 2/3 employees on largest shift, plus 1/4 non-resident members.

(fff) FURNITURE REPAIR SHOPS

- (1) Where Required: GB, HB, CB, MS and TN District
- (2) Outdoor Storage: No outdoor storage of materials shall be permitted.
- (3) Outdoor Repair: No outdoor repair of furniture shall be permitted.

(ggg) GARDEN CENTERS OR RETAIL NURSERIES

- (1) Where Required: SC District.
- (2) Outside Storage: No outside storage of non-plant material shall be permitted.

(hhh) GOLF COURSES

- (1) Where Required: All residential, HB, CP, LI, PI and TN Districts.
- (2) Setback: There shall be a fifty (50) foot minimum setback between the clubhouse or other building(s) and any adjacent residentially zoned property.

(iii) GOLF DRIVING RANGES

- (1) Where Required: AG, HB, LI, and HI Districts.
- (2) Minimum Area: The minimum distance from the tees to the end of any open-air driving area shall be one thousand (1,000) feet. The minimum distance may be reduced if the end of the driving area is controlled with netting or other measures to prevent golf balls from leaving the driving area.
- (3) Security Fencing: Fencing, netting, trees, berms, or other control measures shall be provided around the perimeter of the driving area to prevent golf balls from leaving.

(jjj) GRAIN AND FIELD BEANS (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)**(kkk) GROUP CARE FACILITIES**

- (1) Where Required: RM-12, GO-M, GO-H, CB, and PI Districts.
- (2) Property Separation: No such facility shall be located within one-half (1/2) mile of an existing group care facility.
- (3) Operation: The facility shall be limited to not more than thirty (30) persons.

(lll) HAZARDOUS AND TOXIC SUBSTANCES HANDLER - REFER TO SUBSECTION 9-7-26(C)(5) FOR DEVELOPMENT STANDARDS FOR HAZARDOUS AND TOXIC SUBSTANCES HANDLER.**(mmm) HIGH MAST OUTDOOR LIGHTING >50 FEET IN HEIGHT**

- (1) Where Required: All districts.
 - (2) Setback: High mast lighting fixtures may exceed the maximum height limit of the zoning district, provided that one (1) foot of additional setback from all property lines be provided for every two (2) feet over the maximum height limit.
-

(nnn) HOME OCCUPATIONS (INCLUDING RENTING OF ROOMS)

- (1) Where Required: AG, all residential, GO-M, GO-H, NB, CB, LI, HI and TN Districts.
- (2) Maximum Area: Area set aside for the Home Occupation shall occupy no more than twenty-five percent (25%) of the gross floor area of the dwelling unit.
- (3) Outside Storage: No outside storage or display of items associated with the Home Occupation is permitted.
- (4) Operation:
 - a. The Home Occupation shall be conducted entirely within a dwelling unit exclusive of a garage or carport. It shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes and shall not change the outward appearance of the residence. Home Occupations or any accessory storage are not permitted in a detached garage or in any other accessory structures.
 - b. Permitted Home Occupations include, but are not limited to: typing services, telephone sales, barber/beauty services, doctor/dentist offices, architects, accountants, family day care (5 or less persons), food catering, and handcrafting.
 - c. Only handmade items, foodstuffs, and crafts made in the dwelling unit may be offered for sale on the premises. No goods, products, or commodities brought into the dwelling unit for purposes of resale shall be sold on the premises.
 - d. Only one (1) person may be employed who is not an occupant of the residence.
 - e. Instructions in music, dancing, art, or similar subjects shall be limited to no more than five (5) students at one time.
 - f. Activities shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the district in which it is located.
 - g. One (1) commercial vehicle, and a trailer upon which equipment can be stored, neither of which shall exceed twenty-four (24) feet in length, may be allowed in conjunction with the Home Occupation. No maintenance or repair of commercial equipment associated with the Home Occupation shall be conducted on the property.
 - h. One attached sign shall be permitted with height and area in accordance with Table 5-16-1 (Specifications For Signs Not Requiring a Permit).
 - i. A Home Occupation permit shall be required in accordance with Subsection 9-3-3(d) (Building, Sign, or Home Occupation Permits).

j. Renting of rooms (including the serving of meals for compensation) shall be limited to three or fewer non-transients in any one day.

(5) Compliance with Other Regulations: All home occupations shall comply with all applicable federal, state, and local regulations.

(ooo) HOTELS OR MOTELS

(1) Where Required: GO-M and GO-H Districts.

(2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted for restaurants accessory to a hotel or motel.

(3) 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.

(ppp) KENNELS OR PET GROOMING

(1) Where Required: GO-M, GO-H, LB, GB, HB, CB, MS, SC, CP and TN Districts.

(2) Outside Storage: Outdoor pens and runs are prohibited.

(qqq) LANDSCAPE AND HORTICULTURAL SERVICES

(3) Where Required: MS District.

(4) Where Permitted: Shall be permitted only in sub-areas A, C, and D.

(5) Outdoor Storage: All outdoor storage or display of raw or bulk materials such as soil, sand, wood chips, straw or similar materials shall be to the rear of the building.

(rrr) LAUNDRY OR DRY CLEANING PLANTS

(1) Where Required: LB and SC Districts.

(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.

(sss) LIVESTOCK (WHOLESALE) (REFER TO AGRICULTURAL CHEMICALS, ETC. FOR DEVELOPMENT STANDARDS)

(ttt) LIVESTOCK (AS ACCESSORY TO RESIDENTIAL USES)**(1) Horses, Cows and Other Similar Sized Animals:**

- a. Where Required: AG, RS-40, RS-20, RS-15, RS-12, LI, and HI Districts.
- b. Minimum Area: The minimum lot size shall be 5 acres.
- c. Setback: Such animals shall be housed and/or fenced not less than one hundred (100) feet from any property line.
- d. Maximum Density: Except for the AG District no more than one (1) such animal over six (6) months of age shall be permitted for every twenty thousand (20,000) square feet of fenced lot area not covered by the principal structure.
- e. Security Fencing: A minimum of four (4) foot high fence, or an acceptable material approved by the Enforcement Officer, shall be provided to prevent animals from leaving the property.

(2) Sheep, Goats and Other Similar Sized Animals:

- a. Where Required: AG, RS-40, RS-20, RS-15, RS-12, LI, and HI Districts.
- b. Minimum Area: The minimum lot size shall be 5 acres.
- c. Setback: Such animals shall be housed and/or fenced not less than one hundred (100) feet from any property line.
- d. Maximum Density: Except for the AG District, no more than one (1) adult animal over six (6) months of age shall be permitted for every ten thousand (10,000) square feet of fenced lot area not covered by the principal structure.
- e. Security Fencing: A minimum four (4) foot high fence, of an acceptable material approved by the Enforcement Officer, shall be provided to prevent animals from leaving the property.

(uuu) MARKET SHOWROOMS (FURNITURE, APPAREL, ETC.)**(1) Where Required: GB, CB, and LI Districts****(2) Standards for Market Showrooms Located Within General Business Districts:**

- a. Showrooms in the GB District shall be located within permanent buildings only.
- b. Exterior product displays or the use of temporary fabric structures are prohibited.

(3) Standards for Market Showrooms Located Within Central Business Districts:

- a. Showrooms in the CB District shall be located either in permanent building(s); a combination of permanent building(s) and temporary fabric structure(s) located on the same zone lot; or located entirely in one or more temporary fabric structures on the same zone lot provided that a building permit has been issued for a permanent showroom building on said zone lot.
- b. Exterior product displays are permitted in accordance with the following:
 1. The display shall be on the same zone lot with a permanent building(s) used as a market showroom and not within any public right-of-ways;
 2. The product(s) displayed shall be from the same company or vendor that owns the building(s) or is leasing space inside the building(s) and shall be furnishings or other items designed and intended to be used outdoors or both indoors and outdoors;
 3. The total exterior product display area shall not exceed 2,500 square feet per zone lot; and
 4. Product shall not be displayed earlier than two weeks prior to the official opening of market and must be removed within two weeks of the official end of market.
- c. Additional Requirements for Temporary Fabric Structures:
 1. The temporary structure shall be located on the same zone lot as a market showroom.
 2. The temporary structure shall be enclosed on all sides.
 3. The temporary structure may be erected for up to 120 days in a calendar year.
 4. The temporary structure shall be engineered to have a clear span tension construction, no internal support poles, no external guy wires and an HVAC system.

(4) Standards for Market Showrooms Located Within Light Industrial Districts:

- a. The zone lot where the market showroom is located shall be no more than 1,500 feet from the boundary of a Central Business (CB) District.
- b. The market showroom shall be established only within an existing building, except that said showroom may be expanded up to twenty-five (25) percent of the gross square footage of the existing building. Exterior product displays or the use of temporary fabric structures are prohibited.

- c. The market showroom may be established in conjunction with furniture or apparel manufacturing or assembly.
- d. The temporary structure shall be engineered to have a clear span tension construction, no internal support poles, no external guy wires and a HVAC system.

(xv) MIGRANT LABOR HOUSING

- (1) Where Required: AG District.
- (2) Minimum Area: Each site shall contain a minimum of two (2) acres of land. An additional two thousand (2,000) square feet of land shall be required for each worker in excess of twenty (20) people.
- (3) Setback:
 - a. The minimum street setback shall be one hundred (100) feet; and
 - b. The minimum interior setback shall be fifty (50) feet.
- (4) Operation:
 - a. Not more than ten (10) people shall be housed in any one (1) room or compartment for sleeping purposes. Rooms or compartments for sleeping shall contain a minimum of thirty-nine (39) square feet of floor space for each person;
 - b. Separate toilet and shower facilities shall be provided for male and female workers. A minimum of one (1) toilet and one(1) shower shall be provided for each ten (10) workers;
 - c. A laundry room shall be required with one (1) wash sink of at least ten (10) gallons capacity for each ten (10) workers. Adequate clothes lines shall be provided;
 - d. Dining and food service facilities shall be provided and shall contain at least twelve (12) square feet of floor space per worker and shall be approved by the County Health Department;
 - e. All water, sewer, and sanitary facilities shall be approved by the County Health Department; and
 - f. All garbage and refuse shall be stored in water-tight and fly-tight receptacles. It shall be the responsibility of the title holder of the property to ensure that all garbage and refuse is regularly disposed of in a sanitary manner acceptable to the County Health Department.

(www) MINING AND QUARRYING

- (1) Where Required: AG and HI Districts.
- (2) Setback:
 - a. The edges of any pit where a mining operation is taking place, any equipment used in the processing of rock and gravel, any asphalt plant, or other industrial use operated in conjunction with the mine or quarry shall be located at least fifty (50) feet from any property line; and
 - b. Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.
- (3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of both existing and abandoned operations.
- (4) Rehabilitation:
 - a. Within one (1) year after the cessation of production at all mining operations, all equipment and stock piles incidental to such operation shall be dismantled and removed by and at the expense of the owner;
 - b. Except in a case where redevelopment for another permitted use is in progress on the site of an abandoned extractive operation, all excavations shall be graded to reduce the surface to gently rolling topography in substantial conformity to the land area immediately surrounding; and shall be planted with a cover of sod, trees, shrubs, legumes, or grasses, which will minimize erosion due to wind or rainfall; and
 - c. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public ways, nor to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course.
- (5) Operation: All operations involving blasting discernible beyond the exterior property line of a quarry shall only be conducted between the hours of 7:00 a.m. and 6:00 p.m.
- (6) Dust: All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- (7) Access:
 - a. Access roads leading to any part of the operation shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner;

- b. Access roads shall be located no closer than fifteen (15) feet to any property line other than a railroad right-of-way line; and
 - c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic and shall be adhered to.
- (8) Compliance With Other Regulations: All mining and quarrying operations shall comply with all applicable federal, state, and local regulations.

(xxx) MIXED DEVELOPMENTS

- (1) Where Required: CB, GB, HB, NB, SC, MS and CP Districts.
- (2) Residential Use Location:
 - a. In single-story structures, residential use(s) shall be located entirely to the rear of permitted nonresidential office or commercial use(s)
 - b. In multi-story structures, no residential use(s) shall be located on the ground floor.
- (3) Percentage of Mix:
 - a. In single-story structures, no more than fifty percent (50%) of the gross floor area shall be devoted to the permitted residential use.
- (4) Dimensional Requirements: In NB, any mixed use building shall conform to the nonresidential dimensional requirements of the district.
- (5) In the WMX Overlay District: Mixed developments are exempt from the above development standards.

(yyy) MOTOR VEHICLE SALES (NEW AND USED) (AS A PRINCIPAL USE ON THE ZONE LOT)

- (1) Where Required: GB, HB, LI, MS and HI Districts.
- (2) No motor vehicle is to be located closer than ten (10) feet to the street curb or edge of pavement and is prohibited from being located within any right-of-way, required parking area, or planting yards.
- (3) In the MS District, shall be permitted only in sub-areas A, C & D.

(zzz) MOTORCYCLE SALES

- (1) Where Required: MS District
- (2) Where Permitted: Shall be permitted only in sub-areas A, C and D.

(aaaa) MULTIFAMILY DWELLINGS (INCLUDING CONDOMINIUMS)

- (1) Where Required: MS and WMX.
- (2) Elevation of Finished Floor: The finished floor elevation of the first floor above grade shall be at least three (3) feet above the elevation of the adjacent public sidewalk or street, unless part of a mixed development with non-residential uses on the ground floor in the WMX Overlay District.

(bbbb) NEWS STANDS

- (1) Where Required: CP District.
- (2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage of materials shall be permitted.

(cccc) OPTICAL GOODS SALES

- (1) Where Required: GO-M District.
- (2) Maximum Area: The gross floor area of the use shall not exceed two thousand (2,000) square feet.
- (3) Location: The use shall be located in a multi-tenant building.
- (4) Outdoor Storage and Display: No outdoor storage or display of merchandise or materials shall be permitted.

(dddd) 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.
- (8) In the WMX Overlay District: Applicants that desire to establish parking as a principal use within the district shall be required to obtain a Special Use Permit. The application for such Special Use Permit shall contain an explanation of the need for the proposed parking and an analysis of the potential for shared use. The Special Use Permit, if granted, shall contain provisions determined necessary to minimize the overall impact on the character of the district, such as the size and location of the parking area, shared use, screening, lighting, and landscaping.

(eeee) PAWN SHOPS:

- (1) Where Required: MS District
- (2) Where Permitted: The use shall be permitted only in sub-areas A, C, & D.

(ffff) 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.

(gggg)

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.

(hhhh)

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.

(iiii)

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.

(jjj) 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.

(kkkk) RECYCLING PROCESSING CENTERS

- (1) Where Required: AG, LI and HI Districts.

(2) Use Separation:

- a. No recycling processing center facility that handles primarily household recyclables (glass, plastic containers, newspaper, metal and aluminum cans, etc.), including an access drive and/or weigh station, shall locate within one hundred fifty (150) feet of any residential or public-institutional zoned property.
- b. No recycling processing center facility that is designed to handle recyclable construction or demolition materials (lumber, concrete, siding, steel or other metals, etc.) shall locate within three hundred (300) of any residential or public-institutional zoned property, except for an access drive and/or weigh station, which shall not locate within one hundred (100) feet of any residential or public-institutional 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.

(III) REFRIGERATOR OR LARGE APPLIANCE REPAIRS

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

(mmmm) RESEARCH, DEVELOPMENT OR TESTING

- (1) Where Required: GB, HB, CB, and MS Districts
- (2) Maximum Area: A maximum of twenty-five thousand (25,000) square feet of gross floor area shall be permitted per establishment.

(nnnn) RESTAURANTS WITH DRIVE THRU

- (1) Where Required: MS District.
- (2) Where Permitted: Shall be permitted only in sub-areas A & D.
- (3) Design: An ordering station, pick-up window or drive aisle shall not be located abutting a public street.

(oooo) 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.

(pppp) 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.

(qqqq) 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.

(rrrr) 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.

(ssss) 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.

(tttt) 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.

(uuuu) 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.
- (4) Operation:
 - a. The facility shall be contained within the building of and operated by a government agency or nonprofit organization.
 - b. The facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during the hours of operation.

(vvvv) SHELTERS, TEMPORARY

- (1) Where Required: All Districts.
- (2) Minimum Floor Area: A minimum floor space of fifty (50) square feet shall be provided for each individual sheltered.
- (3) Operation:
 - a. The facility shall be contained within the building of and operated by a church or a government agency containing at least five thousand (5,000) square feet of floor space.

- b. The facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during the hours of operation.

(www) **SHOE REPAIR OR SHOESHINE SHOPS**

- (1) Where Required: CP District.
- (2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage of materials shall be permitted.

(xxxx) **SHOOTING RANGES, INDOOR**

- (1) Where Required: AG, GB, HB, LI, and HI Districts.
- (2) Noise: The facility shall be designed to absorb sound to the maximum extent feasible.

(yyyy) **SHOOTING RANGES, OUTDOOR (GOVERNMENTALLY OWNED AND OPERATED)**

- (1) Where Required: AG and PI Districts.
- (2) Setback: No portion of the range shall be closer than three hundred (300) feet to any exterior property line.
- (3) Access: Access shall be controlled to prevent unregulated entrance to the firing area.
- (4) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of the range.
- (5) Berms: Berms shall be of sufficient height and thickness to stop all rounds fired downrange. Elevation control is required along the shooting stands to prevent rounds from being fired over the berm.

(zzzz) **SINGLE FAMILY DETACHED DWELLINGS**

- (1) Where Required: LI and HI Districts.
- (2) Percentage of Residential Development: Single family dwellings are a permitted use only if a minimum of sixty percent (60%) of the frontage between the nearest two (2) intersecting streets on the side of the street in question are developed as residences. Wherever existing single-family or two-family dwellings along a street side comprise 60% or more of the frontage between two intersecting public streets, they shall be considered as permitted uses for purposes of enlargement, extension or replacement.

- (3) Dimensional Requirements: All dwellings and accessory structures shall be subject to the development standards of the Residential Single-Family-7 (RS-7) District.

(aaaaa) SINGLE ROOM OCCUPANCY (SRO) RESIDENCES

- (1) Where Required: RM-8, RM-12, RM-18, RM-26, GO-M, GO-H, GB, HB, CB, LI, HI, and PI Districts.
- (2) Minimum Rooming Unit Size: Rooming Units shall be a minimum of seventy (70) square feet with an additional minimum of fifty (50) square feet for each additional occupant.
- (3) Minimum Common Space: The building shall contain common space such as recreation areas, lounges, living rooms, dining rooms, or other congregate living spaces at a rate of five (5) square feet per rooming unit, but totaling not less than two hundred and fifty (250) square feet. Bathrooms, laundries, hallways, the main lobby, vending areas, and kitchens shall not be counted as common space.
- (4) Operation: On-site management shall be provided on a twenty-four (24) hour basis.

(bbbbb) SPORTING & RECREATIONAL CAMPS

- (1) Where Required: AG and PI Districts
- (2) 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.
- (3) Minimum lot size: 10 acres
- (4) 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.

(ccccc) SPORTS INSTRUCTIONAL SCHOOLS AND MARTIAL INSTRUCTIONAL SCHOOLS

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

(ddddd) 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.

(eeee) 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:
 - b. Number: A property may have no more than two (2) portable storage containers as an accessory use.
 - c. 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.

(fffff)**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.
- (4) Security Fencing: Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

(ggggg)**SWIMMING POOLS (RESIDENTIAL USE)**

- (1) Where Required: All districts.
- (2) Setback: Pools shall be located to comply with the minimum setback requirements for accessory buildings, and structures in Subsection 9-4-13(c) (Setback Requirements).
- (3) Use Separation: Pools which are not an integral part of the principal building shall be located a minimum of ten (10) feet from the principal building.
- (4) Barriers: Requirements for barriers shall be those adopted by reference in the most recently adopted edition of the North Carolina Building Code.

(hhhhh)**TATTOO ESTABLISHMENT**

- (1) Where Required: GB District
- (2) Restricted from Public View: All tattooing shall take place in an area of the establishment that cannot be viewed by other customers or by the general public from any public or private street right-of-way or any area commonly accessed by

the public (i.e. parking lots, mall corridors, promenades, sidewalks), whether on the same or a nearby property.

(iiii) TEMPORARY EVENT, CHRISTMAS TREE SALES

- (1) Where Required: All residential and office and TN Districts.
- (2) Sponsorship: Christmas tree sales shall be conducted by a non-profit entity.
- (3) Approvals and Permits Required: Approval by the City Manager and the issuance of a Land Use Permit by the Department of Inspections.

(jjjj) TEXTILE PRODUCTS (WITH DYEING & REFINISHING)

- (1) Where Required: LI Districts that are located within a designated Watershed Protection Overlay District. Textiles with dyeing and finishing are prohibited uses in all designated Watershed Critical Area Overlay Districts.
- (2) Spill Containment: Secondary containment for run-off control shall be provided for chemicals that are stored on-site, as approved by the Enforcement Officer of the Department of Public Services.

(kkkk) TIRE SALES

- (1) Where Required: GB, HB, CB, MS, SC, and LI Districts.
- (2) Outdoor Storage:
 - a. In the GB, HB, and CB Districts: Outdoor storage of tires and/or other materials shall not be placed between a principal building and a street right-of-way.
 - b. In the MS and SC District: No outside storage of tires and/or other materials shall be permitted.
 - c. In the LI and HI Districts: There is no limitation on the outdoor storage of tires.
- (3) Screening: A minimum six (6) foot high opaque fence, of an acceptable screening material approved by the Enforcement Officer, shall be provided to screen all outdoor storage of tires.

(IIII) TOURIST HOMES (BED AND BREAKFAST)

- (1) Where Required: AG, all residential districts, LO, GO-M, GO-H, NB, LB and TN Districts.
- (2) Property Separation: No tourist home shall be located within four hundred (400) feet of a rooming house, a boarding house, or another tourist home.
- (3) Maximum Number of Guest Bedrooms: The maximum number of guest bedrooms shall be six (6).
- (4) Operation:
 - a. The tourist home shall be operated by a resident manager;
 - b. The use shall be located in a structure which was originally constructed as a dwelling;
 - c. The tourist home shall contain only one (1) kitchen facility. Meals served on the premises shall be only for overnight guests and residents of the facility; and
 - d. The use of such a facility by any one (1) patron shall be limited to no more than fifteen (15) days per sixty (60) day period.
- (5) Signs: There shall be no exterior advertising except that which is permitted for a Home Occupation.

(mmmm) TOWNHOUSE DWELLINGS

- (1) Where Required: MS and WMX Districts
- (2) Elevation of Finished Floor: The finished floor elevation of the first floor above grade shall be at least three (3) feet above the elevation of the adjacent public sidewalk or street.
- (3) Vehicular Access: Vehicular access to individual townhouse dwellings shall not be directly from a public street, but instead shall be from a common drive or public alley. The common drive is encouraged to take access from a side or rear street, but may take access from Main Street. The common drive shall provide shared access to all units in the development.
- (4) Location of Garage: A garage may be located at grade, but shall be located on the rear of the building or in a detached accessory buildings(s).

(nnnn) TRUCK STOPS

- (1) Where Required: HB District
- (2) Maximum Area: The maximum area shall be four (4) acre.

- (3) Lighting: The maximum height of any outdoor lighting source or structure shall be thirty (30) feet.
- (4) Screening: A minimum six (6) foot high opaque fence of an acceptable screening material approved by the Enforcement Officer shall be provided adjacent to residentially zoned property.

(00000) TURKEY SHOOTS

- (1) Where Required: AG District.
- (2) Setbacks:
 - a. All turkey shoot activities shall observe principal building setbacks;
 - b. All turkey shoots shall be established with the line of fire perpendicular to and away from a street right-of-way. The line of fire is a line which passes through the firing point and bisects the target. The backstop or target area shall be located no less than five hundred (500) feet from the front street right-of-way;
 - c. Sites adjacent to more than one (1) street right-of-way shall designate the higher classified street as the front street setback and set the line of fire perpendicular thereto. Any resultant line of fire parallel to a side street shall be a minimum distance of three hundred (300) feet from the street right-of-way; and
 - d. All backstops shall be constructed a minimum of five hundred (500) feet from any residence located to the rear or side of the backstop.
- (3) Parking: A minimum of two (2) off-street parking spaces per backstop shall be provided.
- (4) Location: All turkey shoots shall be held outside of the corporate limits in conjunction with Section 12-1-5 of the Code of Ordinances of the City of High Point.
- (5) Operation:
 - a. Backstops shall be constructed of a material that will allow the shot to penetrate but not pass through. It shall be a minimum thickness of two (2) feet and shall be maintained from the ground to a height four (4) feet above the target;
 - b. Firearms shall be limited to shotguns firing shot no larger than number eight (#8). No firearms shall be used which have been altered from the manufacturer's specifications;

- c. The operators shall be responsible for maintaining adequate fire protection by notifying the local fire department as to the dates and times of the turkey shoot;
- d. Turkey shoots shall be limited to Thursdays, Fridays, and Saturdays between the hours of 9:00 AM and 11:00 PM; and
- e. Provisions for sanitation and refuse disposal shall be made in accordance with County Health Department standards.

(ppppp) TWO-FAMILY DWELLINGS

- (1) Where Required: LI and HI Districts.
- (2) Percentage of Residential Development: Additional two-family dwellings are permitted only if a minimum of sixty percent (60%) of the frontage between the nearest two (2) intersecting streets on the side of the street where the application for development is sought are developed as residences. Wherever existing single-family or two-family dwellings along a street side comprise 60% or more of the frontage between two intersecting public streets, they shall be considered as permitted uses for purposes of enlargement, extension or replacement.
- (3) Dimensional Requirements: Two-family development shall follow the development standards for two-family dwellings in the Residential Multi-Family-12 (RM-12) District. (See Table 4-11-3)

(qqqqq) UTILITY LINES AND RELATED APPURTENANCES: DISTRIBUTION POLES, TRANSMISSION POLES AND TRANSMISSION TOWERS

- (1) Where Required: All residential and TN Districts.
- (2) Height: Distribution poles, transmission poles and transmission towers shall not exceed 100 feet.

(rrrrr) UTILITY SERVICE FACILITIES

- (1) Where Required: All districts.
- (2) Setbacks: All principal structures, buildings and their supporting beams shall observe the required setback of the zoning district. All accessory structures and buildings shall meet the required front yard setback for principal structures, and the side and rear accessory structure setbacks.
- (3) Height: Water towers may exceed the maximum height limit of the zoning district, provided that one foot of additional setback from all property lines be provided for every two (2) feet over the maximum height limit. Distribution and transmission poles and transmission towers shall not exceed one hundred (100) feet in residential districts.

- (4) Noise: The noise level at all adjacent residentially zoned property lines shall not exceed 65 decibels.
- (5) Landscaping: The required landscaping shall be planted between the building setback line and the property boundary, as approved by the Enforcement Officer. The Enforcement Officer shall allow the utility facility to maintain safety code clearances.
- (6) Appearance: When located on residentially zoned property or adjacent to residentially zoned properties, all principal and accessory buildings shall have a roof pitch with a minimum vertical rise of three and one-half (3 1/2)feet for each twelve (12) feet of horizontal run, and be of materials compatible with structures in the vicinity.
- (7) Land-Use Permit: A Land-Use Permit is required in accordance with Section 9-3-3(c).
- (8) Outdoor Storage: No outdoor storage shall be permitted.

(sssss) VETERINARY SERVICES (OTHER)

- (1) Where Required: LO, GO-M, GO-H, LB, GB, HB, CB, SC, CP, MS and TN Districts.
- (2) Outside Storage: Outdoor pens and runs are prohibited.
- (3) Soundproofing: Where adjacent to residential zoning indoor runs shall be soundproofed.

(ttttt) VIDEO SWEEPSTAKES ESTABLISHMENT

- (1) Where Required: MS District.
- (2) Where Permitted: Video sweepstakes establishments shall be permitted only in Sub-areas A, C, and D.

(uuuuu) WAREHOUSES (GENERAL STORAGE/ENCLOSED) AND DISTRIBUTION CENTERS

- (1) Where Required: CB, GB, MS and HB Districts
- (2) Maximum Area: A maximum of ten thousand (10,000) square feet of gross floor area shall be permitted for warehousing or wholesaling per zone lot in the GB, MS and HB Districts. A maximum of thirty thousand (30,000) square feet of gross floor area shall be permitted for warehousing or wholesaling per zone lot in the CB District.

- (3) Outdoor Storage: No outdoor storage shall be permitted.
- (4) Land Use Classification: Warehousing or wholesaling uses shall have a Land Use Classification of three (3).
- (5) Additional CB District Requirements:
 - a. Use shall be limited to conversion or reuse of existing structures. Building additions to be used for warehousing or wholesaling shall be permitted up to fifty (50) percent of the gross floor area in existence as of 01/01/99. The resulting total square footage used for warehousing or wholesaling shall not exceed the maximum permitted in paragraph (2) above.
 - b. Each use shall provide at least one off-street loading area in accordance with Section 9-5-6. Modifications to the length, width or height requirements of 9-5-6(b) (Unlisted Uses) may be approved by the Enforcement Officer in accordance with the type of vehicle using the loading area. If approved, such modification shall stipulate the type(s) and maximum length of vehicles permitted to use the loading area. No portion of the loading area shall project into a street right-of-way, and all loading and unloading activities shall take place on private property.
 - c. No indoor storage material, racks, bins, shelving or other evidence of the warehousing or wholesaling operation shall be visible from the public right-of-way. Glass doors and windows shall contain curtains, blinds or other suitable treatments to screen the interior of the building from view. Windows shall not be boarded or paneled over from the outside or the inside.

(vvvvv) WAREHOUSES (SELF-STORAGE)

- (1) Where Required: GB and HB Districts.
- (2) Lot Size: The lot size shall be between a minimum of two (2) acres and a maximum of five (5) acres.
- (3) Maximum Building Coverage: The total area covered by buildings shall not exceed fifty percent (50%) of the site.
- (4) Maximum Height: The maximum height of building(s) shall be twenty (20) feet and shall not exceed one (1) story.
- (5) Storage:
 - a. No outside storage shall be permitted; and
 - b. The storage of hazardous, toxic or explosive substances shall be prohibited.
- (6) Operation:
 - a. No activity other than storage shall be conducted within individual storage

units; and

- b. One (1) dwelling unit shall be allowed on the same lot for use as a caretaker dwelling.

(wwwww) WATCH OR JEWELRY REPAIR SHOPS

- (1) Where Required: CP District.
- (2) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (3) Outside Storage: No outside storage shall be permitted.

(xxxxx) YARD SALES

- (1) Where Required: AG, All residential districts, LO, GO-M, GO-H, NB, LI, HI and TN Districts.
- (2) Duration: No more than two (2) per year, not to exceed two (2) days per sale.
- (3) Operation: Items displayed and sold shall be limited to household items. Items shall not be brought in for the purpose of resale at a yard sale.
- (4) Signage: Signs advertising a yard sale shall be restricted to private property at yard sale site.

(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. 94-81, § 1, 8-18-94; Ord. No. 94-96, § 1, 11-17-94; Ord. No. 95-55, § 1, 5-18-95; Ord. No. 96-09; §1, 2-15-96; Ord. No. 96-71, § 1, 11-7-96; Ord. No. 96-89, Pt 1, (§1), 12-19-96; Ord. No. 97-33, § 1, 4-17-97; Ord. No. 98-21, Pt. 6 (§ 1), 3-5-98; Ord. No. 98-21, Pt. 7 (§ 1), 3-5-98; Ord. No. 98-21, Pt. 9 (§ 1), 3-5-98; Ord. No. 98-79, Pt. 3,4, (§1), 9-4-98; Ord. No. 99-05, (§ 1), 1-19-99; Ord. No. 99-18, Pt. 1, (§1), 2-15-99; Ord. No. 99-52, Pt. 5, § 1, 7-1-99; Ord. No. 99-75, Pt. 3, 4, 7, 9 & 11, (§ 1), 10-4-99; Ord. No. 00-94, Pt. 2, (§1), 8-17-00; Ord. No. 01-10, Pt. 2 & 4 (§1), 12-21-00; Ord. No. 01-14, Pt. 18 & 19, (§1), 4-5-01; Ord. No. 01-93, Pt 4, (§1), 11-1-01; Ord. No. 01-95, Pt. 3 (§1), 10-30-01; Ord. No. 02-12, Pt. 3 & 10, (§1), 2-21-02; Ord. No. 02-23, Pt. 1, (§1), 3-21-02; Ord. No. 03-15, Pt. 5, (§1) 3-20-03; Ord. No. 04-40, Pt. 6 & 11, (§1), 5-03-04; Dev. Ord., 05-23, Pt. 8 & 10, §1, 3-10-05; Dev. Ord. 05-79, Pt. 2, §1, 9-19-05)

9-5-3 THROUGH 9-5-5 (Reserved)