

## ARTICLE 10. TABLE OF PERMITTED/CONDITIONAL USES

### Section 10-1. Table of Permitted and Conditional Uses

Districts in which particular uses are permitted as a use-by-right are indicated by "P." Uses not specifically listed in the Table of Permitted Uses are prohibited.

Permitted use districts in which particular uses are permitted as a conditional use upon approval of the Board of Commissioners are indicated by "C." See the Table of Regulations for Conditional Uses, Section 12-18, for details of each conditional use.

Districts in which particular uses are prohibited are indicated by a blank. If a use is not specifically included in the Table of Permitted/Conditional Uses as a use-by-right or a conditional use, it is prohibited.

Minimum zoning district area (acreage) requirements are defined in Article 11, Table of Area, Yard, and Height Requirements.

TABLE OF PERMITTED/CONDITIONAL USES

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
ACCESSORY USES AND STRUCTURES (incidental to any permitted use, see Note 2)	P	P	P	P	P	P	P	P	P	P		
ADULT BUSINESSES											C	
ADULT CARE HOME (see Note 4)	C	C	C	C	C	C	C	C		C		
ADULT DAY CARE FACILITIES				C		C	C	C	C	P		
AGRICULTURAL PROCESSING											P	
ANIMAL HOSPITALS				C				C	P			
ANIMAL HUSBANDRY SERVICES										P	P	
APPLIANCE DEALERS				P				P	P			
ASSISTED LIVING FACILITIES				C		C	C	C	C			
AUTOMOBILE PARTS AND ACCESSORIES (provided all storage is indoors)								P	P			
AUTOMOBILE REPAIR AND SERVICES								P	P		P	
AUTOMOBILE SALES LOTS									P			
AUTOMOBILE TIRE SALES AND SERVICE, INCLUDING TIRE RECAPPING									P		P	
AUTOMOBILE WASHING ESTABLISHMENTS								C	P			

\*Planned Unit Development District (see Article 15).

\*\*See Note 1.

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Amended: 6/14/2011, 9/13/2011, 4/10/2012, 7/10/2012, 1/14/2014, 3/13/2014, 5/13/2014, 7/8/2014  
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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
BANKS AND OTHER FINANCIAL INSTITUTIONS				P		C	C	P	P			
BARBER OR BEAUTY SHOPS				P		C		P	P			
BARS/NIGHT CLUBS (see Note 9)								P	P			
BEACH BINGO FACILITIES (in accordance with Section 12-18 and NC General Statutes 14.309.14)								C	C			
BED AND BREAKFAST				P		C		P	P			
BOTTLING AND CANNING PLANTS											P	
BOWLING ALLEYS									P			
<u>BREWERIES AND WINERIES (see Note 12)</u>								<u>P/C</u>	<u>P/C</u>		<u>P/C</u>	
BUILDING SUPPLIES SALES ESTABLISHMENTS									P			
BUS TERMINAL									P			
CAMPGROUNDS/RECREATIONAL VEHICLE PARKS (see Note 7)								C	P			
CEMETERIES, COMMERCIAL/PUBLIC (see Art. 12)							C		C	C	P	
CEMETERIES, FAMILY (see Note 10 & Art. 2-definitions)	P	P	P	P	P	P						
CHILDREN'S DAY CARE FACILITIES	C	C	C	C		C	C	C	C	C		

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
CHURCHES/PLACES OF WORSHIP	P	P	P	P	P	C	C	P	C	P		
CIVIC, SOCIAL, AND FRATERNAL ORGANIZATIONS				C		C	P	P	P			
COMMERCIAL VENDING UNITS								C	P			
CONTRACT CONSTRUCTION SERVICES									C		P	
CONVALESCENT, NURSING, AND REST HOMES				C		C	C	C	P	P		
CULTURAL, ENTERTAINMENT AND RECREATION NOT ELSEWHERE CLASSIFIED				C		C		C	C			
DAIRY BARS				P		C		P	P			
DENTAL OFFICES				P		C	P	P	P			
DIRECTIONAL MARKERS OR OFFICIAL SIGNS OF PUBLIC AGENCIES	P	P	P	P	P	P	P	P	P	P	P	P
DRUG STORES				P		C		P	P			
DWELLING, CONVENTIONAL ON-SITE STICK BUILT CONSTRUCTION (excluding manufactured homes)	P	P	P	P	P	P	P	P		P		
DWELLING, MULTI-FAMILY		P	C	P		C	C	C				
DWELLING, TWO FAMILY		P	C	C		C	C			C		
ELECTRICAL REPAIR SERVICES				C				C	P		P	
ELECTRONIC EQUIPMENT MANUFACTURING											P	

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
ENGINEERING OFFICES				P		C	P	P	P			
FAMILY CARE HOME (see Note 3)	C	C	C	C	C	C	C	C				
FARM EQUIPMENT SALES AND SERVICE									P			
FARM SUPPLY ESTABLISHMENTS, including the sale of feed, seed, fertilizer, and farm chemicals								P	P			
FARMERS MARKET				C				C	C	C		
FARMING, TRUCK GARDENING, NURSERIES, and accessory residential of a minimum of one acre but not including raising of poultry, pets, or livestock for commercial purposes on a scale that would be objectionable to surrounding permitted uses because of noise or odor				C				C	C	P		
FIRE STATIONS	C	C	C	P		P	P	P	P	P	P	P
FISHING, COMMERCIAL				P				P		P		P
FLORISTS				P		C		P	P			
FOOD STORES				C		C		P	P			
FUNERAL HOMES				C			C	C	P			
GASOLINE SERVICE STATIONS						C		C	P			
GENERAL BUSINESS OFFICES				P		C	P	P	P			
GIFT SHOPS				P		C		P	P			

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
GOLF DRIVING RANGES						C			P	P		
HARDWARE/PAINT STORES				P		C		P	P			
HOME CARE UNIT	C	C	C	C	C	C	C	C	C	C	C	C
HOME OCCUPATIONS (see Note 2)	P	P	P	P	P	C	P	P	P	P		
INSURANCE OFFICES				P		C	P	P	P			
JEWELRY STORES				P		C	P	P	P			
LAUNDRY AND DRY CLEANING ESTABLISHMENTS (see Note 4)						C		P	P			
LAUNDRY, SANITATION, AND MANAGERIAL FACILITIES DESIGNED TO SERVE A MANUFACTURED HOME PARK					C							
LAW OFFICES				P		C	P	P	P			
EDUCATIONAL FACILITIES/OFFICES				P		C	P	P	P			
MANUFACTURED HOMES (on individual lots)				P	P			C				
MANUFACTURED HOME PARKS (see Section 14-2)					C							
MARINAS/DOCKS/PIERS, INCLUDING DRY STACK STORAGE FACILITIES (in accordance with Section 12-18 and not including docks/piers for residential use)				P		C		P	P			C
MIXED USE (see Note 5)				C		C		C	C			

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
MEDICAL OFFICES				P		C	P	P	P			
MINITURE GOLF COURSES				P		C		P	P			
MOTELS/HOTELS				C		C	C	P	P			
MULTI-UNIT ASSISTED HOUSING WITH SERVICES	C	C	C	C		C	C	C	P	P		
MUNICIPAL BUILDINGS				C		C	P	P	P			
OFFICES FOR GOVERNMENTAL AGENCIES AND CHARITABLE ORGANIZATIONS				P		C	P	P	P			
OFFICE SUPPLY STORES				P		C		P	P			
PARKING LOTS, OFF-SITE				P			C	P	P			
PARKS AND PLAYGROUNDS (including golf courses or golf and country clubs and tennis courts)	P	P	P	P	P	C	P	P	P	P		P
PLANNED RESIDENTIAL DEVELOPMENT	C	C	C	C	C							
PLANT NURSERIES/GREENHOUSES				C				C	P	P		
POLICE STATIONS WITH HOLDING FACILITIES				C		C		P	P			
PRINTING ESTABLISHMENTS				C		C	C	C	P		P	
PRIVATE DOCK, BOATHOUSE, AND OTHER WATER DEPENDENT USES	P	P	P	P	P	P	P	P	P	P	P	P
PUBLICLY OWNED AND/OR OPERATED PARK, DOCK, BOAT LANDING, OPEN SPACE, RECREATIONAL FACILITY,	C	C	C	P	C	C		P	P			P

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PERMITTED USES OR USE AND THE EQUIPMENT NECESSARY TO OPERATE SUCH AREAS	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
RADIO COMMUNICATION				C			C	C	P		P	
REAL ESTATE OFFICES				P			P	P	P			
RECREATIONAL VEHICLES (see Note 7)	P	P	P	P	P	P	P	P	P	P		
RECREATIONAL WATERCRAFT LIVERY BUSINESS (see Note 6)				C		C		C	P	P		
RENTALS OF MOVING VANS/TRUCKS/TRAILERS SUCH AS U-HAUL/BUDGET/Ryder AND THE LIKE (if located in CB-subject to stipulations of Note 11)								P See Note 11	P			
REPAIR SHOPS (radio, television, electrical, small appliances, shoes, etc.)				C		C		P	P			
RESTAURANTS				P		C		P	P			
RESTAURANTS, DRIVE-THROUGH				C		C		C	C			
RETAIL APPAREL AND ACCESSORIES				P		C		P	P			
RETAIL FURNITURE, HOME FURNISHINGS, AND EQUIPMENT				P		C		P	P			

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
RETAIL ESTABLISHMENTS primarily engaged in selling one or more of the following: beverages, cosmetics, fabrics, notions, stationary or books, magazines, newspapers (see Note 13)				P		C	C	P	P			
RETIREMENT/ELDERLY FACILITIES	C	C	C	C		C	C	C	C	P		
SCHOOLS, PUBLIC AND PAROCHIAL	P	P	P	P		C	P	C	C	P		
SHOE STORES				P		C		P	P			
SHOPPING CENTER (provided that the area in question contains not less than three acres)				P		C		P	P			
SPORTING GOODS STORE				P		C		P	P			
STORAGE (provided it is within a building and the use is not visible from outside the building)	P	P	P	P	P	P	P	P	P	P	P	P
STORAGE FACILITIES				C		C		C	C		P	
STORAGE UNITS				C				C	P		P	
TAILORS				P		C	P	P	P			
TAPROOM OR TASTING ROOM AS AN ACCESSORY USE (see Note 13)								P				
TELECOMMUNICATION TOWERS				C		C	C	C	C	C	C	
TELEPHONE OFFICES				P		C	P	P	P			
TEMPORARY OFFICE UNITS	C	C	C	C	C	C	C	C	C	C	C	

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PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
TEMPORARY USES (see Note 10)	C	C	C	C	C	C	C	C	C	C	C	
TEXTILE MANUFACTURING											P	
THEATERS				C		C		C	P			
TOY STORES				P		C		P	P			
TRUCKING TERMINALS											P	
US POSTAL OFFICE				P		C	C	P	P		C	
WAREHOUSES, INCLUDING TOBACCO WAREHOUSES				C				C	P		P	
WHOLESALE BUSINESSES (businesses which sell to other merchants, not to the public) EXCLUDING PETROLEUM BULK STATIONS AND SCRAP AND WASTE MATERIAL				C				C	P			

KEY TO TABLE OF PERMITTED USES:

- C = CONDITIONAL USE
- P = PERMITTED USE
- Blank = PROHIBITED

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## Section 10-2. Notes to the Table of Permitted Uses

### Note 1. Site Development and Operations Standards within the ID District.

- (A) Parking, access, and circulation lanes between the principal building and the street(s) shall be surfaced with blacktop, concrete or brick and/or approved equal material and shall be separated from required yards or open areas by continuous curbing or some other acceptable method (decorative fencing, hedge, planter, etc.) which will define and separate vehicular areas from required yards and pedestrian traffic.
- (B) Outdoor storage, display, operations, or service areas, when proposed in conjunction with a special or conditional use permit request, shall not encroach into any required yard unless specifically authorized under the terms of the special or conditional use permit.
- (C) It is recommended that in these districts, as much of each tract as possible be left in a natural state or with enhanced/improved vegetation.

Note 2. Accessory Uses or Structures. A use or a structure on the same lot with, but of a nature customarily incidental and subordinate to the principal use or structure and which contributes to the comfort, convenience, or necessity of occupants, business or industry in the principal building or use being served. No tent, mobile home, camper, travel trailer, nor any other temporary, portable, or removable trailer, container, vehicle, or structure of any kind may be considered an accessory use or accessory structure, whether or not the wheels, axles, and/or tongue have or has been removed and whether or not the container, structure, or vehicle as described herein has been placed on a foundation, except as hereinafter described. Provided, however, that structures such as storage sheds, garden sheds, and similar structures shall be considered accessory buildings, even though they may be capable of being lifted or disassembled and removed from the property. Further provided, that a trailer, tent, or similar container, structure, or vehicle may be placed on property on a temporary basis for promotional or other business or charitable related purposes, but such use shall not continue for more than six months.

No accessory building or use shall, except for attached garages, primarily ornamental structures (e.g. gazebos and the like), or carports in the MFH-II Zoning District (upon a variance granted in accordance with Section 9-12) be erected in front (street side) of the primary building or within five feet of any rear or side property line or other existing structure. No accessory building or use may be erected or installed on any lot where a principal building does not exist. Aggregate square footage of all accessory buildings on a parcel shall not exceed 100% of the square footage of the primary structure and must also comply with Article 11, Section 11-1 of the UDO. Accessory building numbers limitation on property are exempt if the property is identified as having farm tax identification number. The side and rear setbacks for farm property shall be the same as other accessory buildings.

- (A) Home Occupations. Home occupations are permitted conditionally only as an accessory use and shall be subject to the following limitations:
  - (1) No display of products shall be visible from the street.

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- (2) No mechanical equipment shall be installed or used except such that is normally used for domestic, professional, or hobby purposes and which does not cause noise or other interference in radio and television reception.
  - (3) Not over 25% of the total actual floor area or 500 square feet, whichever is less, shall be used for a home occupation.
  - (4) No more than one person not residing in the dwelling may be engaged in the home occupation; and
  - (5) Traffic generation shall not exceed the traffic volumes generated by nearby residents. Off-street parking shall be provided as required in Article 17.
- (B) Swimming Pools. All public, commercial, or private outdoor swimming pools of three feet or more in depth, either above ground or below ground, and of either permanent or temporary construction shall meet the following requirements in addition to setbacks and other requirements specified elsewhere:
- (1) That the setback for an above ground swimming pool from any lot line equals the required setback for accessory structures in the district in which it is located plus one foot for each foot over five in pool height.
  - (2) All swimming pools must comply with North Carolina State Building Code requirements.
  - (3) That all mechanical equipment be located a minimum of five feet from any property line and must be screened from view.
- (C) Dwellings as Accessory Uses. Dwellings may be accessory uses if detached as a garage apartment and only if used as a residence by household servants or relatives. Mobile homes shall not be used as accessory residences in any residential district. Dwellings may be accessory uses in the CB Central Business District if located inside the principal building.
- (D) Retail Sales and Services as Accessory Uses. Retail sales and services are permitted as accessory uses when clearly incidental to the principal use. With the exception of restaurants in conjunction with a motel, such uses shall be conducted wholly within the principal building, without access thereto other than from within the building, and without exterior advertising or display. These activities shall be conducted solely for the convenience of the employees, patients, patrons, students, or visitors. In hospitals and clinics, these accessory uses may include drug stores, florists, gift and book shops, and cafeterias. In institutional settings, office buildings, hotels, country club houses, and airports, such activities may include gift and book shops, restaurants, cafeterias and coffee shops, lounges, pro shops, and beauty and barber shops.

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(E) Fences and Walls.

- (1) Permits. A zoning permit shall be obtained for all fences prior to construction, erection, or installation. In addition to the permit application, a copy of a survey or comparable site drawing showing the proposed location of the fence with respect to existing property lines, the existing structure(s) and streets may be required.

Fences, hedges and retaining walls shall be permitted in all residential and non-residential districts as set forth herein. Fences, walls or wall-like structures including retaining walls shall be considered as accessory to a principal permitted use.

- (2) General Regulations for Fences and Walls. No fence, wall or wall-like structure shall be constructed, erected or placed within a required sight triangle. These dimensions shall be measured to the center line of a fence, the outer face of a wall, or the extreme horizontal projection or maintained trim line of the plants on the street side. In no case shall a fence be located closer than 10 feet to a curb line or to the edge of paved roadway and shall not be in the public right-of-way.

A fence height shall be determined by measuring from the lowest point of any original or natural grade of the undisturbed ground under the fence. Any fill material or berm that raises the height of the fence above the original or natural grade shall be considered a part of the fence.

Fences shall be constructed in such a manner that the dressed or finished side of such fence, where applicable, shall face the adjacent property or the public right-of-way and all fence supports shall be on the interior of the fence and property. (Note: shadowbox type fence: the dressed side of the fence material shall face the adjacent property or public right-of-way and shall be of the same texture, material and color.)

No fence shall be constructed with barbed wire, metal spikes, electrified conductors or other such dangerous material. The exception to the use of barbed wire shall be businesses or industries that are engaged in activities that could be potentially dangerous to the public.

Translucent, transparent, clear plastic or similar materials shall not be permitted. Construction fences shall not be used on a permanent basis.

Decorative fence elements, such as 1 or 2 sections of split rail fences up to 4 feet in height used as part of a general landscaping or decorative plan shall be exempt from the provisions of this paragraph, except that such decorative elements shall not be installed or erected within the sight triangle.

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(3) Maximum Height and Location.

For purposes of this section the side yard shall start at the front corner of the primary structure.

(a) Residential Fences: for individual properties whose primary use is residential despite the zoning district in which the property is located. Residential use in the R-6, R-8, R-15, MFH-II, CB, HC, R/C, AD, CD and PUD and any other district where primary use of the subject property is residential. Maximum height of residential fences: front yard four (4) feet; side yard six (6) feet; rear yard six (6) feet.

(1) Neighborhood Perimeter Fences: privacy fences for single-family, multifamily or mixed use subdivisions/neighborhoods may be allowed provided the following requirements are met:

- The fence shall extend along and be set back at least three (3) feet from the boundary of the subdivision
- The fence shall not exceed eight (8) feet in height
- Both sides of the fence shall be equal in construction and appearance. The fence shall be uniform in design on all perimeters of the property. Design and construction shall be approved by the Inspections department prior to permit and construction.
- Maintenance responsibility for the fence with easement rights shall be specified in the deed covenants of the subdivision.

(b) Commercial fences in the CB, HC, O/I, and R/C zoning districts (for properties whose primary use is commercial): Maximum height of commercial fences: front yard four (4) feet; side yard eight (8) feet; rear yard eight (8) feet.

(c) Industrial fences: fences in the ID zoning district may be a maximum of 10 feet on all sides.

(d) Agricultural/Conservation: the height fences in the Agricultural and Conservation zoning districts, for purposes other than residences in these districts, shall be determine by the Zoning Administrator based upon the purpose of the fence and consideration of adjacent properties. However, in no case shall a fence be permitted to exceed a maximum height of ten (10) feet.

(e) Public Utilities: public utilities in any zoning district are exempt from the aforementioned provisions. Public utilities may have up to an eight (8) foot high chain-link fence with barbed wire.

(4) Swimming Pool/Spa and Hot Tub Fences. An outdoor pool, including in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier

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and shall comply all relevant instructions as outlined in Appendix G, NC State Building Code.

- (5) Tennis Courts. Fences up to 10 feet, as required around a tennis court shall meet the minimum side and rear yard requirements for an accessory building.
- (6) Hedges and Other Landscaping. Hedges and other landscaping planted as a wall-like structure shall not be placed within the public right-of-way. Any brush, hedges, shrubbery or other plant life growing within the sight triangle shall be cut and maintained to a height of not more than 30 inches above the established grade of the street. Such vegetation shall not overhang the curb or the edge of the pavement. Any tree or shrubbery within the triangular area above must be either less than 30 inches in height, or, if in excess of that height, no branches shall be nearer than 8 feet to the ground.

Hedges, etc. used as access control to abrupt ground height changes (similar to guardrails), shall be maintained or a permanent fence of 48" in height shall be installed.

- (7) Fences and Vegetation as Buffers. In situations where no other practical means are available the addition of a 6 foot fence and 5 feet of vegetation buffer may be used in lieu of the required 15 foot vegetative buffer strip as determined by the Administrator or designee.
- (8) Maintenance. The owner, tenant, or person responsible for any parcel of land on which a fence or hedge is located shall be responsible for the continuous maintenance of the fence or hedge. Fences shall be erected in a manner so as to permit the flow of natural drainage and shall not cause surface water to be blocked or damned.

Note 3. Adult Care Homes/Family Care Homes. As defined by NC General Statutes 168-21 for handicapped persons as defined in NC General Statutes 168, Article 3, provided that no such home may be located within a one-half mile radius of an existing adult/family care home.

Note 4. Laundry and Dry Cleaning Establishments. Such establishments shall be permitted when only oil, gas, or electricity is used for heat. Screening and filtering devices shall be used to prevent the emission of smoke, dust, fumes, odors, or steam into the atmosphere.

Note 5. Mixed Use. Mixed uses are permitted as conditional uses in the CB, H/C, PUD, and R/C districts.

- (A) Allowed Uses. All uses permitted in the R-15, R-8, R-6, and CB districts shall be permitted.
- (B) Principal Use. The principal use shall occupy 51% of all enclosed floor area.

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## Article 10. Table of Uses

Amended: 6/14/2011, 9/13/2011, 4/10/2012, 7/10/2012, 1/14/2014, 3/13/2014, 5/13/2014, 7/8/2014  
11/12/2014, 3/10/2015, 4/12/16, **4/11/2017**

Note 6. Recreational Watercraft Livery Business Including jet skis, boats, parasailing, and/or similar motorized rentals.

- (A) Livery Watercraft business shall be limited to no more than one business per waterfront parcel.
- (B) All buildings/structures to house such watercraft livery business area shall be permanent construction.

Note 7. Recreational Vehicles/Temporary Use. Recreational vehicles occupied for human habitation and intended for permanent residential use must be placed in an approved manufactured home or recreational vehicle park. However, temporary residential use may occur in cases where the recreational vehicle is secondary to a primary residential use, and when construction or repair of a single-family home occurs. Two general restrictions for either temporary residential use shall apply, as well as specific restrictions and limitations for each. The general restrictions and limitations are as follows: (1) R-15, R-8, R-6, MFH-II, PUD, RC, CB, or O/I zoning is required; (2) Location of the recreational vehicle shall be in the rear yard, unless evidence can be provided to the Administrator that size constraints or other factors prevent rear yard location. The specific restrictions and limitations are as follows: (1) When secondary to a primary residential use, the period of human habitation shall not exceed 14 days, and may not be re-established for a period of 90 days from the last day terminated; (2) When construction or repair of a single-family home occurs, the homeowner and his family may occupy a recreational vehicle for a period of 180 days. An extension of 180 days may be granted by the Administrator upon presentation of evidence that construction cannot be completed within 180 days due to factors beyond their control.

All recreational vehicles shall maintain an adequate disposal system and a source of potable water. Emptying of wastewater disposal systems shall be done in accordance with Section 15-3. Recreational vehicles may be stored on lots in any district, provided that such storage is not relating to manufactured home/recreational vehicle sales and further provided that such storage is not upon the right-of-way of any public street or public land.

Note 8. Temporary Uses

- (A) Mobile Offices. Mobile offices may be used on a temporary basis for such purposes as construction offices, blood mobiles, book mobiles, and traveling museums. However, such mobile uses must obtain a temporary occupancy permit from the Administrator if the use is to last more than 48 hours at one site. Mobile offices may also be used for other office or business purposes in cases where the permanent structure has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must be obtained before the use of the mobile office is initiated. This occupancy permit shall be valid for a specified period of time while reconstruction takes place not to exceed six months and may be renewed no more than once.
- (B) Manufactured Homes. Temporary use of a manufactured home as a residence shall be permitted in any residential district in cases where the permanent home has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must

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be obtained from the Administrator before the use of the manufactured home is initiated. This occupancy permit shall be valid for a specified period of time not to exceed six months while reconstruction takes place and may be renewed no more than once.

Note 9. Bars/Night Clubs. The Zoning Administrator may approve a zoning permit for a bar/night club (as defined in Article 2) in the CB and HC districts as long as the bar /night club establishment can meet the following minimum requirements:

- (A) The bar/night club must meet all requirements established in the NC General Statutes, Chapter 18 B, the regulation of alcoholic beverages;
- (B) No bar/night club shall be located within 1,000 feet of a church, school, or dwelling (measured in a straight line from the closest edge of each property line);
- (C) The bar/night club must be able to meet the minimum parking requirements set forth in Article 17;
- (D) The bar/night club establishment must conform to all local laws, regulations and ordinances pertaining to but not limited to noise, health, safety, nuisances, etc.
- (E) If the bar/night club establishment wishes to utilize outdoor space on site for bar/night club activities, such as seating, games, etc., the outdoor space must conform to all applicable laws, regulations and ordinances pertaining to but not limited to: alcoholic beverage consumption, noise, health, safety, nuisances, etc.

Note 10. Family Cemeteries. Private family cemeteries shall have a minimum 20-foot right-of-way to a DOT maintained road. They shall be setback a minimum of 50 feet from any property line. They are also required to be surveyed with the survey being recorded in the Brunswick County Register of Deeds office. Further, private or family cemeteries shall meet any applicable state regulations.

Note 11. Rentals of Moving vans/trucks/trailers. For businesses located in the Central Business (CB) Zoning District the following minimum standards must be met before a zoning permit will be issued:

- (A) This type of business may only be allowed as an accessory use to gas stations, automotive repair and sales, lawn and garden sales and repair, storage facility or any other type of similar use.
- (B) This accessory use is only permitted on the rear of the property.
- (C) The accessory use must be fenced-in
- (D) There should be no more than four (4) box trucks (six wheels and more) allowed to be stored on the property at any time.

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- (E) Signage must meet the current signage requirements contained in Article 18 of the UDO (i.e. no additional signage will be granted if the primary business is already at it's maximum signage capacity). No trucks/vans/trailers or any similar devices shall be permitted to be parked at the front of the primary business property to be used as advertising or signage.

Note 12. Breweries and Wineries. The following regulations shall apply to all Brewer and Winery Uses as described in UDO Article 2:

A. Uses within the ID Light Industrial District:

1. Uses shall not produce odors, gas, dust or any other pollutants detrimental to the health, safety or general welfare of persons living or working in the surrounding properties; and
2. Size limitations for non-production related activities in the ID Light Industrial District (i.e., tap or tasting room, food service and similar) shall not exceed 50% of the total floor area. For non-production related activities exceeding 50% of the total floor area, a Conditional Use Permit shall be required; and
3. Parking requirements shall be calculated in accordance with Article 17 Off Street Parking and Loading. Parking ratios under the ID Light Industrial shall apply for the manufacturing and production category of the use, and for food service or taproom or tasting room, the parking ratio shall be calculated under the Restaurant use category and shall ensure vehicular access, parking and circulation areas that are designed to minimize conflicts with the access, parking and circulation for other adjacent industrial areas; and
4. Outdoor storage shall be enclosed and shall be located at the rear of the establishment; and
5. Outdoor activities, such as live or recorded music, shall not be audible from any occupied residential home and/or from within the enclosed building of any adjacent business establishment; and
6. Uses shall comply with all applicable Federal, State, and County regulations.

B. Uses within Commercial Zoning Districts (CB-Central Business and HC Highway Commercial):

1. Shall include at least one of the following associated uses: restaurant, taproom or tasting room; and
2. Uses shall not produce odors, gas, dust or any other pollutants detrimental to the health, safety or general welfare of persons living or working in the surrounding properties; and
3. Size limitations for production related activities (i.e., production of alcohol or alcoholic beverages) shall not exceed 50% of the total floor area. For production activities exceeding 50% of the total floor area, a Conditional Use Permit shall be required; and
4. Parking requirements shall be calculated in accordance with Article 17 Off Street Parking and Loading. Parking ratios under the ID Light Industrial shall apply for the manufacturing and production category of the use, and for food service or taproom or tasting room, the parking ratio shall be calculated under the Restaurant use category and shall ensure vehicular access, parking and circulation areas that are designed to minimize conflicts with the access, parking and circulation for other adjacent industrial areas; and
5. Outdoor storage shall be enclosed and shall be located at the rear of the establishment, loading areas shall be located to the side or rear of the establishment. Outdoor loading or distribution activities between the hours of 10 PM and 7 AM shall require a Conditional Use Permit; and

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6. Outdoor activities, such as live or recorded music, shall not be audible from any occupied residential home and/or from within the enclosed building of any adjacent business establishment;
7. Uses shall comply with all applicable Federal, State, and County regulations.

**Note 13. Taproom or Tasting Room as an Accessory Use.**

The following regulations shall apply to a taproom or tasting room as an accessory use to a retail establishment::

1. Taprooms or Tasting Rooms shall not exceed 50% of the total floor area of the retail establishment.
2. Parking requirements for Taprooms or Tasting Rooms shall be calculated utilizing restaurant standards (while the rest of the retail space shall be calculated utilizing retail standards).
3. Outdoor activities, such as live or recorded music, shall not violate the Town's noise ordinance.
4. Uses shall comply with all applicable Federal, State and Local Regulations.

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