

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			
BANKS AND OTHER FINANCIAL INSTITUTIONS				P		C	C	P	P			
BARBER OR BEAUTY SHOPS				P		C		P	P			

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
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			
BUILDING SUPPLIES SALES ESTABLISHMENTS									P			
BUS TERMINAL									P			
CAMPGROUNDS/RECREATIONAL VEHICLE PARKS (see Note 7)								C	P			
CEMETERIES							C		C	C	P	
CHILDREN'S DAY CARE FACILITIES	C	C	C	C		C	C	C	C	C		
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						P	P	P	P	P	P	P

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
PUBLIC AGENCIES	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	
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			

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
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			
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						C			P			C

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
STORAGE FACILITIES (in accordance with Section 12-18 and not including docks/piers for residential use)				P				P				
MIXED USE (see Note 5)				C		C		C	C			
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, OR USE AND THE EQUIPMENT NECESSARY	C	C	C	P	C	C		P	P			P

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
TO OPERATE SUCH AREAS												
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		
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			
RETAIL ESTABLISHMENTS primarily engaged in selling one or more of the following: beverages, cosmetics, fabrics, notions, stationary or books, magazines, newspapers				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												

*Planned Unit Development District (see Article 15).

**See Note 1.

PERMITTED USES	R-15	R-8	R-6	R/C	MFH-II	PUD*	O/I	CB	HC	AD	ID**	CD
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	
SWEEPSTAKES BUSINESS				C				C	C			
TAILORS				P		C	P	P	P			
TELECOMMUNICATION TOWERS				C		C	C	C	C	C	C	
TELEPHONE OFFICES				P		C	P	P	P			
TELEPHONE PROMOTIONAL SWEEPSTAKES (Accessory)				P				P	P			
TEMPORARY OFFICE UNITS	C	C	C	C	C	C	C	C	C	C	C	
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:

*Planned Unit Development District (see Article 15).

**See Note 1.

C = CONDITIONAL USE
P = PERMITTED USE
Blank = PROHIBITED

*Planned Unit Development District (see Article 15).

**See Note 1.

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 be erected in any required front yard or within six feet of the rear lot line (unless the rear line abuts navigable waters), or within eight feet of any side lot line, and no separate accessory building or use shall be erected within ten feet of any other accessory building unless on same property. No accessory building or use may be erected or installed on any lot where a principal building does not exist. 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.
 - (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 19.
- (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.
- (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 is required.

Fences, hedges and retaining walls shall be permitted in all residential and non-residential districts. 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.

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 that are engaged in activities that could be potentially dangerous to the public.

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

Fences of chain link, welded wire, or any flexible material shall not be permitted in any front yard or any side yard of a corner lot.

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.

(3) Maximum Height and Location. (Residential/Commercial/ Pools/Recreational Areas and Public Utilities)

In any front yard, no fence or wall shall be permitted above the height of 4 feet.

Height of residential fences: side yard (6 feet), front yard (4 feet), rear yard (6 feet). Height of commercial fences: side yard (10 feet), front yard (8 feet) and rear yard (10 feet).

Note: The definition of a commercial side yard: the side yard begins 5 feet toward the rear from the nearest front building face of the structure.

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.

No fence shall be installed in such a way as to interfere with the sight triangle vision from a driveway on the lot or a driveway on any adjacent lot.

- (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 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.

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 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.