

## ARTICLE VII

### GENERAL PROVISIONS

Section 701. Application. No building or land shall hereafter be used and no building or part thereof shall be erected, moved or altered except in conformity with the regulations herein specified for the district in which it is located.

Section 702. Relationship of Building to Lot. Every single-family residential structure shall be located on an individual lot of record except as otherwise specified herein.

Section 703. Reduction of Lot and Yard Areas Prohibited. No yard or lot existing at the time of passage of this Chapter shall be reduced in size or area below the minimum requirements set forth herein, except for street widening. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements established herein.

Section 704. Location of Buildings Lines On Irregularly Shaped Lots. Locations of front, side and rear building lines on irregularly shaped lots shall be determined by the Zoning Administrator. Such determinations shall be based on the spirit and intent of the district regulations to achieve appropriate spacing and location of buildings or groups of buildings on individual lots.

Section 705. Visibility of Intersections. On a corner lot in any district, no planting, structure, sign, fence, wall or obstruction to vision between three feet and eight feet in height measured from the center line of the street or road shall be placed or maintained within the triangular area formed by the intersecting street paved surface and a straight line connecting points on said street paved surface each of which is twenty-five (25) feet distance from the point of intersection.

Section 706. Regulations for Specific Uses.

Section 706.1 Alcohol Sales in Commercial Districts. Alcohol sales for on premise consumption must meet all local and State requirements. Drinking establishments and commercial clubs, as defined in Article IV, Section 402, shall not be permitted in any commercial district.

Section 706.2 Automobile Repair - Storage of Wrecked Or Partially Dismantled Vehicles . Automobile repair businesses which keep wrecked or partially dismantled automobiles on premise overnight in the normal course of business, operated in a legal place and manner shall be required to designate areas for storage of vehicles that are wrecked or partially dismantled or intended for dismantling. Vehicle storage areas cannot be located within a required front yard setback or within required parking spaces.

Vehicle storage areas for wrecked or partially dismantled vehicles must be fully screened along any street frontage and adjacent property lines per the standards set forth in Section 911.1 (with the exception that subsection "f." be amended to allow evergreen vegetation of a fast growing variety at a minimum of three (3') feet at time of planting). Screening is required to substantially block any view of materials, equipment or stored vehicles from any point located on a street or property adjacent to the site.

The Zoning Administrator may recommend an Appeal of Interpretation to the Board of Adjustment, which has the authority to waive or modify the vehicle storage area screening requirements upon their determination that:

- 1) the strict enforcement on the vehicle storage screening standards will jeopardize the existence of a business, or
- 2) the strict enforcement of the vehicle storage screening standards cannot be achieved without moving the business.
- 3) there exists no possibilities for off-site storage.

Any existing automobile repair business that stores wrecked or partially dismantled vehicles shall have, from the date of the adoption of this ordinance, three (3) years to bring their property into full compliance with the standards of this section. Additionally, work must begin towards bringing the property into compliance within six (6) months of the same date. (Per Ordinance #251, Effective Date November 19, 2007)

#### Section 706.3 Automobile Repair - Storage of Vehicles

Automobile Repair businesses which keep vehicles, which are not wrecked or dismantled, on premise overnight in the normal course of business, operated in a legal place and manner shall be required to maintain their vehicle storage areas as follows:

1. Open storage of wrecked or dismantled vehicles is prohibited. See Section 706.2 for screening requirements associated with wrecked and dismantled vehicles.
2. Vehicles shall not be stored within the right-of-way of any street, public or private.
3. Vehicle storage areas must be located a minimum of fifty (50') feet from the paved surface of a public or private street.
4. Vehicles must be stored in an orderly fashion.

#### Section 706.4 Parking in Residential Districts

It is the intent of this subsection to limit the customary or continual parking of certain vehicles and equipment on streets and within yards and driveways in residential neighborhoods since the presence of such vehicles runs contrary to the intended residential character of such neighborhoods. It is not the intent of these standards to prevent the occasional or temporary parking of such vehicles or equipment as necessary for the purposes of loading, unloading, or cleaning; however, the continual or customary overnight parking of such vehicles or equipment for a portion of the day followed by removal the following day is prohibited.

The standards of this section shall be effective January 1, 2015.

**706.41 Recreational Vehicles.** An owner of a recreational vehicle (i.e. motorhomes, travel trailers, fifth wheel trailers, pop-up trailers, etc.) may park or store such vehicles on their private residential property subject to the following limitations:

- 1) At no time shall such vehicles be occupied or used as accessory dwelling units or as accessory structures.
- 2) At no time shall such vehicles be permanently connected to any utility service.

- 3) At no time shall such vehicles be parked for a duration of more than forty-eight (48) hours on the street or within a street right-of-way.
- 4) Each vehicle must be ready for highway use and in operable condition.
- 5) At no time shall there be more than two (2) such vehicles or trailers stored on the property at any one time for a period longer than thirty (30) days; except where such vehicles are located entirely within an enclosed structure that complies with the regulatory requirements for the applicable zoning district.

706.42 Commercial Vehicles. An owner of a commercial vehicle (i.e. tractor-trailers, cargo trucks, buses, earth moving equipment, etc.) may park or store such vehicles on their private residential property subject to the following limitations:

- 1) The parking of more than one (1) commercial vehicle per residence in any residential district is prohibited except where such vehicles are located within entirely enclosed structures which meet the regulatory requirements for the applicable zoning district. This limitation is applicable in all residential districts inside the Town Limits. Residential districts in the ETJ are exempted.
- 2) This excludes buses for churches, schools and nonprofit agencies when such buses are parked on the subject property.
- 3) At no time shall such vehicles be parked for a duration of more than forty-eight (48) hours on the street or within a street right-of-way.
- 4) At no time shall such vehicles or trailers be utilized as accessory structures.

#### Section 706.5 Temporary Health Care Structures.

A temporary health care structure is a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person.

##### A. Definitions

(1) Activities of Daily Living: Bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating.

(2) Caregiver: An individual 18 years of age or older who provides care for a mentally or physically impaired person and is a first or second degree relative of the mentally or physically impaired person for whom the individual is caring.

(3) First or Second Degree Relative: A spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew, niece, and includes half, step, and in-law relationships.

(4) Mentally or Physically Impaired Person: A person who is a resident of the State of North Carolina, and who requires assistance with two or more activities of daily living as certified in writing by a physician licensed to practice in the State of North Carolina.

(5) Temporary Health Care Structure: A transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person which:

- a. Is primarily assembled at a location other than the site of installation;
- b. Is limited to one occupant who shall be the mentally or physically impaired person;
- c. Has no more than 300 gross square feet of floor area; and
- d. Complies with applicable provisions of the State Building Code and NCGS 143-139.1(b)

B. Where Permitted - Temporary health care structures shall be permitted as temporary accessory dwelling units within all residential zoning districts.

C. Location, Size and Set-up

(1) Temporary health care structures must meet the setback standards for primary structures as outlined in the dimensional standards of each zoning district.

(2) Temporary health care structures may not exceed three hundred (300) gross square feet in area, and must comply with applicable provision of the State Building Code

(3) A permanent foundation shall not be required for such structures.

D. General Standards

(1) Temporary health care structures may be used by a caregiver in providing care for a mentally or physically impaired person on property owned or occupied by the caregiver's residence; provided the structure is used to provide care for the mentally or physically impaired person.

(2) Temporary health care structures may be used by an individual who is the named legal guardian of the mentally or physically impaired person on the property of the residence of the legal guardian; provided the structure is used to provide care for the mentally or physically impaired person.

(3) Only one (1) temporary health care structure shall be allowed on a lot or parcel of land.

(4) All Temporary health care structures shall be connected to public water and sewer services, as well as electric utilities.

(5) No signage advertising or otherwise promoting the existence of the temporary health care structure shall be permitted, either on the structure or elsewhere on the property.

(6) Any temporary health care structure installed pursuant to this section shall be removed within sixty (60) days in which the mentally or physically impaired person is no longer in receiving or is no longer in need of the assistance provided for in this section. If the temporary health care structure is needed for another mentally or physically impaired

person, the temporary family health care structure may continue to be used, or may be reinstated on the property within sixty (60) days of its removal, as applicable.

#### E. Permitting Procedures and Inspections

(1) Applications for temporary health care structures must be accompanied by documentation of the caregiver's or individual's relationship with the mentally or physically impaired person, and a written certification from a physician licensed in the State of North Carolina indicating the individual receiving care is a mentally or physically impaired person.

(2) Annual inspections may be required as outlined in NCGS 160D-915.

Section 706.6. Tires - Open Storage. The open storage of tires in both residential and non-residential districts is limited to the following:

##### 706.61 Residential Districts.

- a) Loose tires must be stored within a completely enclosed structure at all times.
- b) Tires used as playground equipment must be drilled to prevent standing water.

##### 760.62 Non-Residential Districts.

- a) Loose tires must be stored within a completely enclosed structure at all times, except the following: Tires may be outside during the normal business hours of a lawfully operating business involved in selling or servicing tires.
- b) Indoor storage of tires shall comply with all applicable provisions of the Fire Code.

#### Section 706.7. Transient & Itinerant Merchants, Mobile Food Vendors.

Transient & Itinerant Merchants are defined as a person, other than a merchant with an established retail store in the Town Limits, who transports an inventory of goods to a vacant property, parking lot or other location and who, at that location, displays and offers the goods for sale. This section would not apply to the following:

- a. Lawfully located and operated yard sales,
- b. Churches, government functions, civic organizations and nonprofit organizations that are tax exempt under the provisions of the Internal Revenue Code,
- c. Merchants selling farm or nursery products produced by the merchant.

Transient & Itinerant Merchants shall be subject to the following requirements:

1. Obtain all necessary permits and licenses from the Town and/or County and State;
2. A Zoning Permit from the Town shall be issued for each calendar year and shall be displayed in a visible location by the merchant;
3. Only permitted in the H-B, Highway Business District;
4. Must provide written proof of permission from property owner or business owner;
5. Must be located a minimum of twenty (20') feet from any street right-of-way;
6. Shall be allowed for a maximum of two (2) nonconsecutive thirty (30) day periods within a calendar year;
7. Location must not interfere with traffic circulation, visibility or pedestrian movement;

8. Sign placement shall be in accordance with the temporary sign regulations contained in Article XIV.

Mobile Food Vendors (Food Trucks) are defined as a mobile food service establishment that prepares and serves food and/or beverages for sale to the general public from a truck, vehicle-mounted or vehicle-towed piece of equipment designed to be readily moved.

Mobile Food Vendors shall be subject to the following requirements:

#### Permits

1. Obtain all necessary permits and licenses from the Town and/or County and State;
2. A Zoning Permit from the Town shall be issued for each calendar year and shall be displayed in a visible location by the mobile food vendor;

#### Location

3. Mobile Food Vendors must be located on private property and must provide written permission from the property owner;
4. Mobile Food Vendors must be positioned at least four hundred (400') feet from the primary customer entrance of an existing restaurant during its hours of operation, unless the vendor can provide written consent from the restaurant owner for a closer proximity;
5. Must be located in a Zoning District which allows for restaurants as Permitted Uses (property owned by local governments, schools and churches are exempted from this provision);
6. Food trucks shall not block emergency access or fire lanes and must be positioned at least twenty (20') feet away from fire hydrants, fire department connections, driveway entrances and street rights-of-way.

#### Hours of Operation & Signage

7. Mobile Food Vendors must cease operations between the hours of 12 midnight and 7am, and are not permitted to remain on site overnight;
8. Signage shall be limited to those permanently attached to the motor vehicle. An easel sign no more than twelve (12ft<sup>2</sup>) square feet in size may be placed within the customer waiting area;

#### Public Safety

9. Mobile Food Vendors are responsible for the proper disposal of waste and trash associated with the operation;
10. Grease and wastewater must be contained and disposed of in an approved grease receptacle, discharging directly into the Town's wastewater system (i.e. through manholes or through wastewater in a building that does not include appropriate grease interceptors) is strictly prohibited;
11. If the Mobile Food Vendor is operating after dark, the vendor shall provide appropriate lighting in a manner that minimizes negative impacts to adjacent properties or motorists.

#### Section 707. Accessory Uses and Structures.

Accessory structures shall not be located on lots in the absence of principal structures.

#### Residential Uses

- 707.1 On any lot containing a principal residential use, no accessory structure shall be permitted that involves or requires external construction features that are not primarily residential in nature or character. Some examples of impermissible external construction features include: bare cinderblock, unfinished metal or wood sheathing, tarps and fabrics. Any accessory structure that exceeds 500 square feet in gross floor area shall be finished externally with materials that are similar in nature to the external materials found upon the principal structure. (However, nothing in the preceding sentence shall be construed so as to require a masonry accessory structure for a masonry principal residence. Some examples of structures which cannot be used as an accessory structure to a residential use include: school buses, mobile homes, tractor trailers, buses, recreation vehicles, and cargo containers.  
In residential districts, no more than three (3) accessory buildings shall be permitted per lot, other than those exceptions noted in Section 707.3 and 707.4.
- 707.2 On any lot less than one acre in area containing a principal single family or two family dwelling, the cumulative area of all accessory structures (excluding outdoor swimming pools) shall not exceed one-half the heated floor area of the principal structure or 900 square feet, whichever is less.
- 707.3 On any lot having an area of between one to three acres, the cumulative of all accessory structures (excluding outdoor swimming pools) shall not exceed one-half the heated floor area of the principal structure or 1,200 square feet, whichever is less. An accessory structure larger than 1,200ft<sup>2</sup> may only be permitted in those districts that allow it as a Conditional Use. Outdoor swimming pools and a maximum of one (1) detached canopy no larger than 500ft<sup>2</sup> may be excluded from the calculation of the total number of accessory structures on a lot having an area of between one to three acres.
- 707.4 On any lot containing an area over three acres, the cumulative area of all accessory structures (excluding outdoor swimming pools, barns, stables, and private residential quarters) shall not exceed one-half the heated floor area of the principal residential dwelling or 1,500 square feet, whichever is less. An accessory structure larger than 1,500 square feet may only be permitted in those districts that allow it as a Conditional Use.  
Outdoor swimming pools and a maximum of one (1) detached canopy no larger than 500ft<sup>2</sup> may be excluded from the calculation of the total number of accessory structures on a lot having an area over three acres.

#### Commercial Uses

- 707.5 On any lot containing a principal commercial use, accessory structures are permitted to be located only in the rear yard. Accessory structures may be permitted in the side yard, however screening may be required at the discretion of the Zoning Administrator. In no instance shall an accessory structure be erected beyond a line parallel to the front of the principal structure. In the case of a double frontage lot, no accessory structure shall extend beyond the front yard line of the adjacent lots.
- 707.6 All accessory structures must be located a minimum of ten (10) feet from any property line and (30) feet from any street right-of-way.
- 707.7 Mobile homes, buses, vans, tractor-trailers, recreational vehicles, passenger vehicles or cargo containers are not permitted for use as accessory structures.

## Accessory Dwelling Units (ADUs)

### 707.8 General Requirements

- 1) No more than one (1) ADU is permitted per lot as an accessory to a detached single-family home. ADUs are not permitted as an accessory to a duplex or multi-family dwelling.
- 2) The principal use of the lot shall be a detached single-family dwelling, built to the standards of the North Carolina Building Code. The ADU must also be built to the standards of the North Carolina Building Code.
- 3) The ADU shall be clearly subordinate to the principal single-family dwelling.
- 4) The ADU shall remain accessory to and under the same ownership as the principal dwelling.
- 5) The ADU must share driveway access with the principal dwelling.
- 6) Off-street parking shall be provided at a ratio of two (2) parking spaces per dwelling unit.

### 707.9 Attached Accessory Dwelling Units

- 1) An ADU that is either attached to the principal dwelling or located within the principal dwelling (such as a downstairs apartment), cannot exceed twenty-five (25%) of the total floor area of the principal dwelling.
- 2) The sum of all accessory uses (including home occupations) in the principal building shall not exceed twenty-five (25%) percent of the total floor area.
- 3) The principal building shall not be altered in any way to appear from a public or private street to be multi-family housing.
- 4) Utility connections (water, sewer, electric, etc.) for the ADU must be shared with the principal dwelling.
- 5) Access to the ADU shall be by means of an existing side or rear door, except where a new entrance is required by the North Carolina 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.

### 707.10 Detached Accessory Dwelling Units

- 1) Detached ADUs must be located in the side or rear yard only and shall be subject to the same building setbacks as the principal dwelling unit. In no instance shall a detached ADU be constructed in between the principal dwelling and any adjacent street.
- 2) A detached ADU cannot exceed a maximum size of six hundred (600ft<sup>2</sup>) square feet or one-half the total floor area of the principal dwelling, whichever is less.
- 3) The detached ADU and its square footage would be included in the overall calculation for total number and size of allowable accessory structures on the property.
- 4) The lot containing a detached ADU shall have one and one-half times (1.5x) the minimum lot area required for the district in which it is located.
- 5) The detached ADU must be architecturally similar to the principal dwelling.

Section 708. Nonconforming Uses. After the effective date of this Chapter, existing structures, or the uses of land or structures which would be prohibited under the regulations for the district in which it is located (if they existed on the adoption date of this Chapter), shall be considered as nonconforming. It is the intent of this Section to regulate and limit the continuance of such nonconformities; and, where possible, bring them into conformance with this Chapter. Nonconforming structures or uses may be continued provided they conform to the following provisions:



708.1. Continuing Nonconforming Uses of Land.

- 708.11 Extensions of Use. Nonconforming uses of land shall not hereafter be enlarged or extended in any way.
- 708.12 Change of Use. Any nonconforming uses of land may be changed to a conforming use, or with the approval of the Board of Adjustment, to any use more in character with the uses permitted in this district.
- 708.13 Cessation of Use. All nonconforming uses of land involving minor structures such as junkyards, auto sales yards, signs, or any nonconforming uses similar to those enumerated, shall be eliminated within two years from the date of adoption of this ordinance.

708.2. Continuing the Use of Nonconforming Buildings.

- 708.21 Extensions of Use. Nonconforming uses of buildings shall not hereafter be enlarged. Nonconforming structures, other than signs, which are nonconforming, due to noncompliance with the dimensional requirements of the district in which it is located may remain, provided:
- a. That any structural change to the structure shall not increase the degree of nonconformity. Structural changes which decrease or do not affect the degree of nonconformity shall be permitted.
  - b. Routine repairs and maintenance of a nonconforming structure, fixtures, wiring and plumbing or repair or replacement of walls shall be permitted.
- 708.22 Change of Use. The lawful use of a building existing at the time of the adoption of this ordinance may be continued although such use does not conform with the provisions of this ordinance, and such building may be reconstructed or structurally altered and nonconforming use therein changed subject to the following regulations:
- (a) The order of classification of uses from highest to lowest for the purpose of this section shall be as follows: residential district uses, business district uses, as permitted by this ordinance.
  - (b) A nonconforming use may be changed to a use of higher classification but not to a use of lower classification, nor shall a nonconforming use be changed to another use of the same classification unless the new use shall be of the same classification unless the new use shall be deemed by the Board of Adjustment, after public notice and hearing, to be less harmful to the surrounding neighborhood, from the standpoint of the purposes of this Chapter, than the existing nonconforming use.

- (c) A nonconforming use may not be extended, but the extension of a use to any portion of a building, which portion is at the time of the adoption of this Chapter primarily or designed for such nonconforming use, shall not be deemed to be an extension of a nonconforming use.
- (d) The building shall not be enlarged, unless the use therein is changed to a conforming use, provided, however, that a nonconforming building damaged by fire, explosion, tornado, earthquake, or similar uncontrollable cause to the extent of not more than sixty percent (60%) of its assessed value at the time of the damage may be repaired or rebuilt within one year of the date of such damage, but not thereafter. Such determination shall be made by the Board of Adjustment.
- (e) Existing single-family residential structures in business or industrial districts may be enlarged, extended or structurally altered, provided that no additional dwelling units result therefrom. However, any enlargements, extensions or alterations shall comply with the dimensional requirements determined by the Board of Adjustment.

708.23 Cessation of Use. If active operations are discontinued for a continuous period of 180 days with respect to a nonconforming use of a building, such nonconforming use shall thereafter be occupied and used only for a conforming use.

### 708.3 Continuing the Non-Conforming Use of Manufactured Homes and Manufactured Home Parks

708.31 Extension of Use. Non-conforming manufactured homes and manufactured home parks existing at the time of the adoption of this Chapter shall be allowed to continue in their present existence but shall not be allowed to expand, increase or bring in another manufactured home to replace an existing or damaged manufactured home unless this non-conforming use or area (manufactured home, manufactured home park) has been rezoned to allow individual manufactured homes or manufactured home parks.

## Section 709. Appearance Criteria for Manufactured Homes.

### Standards for Manufactured Homes Placed on Individual Lots

- a. Manufactured homes shall be permanently placed on a masonry foundation, unpierced except for required ventilation and access, with a finished surface and constructed in accordance with North Carolina Building Code regulations.
- b. The manufactured home shall have a length not exceeding four times its width, with length measured along the longest axis and width measured at the narrowest portion of the other axis.
- c. The pitch of the roof of the dwelling has a minimum vertical rise of at least 3 feet for each 12 feet of horizontal run and the roof finished with a type of shingle that is commonly used in standard residential construction.
- d. The moving hitch, wheels and axles, and transporting lights shall be removed.

- e. All manufactured homes shall have either a deck, porch or concrete patio. It shall be attached firmly to the primary structure and anchored securely to the ground. The minimum area for such a deck, porch or patio shall be seventy-five (75) square feet. The deck, porch or patio must be built in compliance with the North Carolina State Building Code.
- f. Permanent stairs shall be constructed at all exterior doors. They shall be attached firmly to the primary structure, deck or porch and anchored securely to the ground. The stairs must be in compliance with the North Carolina State Building Code.
- g. At least two (2) off-street parking spaces shall be provided.
- h. All manufactured homes shall be oriented to face the nearest public or private street. In cases of double frontage lots, all manufactured homes must be oriented to face the street upon which the home will be addressed.
- i. The manufactured home shall meet or exceed the construction standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction.

#### Standards for Manufactured Homes Placed in Manufactured Home Park in RMH District

- a. The home must be located in an approved manufactured home park and placed in a space that meets all the regulatory requirements of Article VII, Section 710.
- b. The wheels and axles shall be concealed by purpose-built underpinning material and the transporting lights shall be removed.
- c. Permanent stairs shall be constructed at all exterior doors. They shall be attached firmly to the primary structure, deck or porch and anchored securely to the ground. The stairs must be in compliance with the North Carolina State Building Code.
- d. The manufactured home shall meet or exceed the construction standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction.

Section 710. Regulations Governing Manufactured Home Parks. The purpose of these regulations is to provide an acceptable environment for what are in fact small communities of manufactured homes. Newly established manufactured home parks, their future expansions and existing manufactured home parks established prior to the adoption of this Chapter are subject to Article X, Sections 1002 and 1003.

710.1 Permits and Procedure. No person may construct, maintain, occupy or operate a manufactured home park unless a Preliminary Plat for such park has been reviewed by the Planning Board and approved by the Town Council. Upon approval by the Town Council, a Zoning Permit may be issued by the Zoning Administrator and construction of the park may begin when any other necessary permits have been secured. In connection with its review of the proposed manufactured home park, the Town Council may specify certain conditions which must be met in order to bring the proposed park layout in conformity with this Chapter. Prior to occupancy, a Final Plat of the manufactured home park must be reviewed by the Planning Board and approved by the Town Council. Upon approval of the Final Plat, a certificate of occupancy may then be issued for the park.

710.11 A registered surveyor, landscape architect or engineer's signature shall not be required on manufactured home park plans for manufactured home parks of nine (9) or fewer

manufactured home spaces. All manufactured home parks of ten (10) or more shall exhibit the seal of a registered land surveyor, registered landscape architect, registered architect, or registered engineer. In addition, any manufactured home park of nine (9) or fewer spaces approved after the effective date of this Chapter shall provide the Planning Board with plans (i.e. manufactured home spaces, roads, parking spaces, street lighting, water and sewer systems, etc.) showing the entire park, including the original spaces, when an expansion of the park would bring the park to ten (10) or more manufactured home spaces.

710.2. Submission of Preliminary Plat. The Preliminary Plat shall be of such standards that the Final Plat should require little changing. The Preliminary Plat shall be drawn to scale of fifty (50) feet to one (1) inch or larger and shall clearly set out the following:

- (a) The name of the park, the names and addresses of the owner or owners and the designer or surveyor.
- (b) Date, graphic scale, and approximate North arrow.
- (c) Boundaries of tract shown with bearings and distances.
- (d) The plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electrical service, illustrating connections to existing systems. Plans for water supply and/or sewage disposal must be accompanied by a letter of preliminary approval by the Town Manager.
- (e) Proposed streets, existing and platted streets on adjoining properties and in the proposed adjoining properties and in the proposed subdivision, rights-of-way, pavement widths, driveways and approximate grades.
- (f) Site plan showing all existing and/or proposed manufactured home spaces and buildings within the manufactured home park property with appropriate setbacks.
- (g) Location and quantity of proposed convenience areas, such as: washrooms, laundries, recreation and utility areas.
- (h) Site data:
  - (1) Acreage in total tract
  - (2) Acreage in park for other land usage
  - (3) Maximum number of manufactured home spaces
- (i) Vicinity map showing the location of the park and surrounding land usage.
- (j) Names of adjoining property owners.
- (k) Method of surfacing roads within the park.

710.3 Submission of Final Plat. The Final Plat shall be reviewed by the Planning Board to determine if the plat is in accordance with the design standards as set forth in the Preliminary Plat and approved by the Town Council. The Final Plat shall include, in addition to the requirements of the Preliminary Plat, the following:

- (a) Name of the park, name of the owner and developer
- (b) Street names
- (c) Other features of the park

710.4 Design Standards.

- 710.41 The area of the manufactured home park site shall be a minimum of two (2) acres, and the park shall have a minimum of five manufactured home spaces available at first occupancy.
- 710.42 All manufactured homes shall be located on individual manufactured home spaces. Each manufactured home space shall contain at least 5,000 square feet of ground area.
- 710.43 Each manufactured home space shall be designed so as to have a minimum of twenty-four (24) feet of yard space on the front or entrance of the manufactured home to the lot line, ten (10) feet on the back of the lot line, ten (10) feet on the trailer hitch end to the lot line, and ten (10) feet on the opposite end of the lot line.
- 710.44 Off-street parking and loading shall be provided as required in Article IX of this Chapter.
- 710.45 Two-way access streets within the site proposed shall have a pavement width of at least twenty (20) feet. One way access streets shall have a pavement width of no less than eighteen (18) feet. Permanent dead-end streets or cul-de-sacs shall not exceed six hundred (600) feet in length unless necessitated by topography and shall be provided with a turn-around of at least eighty (80) feet in diameter. Streets shall intersect as nearly as possible at right angles, and no street shall intersect at less than sixty degrees. Streets and jogs of less than one hundred and fifty (150) feet shall not be allowed. All manufactured home spaces shall have access to a street.
- 710.46 A manufactured home park shall have direct access to a public street or road.
- 710.47 No parking bays shall be located with direct access to a public street or road.
- 710.48 No manufactured home shall be located closer than thirty (30) feet to the exterior boundary of the park, or a bounding street right-of-way. Buildings used for laundry or recreation purposes shall be located no closer than forty (40) feet to the exterior boundary of the park or the right-of-way of a bounding street.
- 710.49 At least 200 square feet of recreation space for each manufactured home space shall be reserved within each manufactured home park as common recreation space for the residents of the park. Such areas shall, along with driveways and walkways, be adequately lighted for safety.
- 710.50 Each manufactured home space shall be provided with an electrical outlet supplying at least 100-115/220-250 volts; 100 amperes shall be provided for each manufactured home space.
- 710.51 Each manufactured home space shall be improved to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation and overturning.

- (a) The manufactured home stand shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or other forces acting on the structure.
- (b) The manufactured home stand shall be provided with anchors and tie-downs such as cast-in-place concrete "dead men", screw augers, arrowhead anchors, or other devices securing the stability of the manufactured home.
- (c) Anchors and tie-downs shall be placed at least at each corner of the manufactured home stand and each shall be able to sustain a minimum tensile strength of 2,800 pounds.

Section 711. Site Plan Requirements. All development activities within the jurisdiction of this Chapter, at the discretion of the Zoning Administrator, may be required to provide a site plan for such new development. Such plan shall be prepared by a professional draftsman, surveyor, architect, landscape architect, or professional engineer.

711.1 Information Required on Site Plan. Site plans shall be drawn to the following standards and the following items shall be required to appear on or accompany all site plans submitted as part of an application for a Zoning Permit:

- a. All site plans shall be drawn in engineering scale and appear on a sheet(s) no less than twenty-four (24) by thirty-six (36) inches in size;
- b. The plan shall be drawn so that the top of such drawing represents north;
- c. The plan must include the name, address and telephone number of the property owner and developer, if different, and all professionals associated with the project, i.e. surveyors, contractors, architects, and engineers;
- d. The location and layout of the parking design and vehicular traffic pattern(s), including internal and/or external access ways and acceleration and/or deceleration lanes;
- e. The layout and location of all required and voluntary buffering and landscaping;
- d. Site calculations and parcel data, including:
  - 1. Total acreage involved;
  - 2. Zoning, watershed, and floodplain classification(s);
  - 3. Total area disturbed;
  - 4. Total impervious area, both current and proposed;
  - 5. Required setbacks;

6. The property lines of all parcels involved in the development project.
  - e. Location, height, and size of all proposed signage.
  - f. The location and dimensions of all drainage structures and stormwater facilities;
  - g. Evidence shall be provided that demonstrates the project has or will meet all state and/or local requirements which pertain to erosion and sedimentation control;
  - h. The delineation of any floodplain and/or watershed boundaries and the designation of each;
  - i. Evidence the development proposal will comply with the requirements of the NCDOT in regards to connection to any and all state roadways;
  - j. Location and size of all easements and/or rights-of-way;
  - k. A vicinity map.
  - l. Topographic contour lines of no less than two (2) foot intervals for projects with building(s) of greater than fifty thousand (50,000) square feet in size.

Section 712. Home Occupation. Home occupations may be established in a dwelling in any residential district. The following requirements shall apply in addition to all other applicable requirements of this Chapter for the residential district in which such uses are located.

- 712.1 The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
- 712.2 There shall be no customer traffic to and from the home from the hours of 9:00pm to 7:00am.
- 712.3 No accessory buildings or outside storage shall be used in connection with the home occupation.
- 712.4 Use of the dwelling for home occupation shall be limited to 25 percent of one floor of the principal building.
- 712.5 Only residents of the dwelling may be engaged in the home occupation.
- 712.6 No display of products shall be visible from the street and only products made on the premises may be sold on the premises.
- 712.7 No external alterations inconsistent with the residential use of the building shall be permitted, including the use of colors, materials, construction, lighting, signs (excepting those signs

specifically exempted by the sign regulations) or the emission of sounds, noises, vibrations or glare.

712.8 No machinery that causes noises or other interferences in radio and television reception shall be allowed.

712.9 Only vehicles used as passenger vehicles shall be permitted in connection with the conduct of the home occupation.

712.10 No chemical, electrical or mechanical equipment that is not normally a part of domestic or household equipment shall be used primarily for commercial purposes, with the exception of office equipment used for professional purposes.

712.11 Tutoring, instruction, etc. shall be limited to four (4) students at one time.

712.12 The following are examples of permissible home occupations, provided that they meet all the requirements listed above:

- Architect, Engineer, Surveyor or other professional office.
- Bookkeeping, accounting or tax preparation.
- Computer programming.
- Dressmaking, sewing and tailoring.
- Graphic Artist.
- Hairstyling.
- Home crafts such as weaving, lapidary, potting.
- Home offices for administrative work which may include the use of personal computers, fax machines, telephones, digital scanners, filing systems and office furniture.
- Nursery schools for up to five (5) pupils.
- Painting, sculpturing and writing.
- Real estate.
- Telephone answering service.

712.13 A Zoning Permit must be obtained for a home occupation before any work begins. Every permitted home occupation shall be subject to yearly review for compliance with all applicable standards.

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