

**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)**

Monday, September 9, 2019

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from August 5, 2019
- III. Review of Cases
- IV. Zoning Cases
 - a.) RZ-19-11: Request to rezone property located at 853 East Salisbury Street (Randolph County Parcel Identification Number 7761227703) from R7.5 (Medium-Density Residential) to OA6 (Office Apartment)
 - b.) RZ-19-12: Text amendments to the zoning ordinance including, but not limited to, the creation of an airport zoning district, issues related to motor vehicles (domestic and commercial) and vehicle repair, places of assembly, recreation and amusement services, provisions for uses not listed in the Table of Uses 200-2, and amendments to miscellaneous definitions, procedural, and clerical items.
- V. Consideration of Board Request for Appointment to Land Development Plan Steering Committee
- VI. Adjournment

#

**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, AUGUST 5, 2019
7:00 p.m.**

This being the time and place for the regular meeting of the Asheboro Planning Board, a meeting was held with the following officials and members present:

Van Rich) - Chair
Lynette Garner) - Vice Chair

Ritchie Buffkin)
Michael O'Kelley) - Members Present
Thomas Rush)
Pamela Vuncannon)

David Henderson) - Members Absent

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Brad Morton, Planning Technician/Deputy City Clerk
Trevor Nuttall, Community Development Division Director
Jeff Sugg, City Attorney

One (1) citizen was present at this meeting.

CALL TO ORDER

Mr. Van Rich called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM JULY 8, 2019

Mr. Rich inquired if there were any corrections or additions that needed to be made to the July 8, 2019 regular Planning Board meeting. Hearing no corrections or additions the minutes were approved as presented.

REVIEW OF CASES

Mr. Justin Luck informed the board of the zoning related cases that were heard at the regular July meeting of the Asheboro City Council.

PRESENTATION OF INFORMATION CONCERNING CONTEMPLATED TEXT AMENDMENTS THROUGHOUT THE ZONING ORDINANCE INCLUDING, BUT NOT LIMITED TO, THE CREATION OF AN AIRPORT ZONING DISTRICT, ISSUES RELATED TO MOTOR VEHICLES (DOMESTIC AND COMMERCIAL) AND VEHICLE REPAIR, PLACES OF ASSEMBLY, RECREATION AND AMUSEMENT SERVICES, PROVISIONS FOR USES NOT LISTED IN THE TABLE OF USES 200-2, AND AMENDMENTS TO MISCELLANEOUS DEFINITIONS, PROCEDURAL, AND CLERICAL ITEMS

Mr. Luck gave a visual presentation, providing information on contemplated text amendments within various articles of the zoning ordinance. He stated that these amendments would formally come before the Planning Board for a recommendation to the city council at the September regular meeting. A summary of the amendments are below:

Article 100 (General Regulations): Addition of an Airport Zoning District to accommodate existing and future growth of Asheboro Regional Airport.

Article 200 (Schedules of District Regulations): Include provisions for how unlisted uses are handled, and make minor clerical changes to numbering in article. Add airport district description

Table 200-1 (Table of Area, Height, Bulk, & Placement Regulations): Include "Airport" district in this table.

Table of Uses 200-2: Add airport district, spelling corrections, changing title of certain uses to classify them as places of assembly (commercial and non-commercial), clarifying provisions for recreation & amusement services (both indoor and outdoor)

Article 300A (Supplemental Regulations): Remove reference to weight of commercial vehicles (currently 7,500 pounds) in regulation concerning vehicles permitted in residential districts to relocate to Article 1100 (Definitions). Add provisions concerning displays related to storage and displays for motor vehicle repair (major and minor) uses.

Article 400 (Off-Street Parking and Loading) and Table 400-1 (which specifies minimum number of off-street parking spaces required for certain uses): Address airport district parking. Amend certain uses in this table to match the Table of Uses (Table 200-2).

Article 600 (Special Uses): Title changes to certain uses and prohibit certain uses in proposed airport zoning district.

Article 1000 (Administrative Provisions): Specify that the Asheboro Airport authority retains site plan review authority in the proposed airport district.

Article 1100 (Definitions): Amendments to definitions are proposed related to the following items:

- Definitions related to gamerooms, amusement devices, recreation and amusement services, and commercial recreation
- Addition of definition for "manufactured home sales lot"
- Definitions related to places of assembly (commercial and non-commercial)
- Deletion of definitions which are duplicated (for example, there are definitions for both "Warehouse-mini" and "Mini warehouse").
- Miscellaneous clerical corrections (such as matching "retail shoppers goods" with term in Table of Uses 200-2 by deleting the word "sales")
- Definitions related to vehicles, commercial and domestic

At this time, Mr. Luck asked the board if there were any questions regarding the text amendment. Ms. Garner inquired if signage, such as flags, would be regulated under the outdoor sales use, to which Mr. Luck stated that the signage would be regulated under a different section of the ordinance. Mr. O'Kelley asked if the Truck Classification Table would be more efficient to use instead of distinguishing based on Gross Vehicle Weight Rating, to which Mr. Luck stated that weight has more bearing on certain aspects, such as if a Commercial Driver's License (CDL) is required to operate the vehicle or not. He also stated that the Gross Vehicle Weight Rating is easily accessible and can be found on each vehicle's manufacturer specifications. There were no more questions for Mr. Luck. No action was taken on this item.

ITEMS NOT ON THE AGENDA

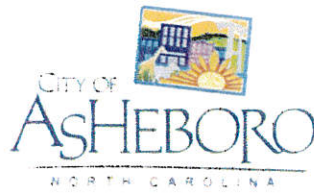
There were no other items at this time.

ADJOURNMENT

With no further business to come before the board, Mr. Rich adjourned the meeting.

Bradley Morton, Planning Board Secretary

Van Rich, Planning Board Chair



**RZ-19-11: Request to rezone from R7.5 (Medium-Density Residential) to
OA6 (Office-Apartment)**
853 E. Salisbury St

Staff Report

Rezoning Staff Report

RZ Case # RZ-19-11

Date 9/9/2019 Planning Board

General Information

Applicant Stephen "Bo" Davidson

Address 333 W. Ward St.

City Asheboro NC 27203

Phone 336-382-1391

Location 853 E. Salisbury Street

Requested Action Rezone from R7.5 (Medium-Density Residential) to OA6 (Office-Apartment)

Existing Zone R7.5

Existing Land Use Formerly single-family dwelling

Size 0.89 acres +/-

Pin # 7761227703

Applicant's Reasons as stated on application

Change is consistent with surrounding zoning & land uses. Will remain consistent with proposed land use designated by LDP. Corridor has seen transition to commercial & office uses. OA6 complies with urban residential and city services are available.

Surrounding Land Use

North Single-family residential

East Undeveloped (Office/Residential)

South Place of worship/Single-family residential

West Single-family residential

Zoning History N/A

Legal Description

The property of Davidson Builders and Properties, Inc., located at 853 E Salisbury St., totaling approximately 0.89 acres +/- and more specifically identified by Randolph County Parcel Identification Numbers 7761227703.

Analysis

1. The property is inside the City limits.
2. The most recent 2014 Comprehensive Transportation Plan identifies this segment of East Salisbury Street/ NC Hwy. 42 (a state-maintained major throughfare) as over capacity based on 2012 volumes measuring average annual daily vehicles/day (11,600 capacity vs. 13,000 AADT 2012 volume).
3. In order to relieve the congestion that currently exists on NC Hwy. 42 North, the current NCDOT Transportation Improvement Program has proposed road improvements (Project No. U-5743) along NC Hwy. 42 extending between the E. Salisbury St. intersection and US Hwy. 64 (E. Dixie Drive). Proposed improvements include the addition of a center turn lane, sidewalks, curbing and guttering. The project's timetable is uncertain at this time due to NCDOT funding constraints.
4. The requested zoning district allows residential (single-family, two-family, multiple-family), office & institutional uses, and limited commercial uses. The OA6 zoning district is described by the zoning ordinance as "intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged." Heavier commercial uses (such as retail, eating establishments, motor vehicle sales and major/minor repair, etc.) are prohibited in the OA6 district.
5. The property immediately to the east was recently rezoned from R7.5 to OA6 (Case No. RZ-19-06, Approved May, 2019)

Rezoning Staff Report

RZ Case #

RZ-19-11

Page 2

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation Office & Institutional

Small Area Plan Central

Growth Strategy Map Designation	Primary Growth
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LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)

Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

Checklist Items 12-13: 12.) Property is located outside of watershed 13.) Property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # RZ-19-11

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LDP Goals/Policies Which Do Not Support Request

Checklist Item 6: Existing infrastructure is not adequate to support the desired zone. (water, sewer, roads, schools, etc.)

Checklist Items 14: Property is located on steep slopes of greater than 20%.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Staff's analysis considers the appropriateness of both residential and non-residential uses permitted in the requested OA6 district.

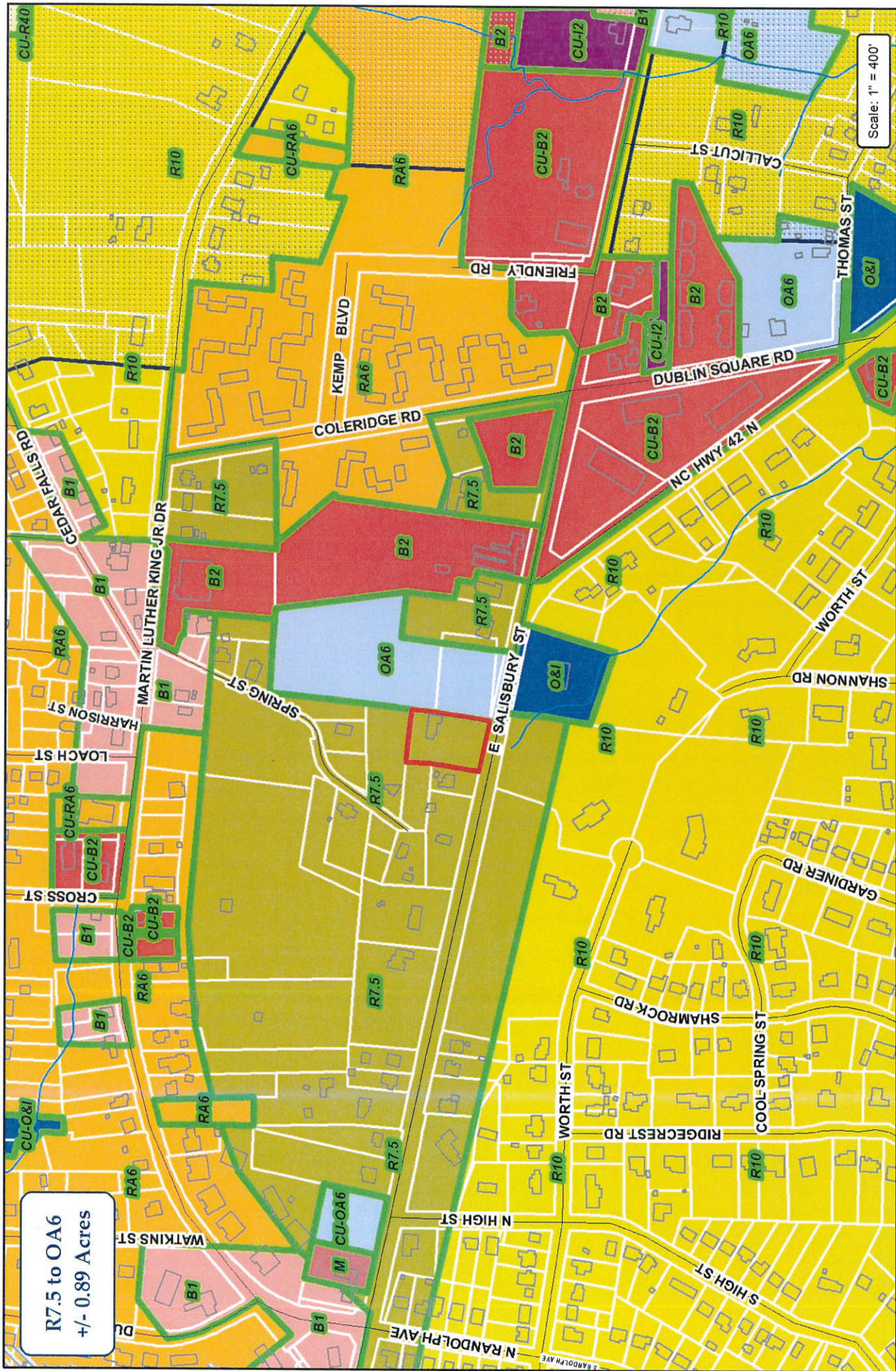
The non-residential component of the district is supported by the LDP's designation of the property for "office & institutional" uses. The property may also be used for residential purposes, which allows property to continue to be used for residential uses, as it was previously used for.

Zoning and uses of properties for commercial or institutional purposes to the north, east, and south, and the recent rezoning of the adjoining property to OA6 help make the OA6 district an appropriate transitional district at this location. Limitations on the types of commercial uses and development standards for non-residential uses also help protect adjoining residential properties from adverse impacts.

Additionally, planned road improvements for both motorists and pedestrians help alleviate concern over the current capacity issues of East Salisbury Street.

Considering these factors, staff believes the requested OA6 district is consistent with the Land Development Plan and therefore reasonable and generally in the public interest.

Recommendation In light of the above analysis, staff's recommendation is to approve the OA6 district request.



R7.5 to OA6
 +/- 0.89 Acres

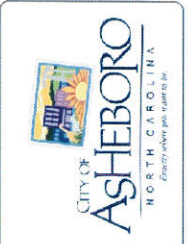
City of Asheville Planning & Zoning Department

Rezoning Case: RZ-19-11

Parcel: 7761227703

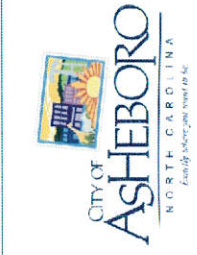
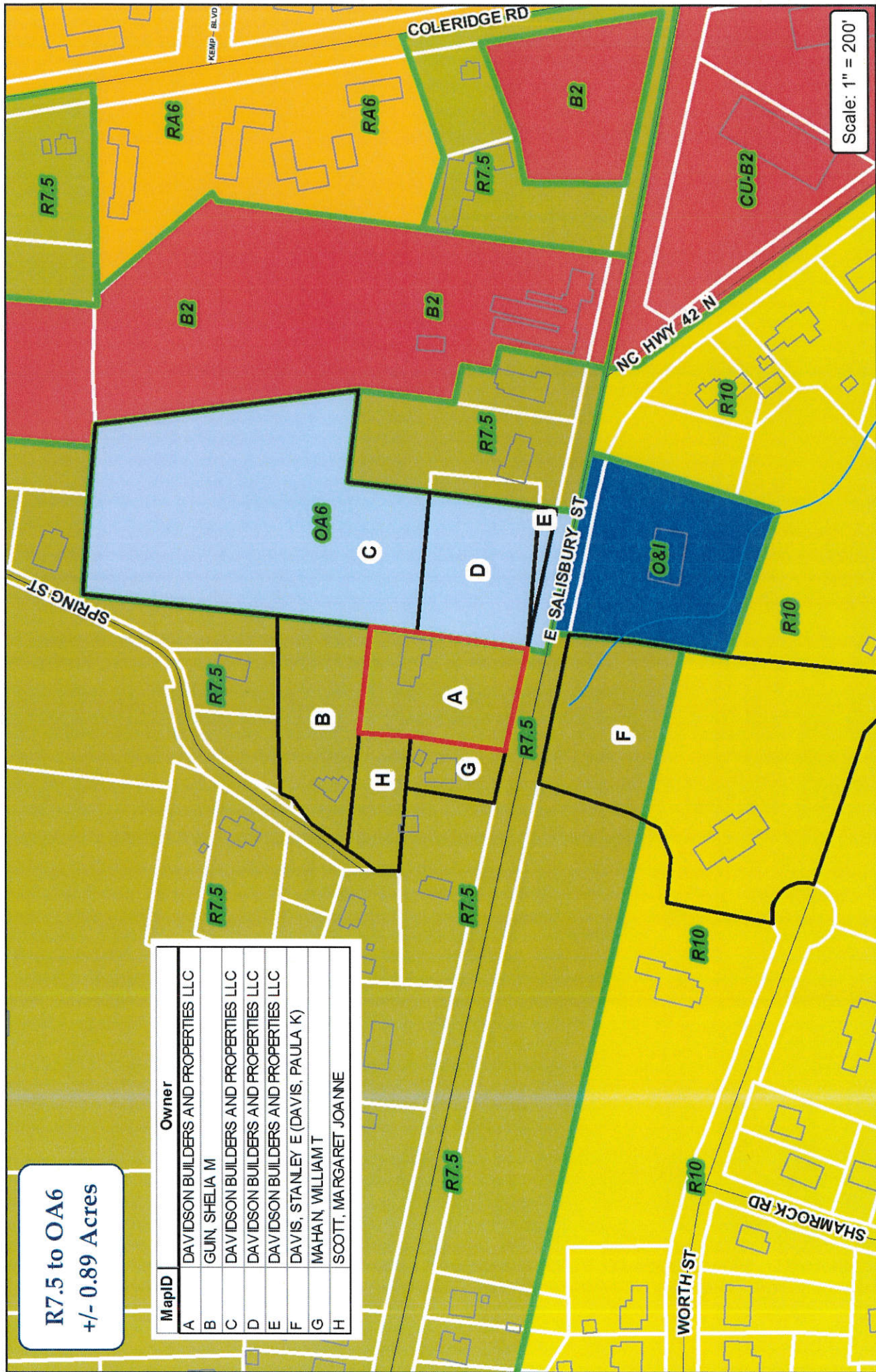


Subject Property
 Zoning



R7.5 to OA6
+/- 0.89 Acres

MapID	Owner
A	DAVIDSON BUILDERS AND PROPERTIES LLC
B	GUIN, SHEILA M
C	DAVIDSON BUILDERS AND PROPERTIES LLC
D	DAVIDSON BUILDERS AND PROPERTIES LLC
E	DAVIDSON BUILDERS AND PROPERTIES LLC
F	DAVIS, STANLEY E (DAVIS, PAULA K)
G	MAHAN, WILLIAM T
H	SCOTT, MARGARET JOANNE



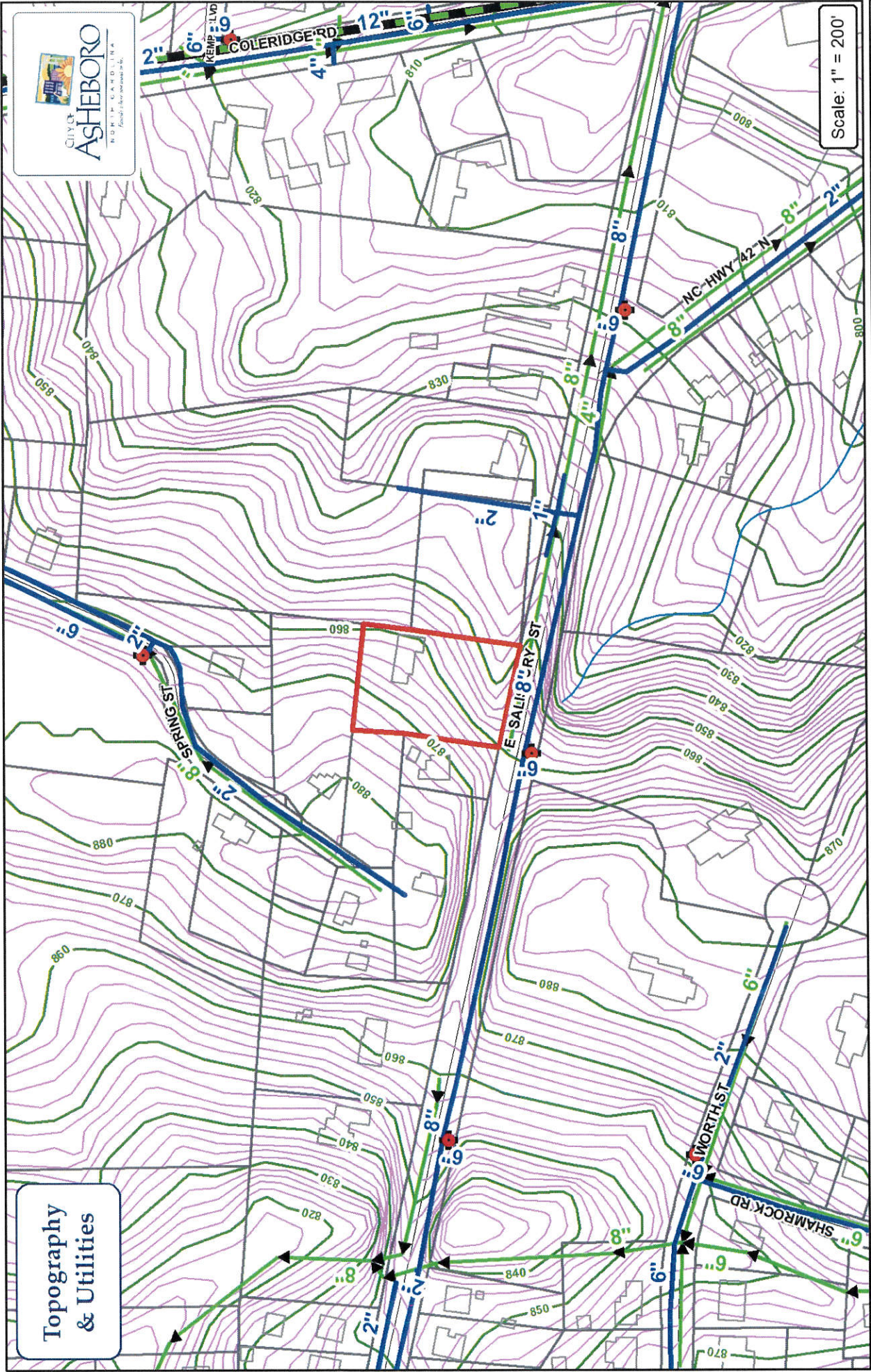
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-11

Parcel: 7761227703

 Subject Property
 Adjoining Properties
 Zoning

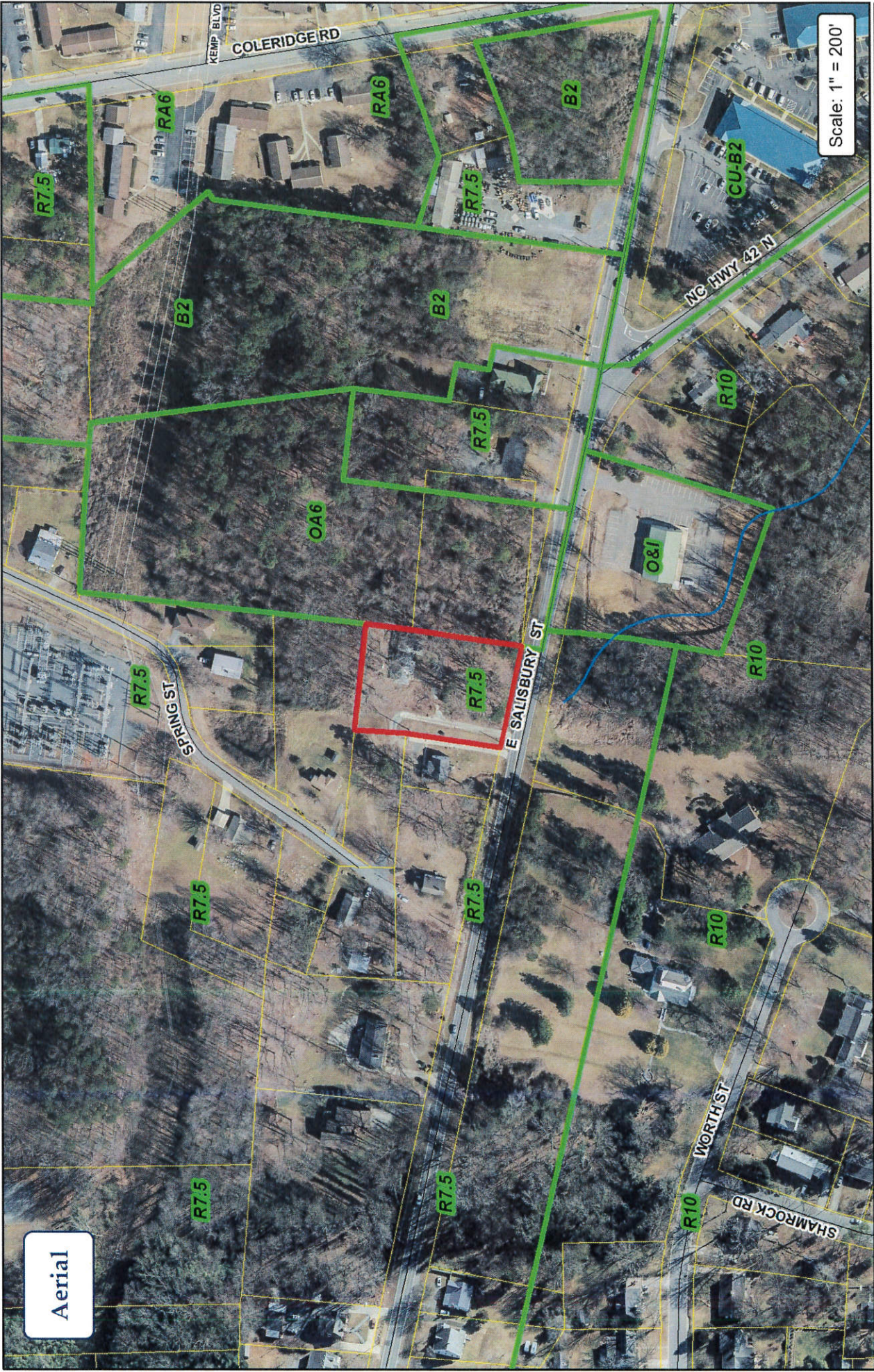




City of Asheville
Planning & Zoning Department
Rezoning Case: RZ-19-11
Parcel: 7761227703

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		





Scale: 1" = 200'



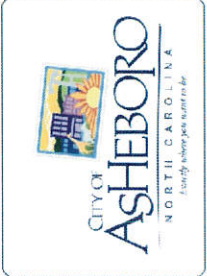
Subject Property

Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-11

Parcel: 7761227703



Aerial



RZ-19-12: Request for text amendments to the zoning ordinance
(City of Asheboro)

Text amendments to the zoning ordinance including, but not limited to, the creation of an airport zoning district, issues related to motor vehicles (domestic and commercial) and vehicle repair, places of assembly, recreation and amusement services, provisions for uses not listed in the Table of Uses 200-2, and amendments to miscellaneous definitions, procedural, and clerical items.

Staff Report

Rezoning Staff Report

RZ Case # **RZ-19-12**

Date 9/9/2019 Planning Board

General Information

Applicant City of Asheboro

Address 146 North Church St.

City Asheboro NC 27203

Phone 336-626-1201

Location N/A

Requested Action Zoning Ordinance text amendments including creation of an airport district, issues related to motor vehicles and repair, unlisted uses, and amendments to definitions, procedural, and clerical items.

Existing Zone N/A

Existing Land Use N/A

Size N/A

Pin # N/A

Applicant's Reasons as stated on application

See staff's analysis below.

Surrounding Land Use

North N/A

East N/A

South N/A

West N/A

Zoning History Case No. RZ-18-17: The zoning ordinance was last updated on November 8, 2018.

Legal Description

A final legal description will be available prior to the legal advertisement of this case being published.

Analysis

1. Staff proposes text amendments to address various ongoing issues that city staff has encountered. Highlights of the proposed amendments include:
 - (a) The creation of an airport zoning district to accommodate the Asheboro Regional Airport and related/complementary uses occurring on airport property.
 - (b) Issues related to motor vehicles, including standards for repair, permissible vehicle weight when located in residential districts, and outdoor sales and displays occurring on commercial and industrial properties related to motor vehicle repair.
 - (c) Provisions for approving uses that are not listed in the Table of Uses (200-2) of the zoning ordinance.
 - (d) Other miscellaneous definitions, clerical items, and minor procedural items are being addressed with the proposed amendments.
2. These proposed amendments do not include amendments to the city's sign ordinance, which are currently under review and will be presented as a separate text amendment case at a later date.

Rezoning Staff Report

RZ Case # RZ-19-12

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Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation N/A

Small Area Plan N/A

Growth Strategy Map Designation N/A

LDP Goals/Policies Which Support Request

Goal 2.1: Development that enhances our city's character and sense of community

2.1.1 The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.

Goal 3.2: Quality design demanding appropriate scale and context

Goal 5.3: Interconnected and multi-modal transportation networks

Rezoning Staff Report

RZ Case # RZ-19-12

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LDP Goals/Policies Which Do Not Support Request

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The proposed text amendments are designed to address various zoning issues encountered by staff.

The proposed amendments are supported by the Land Development Plan and support economic development by accommodating existing and future growth of the Asheboro Regional Airport.

The proposal also adds clarity to the review process for land uses that are not regularly encountered, when there is not a clear-cut designation of a proposed use by the zoning ordinance.

Finally, the proposed amendments address miscellaneous provisions and definitions that best reflect current practices, replaces or removes duplicative or unclear language, and adds clarity in the interpretation of various administrative issues.

Considering these factors, staff believes the proposed text amendments are consistent with the Land Development Plan and therefore are generally in the public interest and support a reasonable use of property.

Recommendation

In light of the above analysis, staff's recommendation is to approve the zoning text amendment request.

ARTICLE 100
GENERAL REGULATIONS

101 **Affected Territory** (Amended 12-6-2012)

This ordinance shall apply to all territory within the corporate limits of the City of Asheboro and to such extraterritorial area as is shown on the map entitled "2012 Revised Extra-Territorial Planning Jurisdiction Area, City of Asheboro", said map bearing the date of September 12, 2012.

102 **Classes of Districts**

For the purpose of this Ordinance, the affected territory as described in Section 101 is divided into the following classes of districts:

R40	Low Density Residential Districts
R15	Low Density Single Family Residential Districts
R10	Medium Density Residential Districts
R7.5	Medium Density Residential Districts
RA6	High Density Residential Districts
OA6	Office-Apartment High Density Districts
O&I	Office and Institutional District
B1	Neighborhood Commercial Districts
M	Mercantile Limited General Commercial District
B2	General Commercial Districts
B3	Central Commercial District
TH	Tourism-Hospitality District
I1	Light Industrial Districts
I2	General Industrial Districts
I3	Limited Industrial Districts
<u>A</u>	<u>Airport District</u>
CUR40	Conditional Use Low Density Residential Districts
CUR15	Conditional Use Low Density Single Family Residential Districts
CUR10	Conditional Use Medium Density Residential Districts
CUR7.5	Conditional Use Medium Density Residential Districts
CURA6	Conditional Use High Density Residential Districts
CUOA6	Conditional Use Office-Apartment High Density Districts
CUO&I	Conditional Use Office and Institutional Districts
CUB1	Conditional Use Neighborhood Business Districts

CUM	Conditional Use Mercantile Districts
CUB2	Conditional Use General Business Districts
CUB3	Conditional Use Central Business District
CUTH	Conditional Use Tourism-Hospitality Districts
CUI1	Conditional Use Light Industrial Districts
CUI2	Conditional Use General Industrial Districts
CUI3	Conditional Use Limited Industrial Districts
<u>CUA</u>	<u>Conditional Use Airport District</u>

Each Conditional Use District corresponds to a related district in this Ordinance. Where certain types of zoning districts would be inappropriate under certain conditions, and the rezoning applicant desires rezoning to such a district, the CU District is a means by which special conditions can be imposed in the furtherance of the purpose of this Ordinance.

The CU District classification will be considered only upon written request of the rezoning applicant. If for any reason any condition imposed pursuant to this section is found to be illegal or invalid or if the applicant should fail to accept any condition, it is the intent of this Ordinance that the authorization of such Conditional Use Permit shall be null and void and of no effect, and that proceedings shall be instituted to rezone the property to its previous zoning classification.

Within a CU District, only those uses specifically permitted in the zoning district to which the CU District corresponds (i.e., R15 and CUR15) shall be permitted, and all other requirements of the corresponding district shall be met. It is the intent of this ordinance that all requirements within a CU District be equal to or more stringent than those in a corresponding non- CU District.

In addition, within a CU District no use shall be submitted except as pursuant to a Conditional Use Permit authorized by the City Council, which shall specify the use or uses authorized. Such permit may further specify the location on the property of the proposed use or uses, the number of dwelling units or Floor Area Ratio, the location and extent of supporting facilities including but not limited to parking lots, driveways and access streets, the location and extent of buffer areas and other special purpose areas, the timing of development, the location and extent of rights-of-way and other areas to be dedicated for public use, and other such matters as the applicant may propose as conditions upon the request. In granting a Conditional Use Permit, the Council may impose such additional

ARTICLE 200

SCHEDULES OF DISTRICT REGULATIONS

201: Adoption of Schedules of District Regulations

A substantial part of the regulations applying in many of the districts established by this Ordinance has been set out in tabular form in a series of sheets identified as the Official Schedules of District Regulations which, together with all lawfully adopted explanatory material shown therein, is hereby adopted and declared to be part of this Ordinance.

202: Reserved (amended 2-4-2016)

203: Location

The Official Schedules of District Regulations shall be located in the office of the Department of Planning and Community Development.

204: Amendment

The Official Schedules of District Regulations are subject to amendment by ordinance as set out in Article 1000 of this Ordinance. Any proposed amendment shall be identified by the sheet number, district, column, and (if applicable) paragraph or subparagraph numbers or letters.

205: Recording of Nature and Dates of Amendments; Authentication

Amendments shall be authenticated by entries on schedule sheets affected and a record of the nature and date thereof maintained. Such entries shall indicate the date the amendment was made, the date the change became effective (if other than the date of the actual approval), the number of the amending ordinance, and an indication of the nature of the change sufficient to facilitate specific identification.

206: Updating Required

Amendments to Official Schedules of District Regulations shall be updated by the Zoning Administrator or his designee within ten working days of the effective date of the amendatory ordinance.

207: Unauthorized Changes Prohibited

No changes of any nature shall be made in the Official Schedules of District Regulations, or any matter shown thereon, except in conformity with the requirements and procedures set forth in this Ordinance. Any unauthorized changes, of whatever kind, by any person or persons, shall be considered a violation of this Ordinance and punishable as provided by law; provided, this provision shall not be held to foreclose action under other applicable criminal statutes of the State

of North Carolina against any person or persons alleged to have made unauthorized changes in this Ordinance.

208: Official Schedule of District Regulations; Final Authority

Regardless of the existence of purported copies of all or part of the Official Schedules of District Regulations which may from time to time be made, published or reproduced, the Official Schedules of District Regulations and amendments thereto in the office of the Department of Planning and Community Development shall be the final authority as to regulations set forth therein as applying to such districts.

209: Retention of Earlier Schedules of District Regulations

At least one copy of all schedules of district regulations, or remaining portions thereof, which have had the force and effect of official schedules for the City prior to the effective date of adoption or amendment of this Ordinance shall be retained by the City Clerk and preserved as a public record and as a guide to the zoning status of lands and waters prior to such dates.

210: Schedule of Statements of Intent (Amended 8-6-2015)

The following array presents for the several districts the Schedule of Statements of Intent applicable to each district.

(A) A- R40 Residential District:

The R40 Residential District is intended to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such suburban intensity living.

(B) B- R15 Residential District:

The R15 Residential District is intended to provide regulations which will produce a low intensity of single family residential use with the necessary governmental and other support facilities to service such suburban intensity living.

(C) C- R10 Residential District:

The R10 Residential District is intended to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.

(D) D- R-7.5 Residential District:

The R-7.5 Residential District is intended to provide regulations which will produce a moderate intensity of residential uses, usually single family and no more than two family in

character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.

(E) ~~E~~-RA6 Residential District:

The RA6 Residential District is intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.

(F) ~~F~~-OA6 District:

The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.

(G) ~~G~~-O & I office and Institutional District:

The Office and Institutional district is intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.

(H) ~~H~~-B1 Neighborhood Commercial District:

The B-1 Neighborhood Commercial District is intended to provide for limited retail and personal service uses on free-standing parcels or for small centers to serve adjacent residential neighborhoods. These districts shall normally be located in nodes along minor thoroughfares or higher classification streets.

(I) ~~I~~-M (Mercantile) Limited General Commercial District:

The Mercantile (M) District is intended to provide for a greater number of potential business activities than the B1 Zoning District. The Mercantile District is distinguished from the B2 General Commercial District by excluding certain uses permitted in the B2 District that are likely to create the greatest external impact (traffic, noise, lighting, etc.) and by its additional standards that address compatibility with adjoining residential neighborhoods. These districts should be located in nodes along minor thoroughfares or higher classification streets.

(J) ~~J~~-B2 General Commercial District:

The B2 General Commercial District is intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district

should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.

(K) ~~K~~-Tourism-Hospitality (TH) District:

The TH Tourism-Hospitality District is intended to serve the lodging, tourism, convenience goods, shoppers goods retail and service needs of the traveling public, with emphasis on promoting compatible tourism development and complementing existing tourism venues. This district shall be located with access directly to freeways and minor thoroughfares or higher classification streets, but never local residential streets. The use of commercial service roads to access properties in this district shall be strongly encouraged.

(L) ~~L~~-B3 Central Commercial District:

The B3 Central Commercial District is intended to be applied to the traditional commercial, governmental, administrative and service core of Asheboro, commonly known as the Central Business District.

(M) ~~M~~-I-1 Industrial Development District:

The intent of the I1 Industrial Development District is to produce areas for manufacturing, processing and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts.

(N) ~~N~~-I2 Industrial Development District:

The intent of the I2 Industrial Development District is to produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts.

(O) ~~O~~-I3 Industrial Development District:

The intent of the I3 Industrial Development District is to produce areas which are protected from undesirable commercial and incompatible residential uses, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts.

(P) ~~A~~ (Airport) District:

The Airport (A) district is intended to be applied to areas utilized in conjunction with the Asheboro Regional Airport.

211: Schedule of Permitted and Permissible Special Uses by District

Except as specifically provided in this Ordinance, regulations governing the use of land, water and structures within the various districts within the zoning jurisdiction of the City of Asheboro shall be as shown in the Schedule of Permitted and Permissible Uses by District.

Uses of land or structures ~~which are not expressly listed in this Schedule as Permitted Principal Uses, Permitted Accessory Uses or Permissible Special Uses~~ are "unlisted uses" that shall only be permitted if approved by the Zoning Administrator pursuant to Section 214 of this Ordinance ~~are prohibited uses and shall not be established in that district.~~ Uses listed as Permissible Special Uses may be established in that district only after approval of an application for a Special Use Permit in accord with the procedures and requirements in Article 600.

Table 200-2 indicates the permitted and permissible uses for the regular zoning districts. For each regular zoning district a corresponding Conditional Use district exist. Within a C. U. District, only those uses specifically permitted in the zoning district to which the C. U. District corresponds (i.e., R40 and CUR40) may be permitted (see Article 100 and 1000 for specific regulations governing Conditional Use districts).

212: Schedule of Area, Height, Bulk and Placement Regulations.

Except as specifically provided in this Ordinance, regulations governing the minimum lot width and area; required front, side and rear yards; maximum permitted floor area ratio, maximum permitted height of structures, maximum permitted lot coverage, and related matters shall be for the several regular districts as shown in Table 200-1, Schedule of Area, Height, Bulk and Placement Regulations.

213: Permitted Area and Number of Signs.

The area and number of signs permitted for the several districts shall be as regulated in Article 500 Sign Regulations.

214: Unlisted Uses

(A) Procedure for Approving Unlisted Uses

Where a particular use category or use type is not specifically allowed under this Ordinance and is also not prohibited or restricted by this Ordinance, the Zoning Administrator may permit the use category or type if the criteria of subsection (B) below are met. The Zoning Administrator shall give due consideration to the intent of this Ordinance concerning the district(s) involved, the character of the uses specifically identified, and the character of the use(s) in question.

(B) Criteria for Approving Unlisted Uses

In order to determine that the proposed use(s) has an impact that is similar in nature and function to the other uses allowed in a specific zoning district, the Zoning Administrator shall

assess all relevant characteristics of the proposed use, including but not limited to the following:

- (1) The volume and type of sales, retail, wholesale; size and type of items sold and nature of inventory on the premises;
- (2) Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution; any dangerous, hazardous, toxic, or explosive materials used in the processing; and
- (3) The nature and location of storage and outdoor display of merchandise; enclosed, open, inside or outside the principal building; and predominant types of items stored (such as vehicles, work-in-process, inventory, and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders); and
- (4) The type, size and nature of buildings and structures; and
- (5) The number and density of employees and customers per unit area of site in relation to business hours and employment shifts; and
- (6) Transportation requirements, including the modal split for people and freight, by volume type and characteristic of traffic generation to and from the site, trip purposes and whether trip purposes can be shared by other uses on the site; and
- (7) Parking requirements, turnover and generation, ratio of the number of spaces required per unit area or activity, and the potential for shared parking with other uses; and
- (8) The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, light, radiation, and fumes; and
- (9) Any special public utility requirements for serving the proposed use, including but not limited to water supply, waste water output, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and
- (10) The impact on adjacent properties created by the proposed use will not be greater than that of other uses in the zoning district.

(C) Determination by the Zoning Administrator; Effects

All determinations by the Zoning Administrator made pursuant to subsection (B) above shall be in writing. In making the determination described in subsection (B) above, the Zoning Administrator shall initiate an amendment to this Ordinance if the particular use or category of use(s) is likely to be common or to recur frequently, or that omission of specific inclusion

and reference to this Ordinance is likely to lead to public uncertainty and confusion. Until final action has been taken on such proposed amendment, the determination of the Zoning Administrator shall be binding. If no amendment is initiated, the Zoning Administrator's determination shall thereafter be binding without further action or amendment of this Ordinance.

(D) Appeal of Determination of the Zoning Administrator

The determination of the Zoning Administrator may be appealed to the Board of Adjustment pursuant to the procedures set forth in Article 900 of this Ordinance.

Table 200-1
Table of Area, Height, Bulk and Placement Regulations

District	Minimum Lot Size in Sq. Ft.	Lot Width (Frontage) In Feet*	Front Required Yard in Feet*	Side Required Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R40	40,000 SF 80,000 Duplex 40,000 NonRes	100	30	15	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R15	15,000	100	30	15	25	35	22%		
			1 Single Family Only						
R10	10,000 SF 15,000 Duplex 10,000 NonRes	75	30	10	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R7.5	7,500 SF 11,500 Duplex 7,500 NonRes	60	25	10	20	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
RA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP authorized by Article 600, Section 653						43%	40%	6.6%
	Non-residential 6,000	60	25	10	20	35	22%		
OA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP authorized by Article 600, Section 653						43%	40%	6.6%
	Non-residential 6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
O&I	6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
B1	6,000	60	25	15	15	25	33%		
M	10,000	75	25	10	10	25	33%		
B2	10,000	75	25	0 or 5	0 or 5	35	100%		
TH	40,000	100	30	10	10	35	100%		
B3	N/A	N/A	0	0 or 5	0 or 5	50	N/A		
I1	10,000	75	10	10	10	45	N/A		
I2	20,000	100	10	10	10	45	N/A		
I3	30,000	100	50	20	20	45	N/A		
A	N/A	N/A	0	0	0	N/A	N/A		

*Except as specifically modified by this Ordinance

Revised 10/2019

Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Accessory Apartment	SF	A	A	A	A	A	A											Section 303
Adult Day Care Facility (for 29 or less)	2										P	P	P					
Adult Day Care Facility (for 30 or more)	2										S		S					Section 614
Adult Day Care Home for less than 6 persons		P	P	P	P	P	P											
Adult Establishment with Live Entertainment and On Premises Consumption of Alcoholic Beverages	*													S	S	S		Section 636
Adult Establishment General	*													P	P	P		Section 325A
Agricultural Roadside Stand		A		A														
Agricultural Tourism Facility	3	S	S	S	S	S	S	S	S	S	S	S						Section 650

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Table 200-2
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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Agricultural Uses Genuine		P	P	P	P	P	P	P	P	P	P	P						Note 41
Airport/ Heliport Heliport														S	S	S	P	Section 615
Amusement Parks	3													P	P			
Animal Hospital / Vet Clinic General	2										P			P	P			Note 2
Bakery - On and Off premises sale permitted Wholesale & Retail	3													P	P			
Bakery - On premises sale only	2								P	P	P	P	P					
Bakery Distribution Center-- with Retail Sales Permitted NO BAKING PERMITTED	3										P			P	P			
Bank - Automatic Teller	2						P	P	P	P	P	P	P	P				

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Bank	2						P	P	P	P	P	P	P	P				
Banquet/Reception Facility	2									P	P	P	P	A	A	A		
Banquet/Reception Facility (Large)	3										P	P	P	A	A	A		
Bar	2										P	P	P					
Bed & Breakfast	1	P		P	P	P	P		P	P	P	P						Note 3
Boarding / Rooming Houses	1	P		P	P	P	P											Section 323A
Brew Pub	2									P	P	P	P	P	P			
Brewery	3													P	P			

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Bus Terminal	3										P	P	P	P	P			
Business Services	1						P	P		P	P	P	P	P	P			
Car Wash	2									A	P		P	P	P	P		
Cemetery, Human	1	A	A	A	A	A	A	P			P			P	P			
Cemetery, Pet	1										P			P	P			
Child Care Center - Medium (30 - 79 children)	2								S		S		S	A	A	A		Note 4; Section 616
Child Care Center - Large (80+ children)	2										S		S	A	A	A		Note 4; Section 616
Child Day Care Center - Small (13 - 29 children)	1						S	S		S	P		P	A	A	A		Note 4; Section 616

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Circus, Carnival, Fair, Concerts Limited Duration											P	P	P	P	P			Section 327A
College / University	2	S	S	S	S	S	S	S	P		P		P					Note 5; Section 617
Columbarium	1	A	A	A	A	A	A	A		P	P		P	P	P			
Combustible & Flammable Liquid Storage >100,000 gallons aggregate	3														S			Section 619
Combustible & Flammable Liquid Storage above ground < 2,000 gallons		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 6
Combustible & Flammable Liquid Storage above ground >2,000 gallons<100,000 gallons	3													S	S	S		Section 618
Combustible & Flammable Liquid Storage below ground<2,000 gallons		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 7
Combustible & Flammable Liquid Storage below ground>2,000 gallons									A	A	A	A	A	P	P	P		Note 8

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Commercial Developments with multi use and or structures	3									P	P	P	P					Note 9
Communication Facilities - Non Commercial		A	A	A	A	A	A	A	A	P	P	A	P	P	P	P		Note 11
Communication Facilities - Commercial	2										P		P	P	P	P		Note 10
Communication Towers		P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S		Section 302; 320A; 646
Congregate Living Facility	1	S		S	S	S	S	S	P		P		P					Section 620
Congregate Living Facility - for 6 or less persons (FAMILY CARE HOME)		P	P	P	P	P	P											Note 12
Contractors Office	1						P	P		P	P		P	P	P	P		Note 13
Correctional Facilities	3										P			P	P			

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Country, Racquet, Tennis & Swim Clubs	2	S	S	S	S	S	S			S	P	P	P					Note 43; Section 644
Crematorium	2										A		A	P	P			
Cultural Facility	1	S	S	S	S	S	P	P		P	P	P	P					Section 621
Dormitories	2	A		A	A	A	A	A			A		A					
Drive-In Theater	3										P	P		P				Note 14
Dry Cleaners - Small	2								P	P	P	P	P	P	P			
Dry Cleaning Plant	2										P			P	P	P		
Dwelling for Caretaker /Security Guard											A	A	A	A	A	A		

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Table 200-2
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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Dwelling Multiple Family Units up to .17 FAR	MF					P	P											Note 15
Dwelling Multiple Family Units up to .22 FAR	MF					S	S											Note 15
Dwelling Single Family Units	SF	P	P	P	P	P	P											
Dwelling Two Family Units	SF	P		P	P	P	P											
Dwelling within Mixed Use Structure							P						P					Note 16
Eating Establishments - Drivein	2										P	P						
Eating Establishments - Walkin / Carry-out	2								P	P	P	P	P					
Eating Establishments - Sit Down	2								P	P	P	P	P	A	A	A		

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Electronic & Electrical Repair - Small	1										P		P	P	P			
Electronic & Electrical Repair - Large	2										P			P	P	P		
Exterminator	2									P	P		P	P	P			Note 17
Extraction of Earth Products	3	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		Section 623
Family Child Care Large Home (9 - 12 children)	1	S		S	S	S	P											Note 4; Section 616
Family Child Care Home (8 or less children)		P	P	P	P	P	P											Note 4
Farmers Market	1										P	P	P	P	P			Note 47
Flea Markets, Open Air Sales	2										P		P	P	P			Note 48

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Fraternity & Sorority Houses	2					S	S				S	S						Note 18
Funeral Parlor	2						P	P		P	P		P	P				
Furniture Refinishing and Repair	2										P		P	P	P			
Gamerooms	3										S	S	S		S			Section 641
Gas Station	2										P	P	P	P	P	P		
Golf Course	1	S	S	S	S	S						P						Note 41; Section 624
Government Land Reserves		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Health Practitioners Offices	1						P	P		P	P		P					

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Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Health Services	2						P	P		P	P		P					
Health/Fitness Center	2								P	P	P	P	P					
Heliport Heliport Emergency Medical							A	A			A		A	A	A	A	P	Note 19
Helistop Helistop	2										P		P	P	P	P	P	
Home Occupation	SF	A	A	A	A	A	A											Note 20; Section 625
Hospital							P	P	P		P		P					
Hotels / Motels	2										P	P	P					
Industrial Developments with multi use and or structures	3													P	P			Note 45

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Interior Cleaning Services	2										P		P	P				
Junkyards	3													S	S			Section 626
Kennel	2	P									P			P	P			Note 21
Landfills - Clean Material	3													P	P			Note 37
Landfills - Sanitary	3													S	S			Note 36; Section 627
Limited Duration Circus, Carnival, Fair, Concerts											P	P	P	P	P			Section 327A
Liquor Store	2									P	P	P	P					
Lumber & Building Material Sales	2										P			P	P			Note 22

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Lumberyard	3													P	P			
Mail Order Distribution Center	2										P		P	P	P			
Mail Order Office	1						P	P		P	P		P	P	P			
Manufactured Home / Mobile Homes - Class A Double wide	SF	P																Section 326A
Manufactured Home / Mobile Home Park Class A & B	2	S		S	S	S												Section 326A; 629
Manufactured Home / Mobile Homes - Class A Single wide	SF	P																Section 326A
Manufacturing, Processing & Assembly- Light	2										S			P	P	P		Section 628
Manufacturing, Processing & Assembly - Heavy	3													P	P	P		

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Massagists, Therapeutic Health	1						P	P		P	P	A	P					Note 38
Meat Packing /Slaughterhouse	3													P	P			
Medical & Dental Labs	2						A	A		A	P		P	P	P	P		
Membership Organizations	2						P	P		P	P		P					
Mental Institutions /Sanitariums	3								S		S		S					Section 638
Microbrewery	2										P	P	P	P	P			Section 329A
Mini-lube	2										P		P	P	P	P		
Mini-warehouse	2										P			P	P			Note 24

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Mobile Home Sales Lots	2										P			P	P	A		
Motor Vehicle Repair -Major	2										A			P	P			Note 25; Section 330A
Motor Vehicle Repair - Minor	2										P			P	P			Section 330A
Nightclub/Cabaret	3										P	P	P	P				Note 52
Non-Conforming Buildings and Uses		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Note 26; Section 637; Article 800
Nursing, Convalescent & Extended Care Facilities	2						P	P		P	P		P					
Office Development with Multi- Use and/or Structures	2						P	P										
Open Air Sales, accessory									A	A	A	A	A	A	A	A		Section 327A

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Open Storage	3										P			P	P	P		27; Section 305A
Package Store	2									P	P	P	P					
Package Store- Drive- Through	3										P							
Parking Lots as principal use of Zoning Lot	2										P		P					
Personal Services	1							P	P	P	P	P	P	P				
Photographic Lab Facility - Commercial	2													P	P	P		
Photographic Mini- Lab Facility	2									P	P	P	P	P				
Photography Studio - with Lab for inhouse use only	1							P	P	P	P		P	P				

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Place of Assembly, Commercial	3										P	P	P	P	P			Note 39
Place of Assembly, Non-Commercial	1	S	S	S	S	S	P	P	P	P	P	P	P	P	P			Section 640
Place of Worship	1	S	S	S	S	S	P	P	P	P	P	P	P	P	P			Section 640
Place of Worship - Assembly, Non- Commercial Child Care Center	2	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 44
Planned Unit Development (PUD)		S	S	S	S	S	S	S		S	S	S	S	S	S	S		Section 630
Printing & Publishing	2										P		P	P	P	P		
Produce Sales - Temporary	1										P		P	P	P			Section 327A
Professional Recovery Facility	2										S			P	P			Section 639

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Professional Services	1						P	P		P	P		P	P	P			
Public Use Facility-	2	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		Section 602.2
Radio & TV Receiving Antenna & Dish, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 28
Railroad Classification Yard	3														P			
Recreation & Amusement Services COMMERCIAL	2										P	P	P		P			Note 40
Recreation, Commercial Indoor	2										P	P	P		P			Note 40
Recreation, Commercial Outdoor	2										P	P	P		P			Note 40
Recreational Vehicle / Travel Park/Camp	3	S									P	P						Section 633

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Recreational Vehicle Resort		S										S						Section 649
Recycling Plant	3														P	P		
Recycling Center	2										P			P	P			
Recycling Collection Point	2								P		P		P	P	P	P		
Rehabilitation Center	1						P	P		P	P	P	P					
Rental/Sales of Commercial Vehicles & Heavy Equipment	3													P	P			
Rental/Sales of Domestic Vehicles	2										P	A		P	P	A		Note 29
Repair Services	2									P	P		P	P	P			

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Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Research Activities	2													P	P	P		
Residential Townhouse Development in the B3 District	MF												S					Section 648
Retail Convenience Goods	2	A	A	A	A	A	A	A	P	P	P	P	P	P	P			Note 30
Retail Shoppers Goods	2									P	P	P	P	P	P			
School - Business	2										P		P	P				
School - Technical /Vocational	2										P		P	P	P			
Schools Public, Private, Charter High	2	S	S	S	S	S	S	S			P		P					Note 32; Section 634
Schools Public, Private, Charter Elementary and Middle	2	S	S	S	S	S	S	S			P		P					Note 32; Section 634

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Schools, Nursery/ Pre Schools etc.	2	S	S	S	S	S	P	P			P		P					Note 31
Seasonal Sales, Temporary											P		P	P	P			Section 327A
Service Station	2										P	P	P	P	P	P		
Shelter, Emergency		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Section 324A
Sign Painting	2										P			P	P			
Signs, Off premise Billboard & Poster Panel, etc.														S	S	S		Section 635
Sludge Application		P	P	P	P	P	A	A	A	A	A			P	P	P		
Solar Farm	*	S												P	P	P		Section 328A; 652

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Stable Commercial	2	S									P							
Structure, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 33; Section 303
Taxi Stand	1										P	P	P	P	P	P		
Temporary Portable Building, Construction Related		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Note 34; Section 310A
Transfer Station	3													S	S	S		Section 343
Truck Terminal	3													A	P	P		
Uses, Customary Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Vehicle Storage Facility	3													P	P			Section 309A

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Table 200-2
Table of Permitted Uses (Amended 10-10-2019)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	A	Supp. Reg.
Vehicle Towing Operation and Storage Facility	3													P	P			Section 309A
Vehicle Towing Operation	1										P			P	P			Section 309A
Warehouse	3													P	P	P		
Watershed Overlay District--Storage of Hazardous Waste											S			S	S	S		
Wholesale Distribution	3													P	P	P		
Yard Sales		A	A	A	A	A	A											Note 35; Section 313A

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Article 300A
Supplemental Regulations

301A: Introduction: The regulations in this Article shall apply generally or in groups of districts as indicated, with the exception of the A (Airport) District, or unless district regulations or regulations for particular uses specifically ~~provide~~provide to the contrary. They qualify or supplement other regulations appearing in this Ordinance.

302A: I-73/I-74 Overlay Zone Provisions (Amended 8-6-2015):

302A.1: Purpose: The purpose of this zone is to ensure that a high standard of development is achieved along I-73/I-74.

302A.2: Administration of the Requirements of this Article:

A. The City of Asheboro's Zoning Administrator shall enforce the provisions of this Article.

302A.3: General Provisions:

- A. Lands to which this Article Applies: This Article shall apply to all lands within the City limits and within the extraterritorial jurisdiction of Asheboro that are located within 500 feet of the center line of the right-of-way of I-73/I-74. Such area shall be depicted on the Official Zoning Map. The I-73/I-74 district shall be considered as an overlay district to the existing zone districts. Uses permitted within the underlying districts shall be permitted provided they meet the requirements of this Article.
- B. Interpretation of District Boundaries: The Zoning Administrator shall make the necessary interpretation as to the location of specific properties within this district. The decision of the Zoning Administrator shall be subject to appeal to the Board of Adjustment in accordance with Article 900 of this Ordinance.
- C. Compliance: No structure shall be erected, reconstructed, or altered, nor shall any building or land be used without full compliance with the terms of this Article and other applicable regulations except for the agricultural use of land and the construction or alteration of single family residential structures on single lots recorded prior to the adoption of this article or lots approved through the current Subdivision process. Approval of a site plan under these provisions is for the plan submitted. All proposed aspects of the plan shall be installed, provided and maintained or the approval becomes void. Any modification to the approved plan shall require additional review and approval.

- D. Not more than 6 six domestic vehicles may be parked or stored on any single family residential lot for any period exceeding 48 hours. Vehicles stored within entirely enclosed structures which meet the regulatory requirements for the applicable zoning district shall not be counted when determination of the number of vehicles is made.

303A.2: Commercial Vehicles: The parking of commercial vehicles ~~over 7,500 GVW or 25 feet in length~~ on any residentially zoned private property is prohibited except as stated below. Parking of such vehicles is permitted if they are of an emergency service nature or school buses or located within entirely enclosed structures which meet the regulatory requirements for the applicable zoning district. This requirement shall not be interpreted to prohibit loading and unloading in any residential district.

304A: Buffers and Screening

304A.1: Purpose and Intent

The City of Asheboro encourages high quality design in developments, structures, and the use of land. High quality design includes proper siting of structures and uses and proper landscaping. The City desires to allow developers maximum flexibility in achieving these high standards of development. However, minimum requirements for buffering or screening between certain uses and/or districts are hereby established to reduce the impact of a use of land on adjacent uses which are of a significantly different character, density or intensity. Buffers and screens separate different uses from each other in order to reduce adverse impacts such as dirt, litter, traffic, noise, odor, glare of lights, signs, buildings and parking areas. These regulations benefit both the developer and the adjoining landowner(s) because it allows options from which to choose in developing the property, while insuring each neighbor adequate protection regardless of the developer's choice, thereby protecting the property values of all properties involved. Before the issuance of Certificate of Occupancy, buffers and/or screening shall be installed or their installation guaranteed as per Section 1006. Buffers or screens shall be required in accord with the following:

304A. 2: Definitions

A buffer is a strip of land together with plantings required thereon. Buffers consists of a horizontal distance from a lot line which may only be occupied by the required landscaping materials, underground utilities, retention areas, screening materials and driveway /sidewalk access.

A screen is a strip of land together with plantings and or walls or fences required thereon. Screens consist of a minimum of horizontal distance from a lot line which may only be occupied by the required screening materials, additional landscaping materials, underground utilities, and driveway/sidewalk access.

6. No such use shall be located within 1000 feet of another such use, as measured from the zoning lot line.

324A Supplemental Regulation for Emergency Shelter

1. The facility shall provide on-site supervision by employee(s) or volunteers at all times the shelter is in operation.

2. The facility shall only operate for the duration of the emergency event(s) for which the shelter was initially opened. When the facility is no longer addressing the needs arising out of an identifiable emergency, the status of the facility's compliance with the zoning ordinance shall be evaluated on the basis of the land use classification applicable to the zoning lot when the facility is not utilized to respond to emergency events.

3. The facility shall meet all applicable building and fire codes.

325A Adult Establishments General

A. Distance Requirements

1. No Adult Establishment General shall be located within 500 feet of any residentially zoned property. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the residentially zoned lot line or property, whether such district or use is located within the City of Asheboro jurisdiction or not.

2. No Adult Establishment General shall be located within 500 feet of any church, synagogue, mosque, and/or any other place of worship. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the church, synagogue, mosque, and/or any other place of worship, whether such use is located within the City of Asheboro jurisdiction or not.

3. No Adult Establishment General shall be located within 500 feet of any school (public or private), park, or child daycare use. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the school (public or private), park, or child daycare use, whether such use is located within the City of Asheboro jurisdiction or not.

4. No Adult Establishment General shall be located within 1,000 feet of any other such use or any Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the existing Adult Establishment General or an Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages.

A microbrewery shall meet the following requirements:

- (1) Areas for demonstration, education, retail sales or tasting shall be included in the B3 District.
- (2) Excluding areas for demonstration, education, retail sales or tasting, a microbrewery shall not exceed 7,000 square feet in area in B3 district.
- (3) Open storage of materials shall not be permitted in non-industrial districts.
- (4) No drive through is permitted.
- (5) A microbrewery shall have an off-street or alley loading space in accordance with Article 400 in every zoning district where permitted including the B3 district.

330A Motor Vehicle Repair – Minor & Major

The intent of this Section is to provide for the appropriate location and design of accessory outdoor sales and display areas to mitigate adverse impacts that such uses may have on adjacent properties and rights-of-way.

- (1) Outdoor sales and display shall only be permitted within an area not greater than five hundred (500) square feet or ten (10) percent of the gross floor area of the ground floor of the building, whichever is greater.
- (2) Outdoor sales and display shall not occur within twenty-five (25) feet of a public right-of-way
- (3) Outdoor sales and display shall be located at least thirty (30) feet from any residentially zoned property.
- (4) Item(s) shall not exceed five (5) feet in height, either individually or stacked.
- (5) Outdoor sales and display of items shall be located on an impervious surface.
- (6) Outdoor sales and display items shall be removed daily at the close of business and placed within an enclosed structure or Open Storage area meeting the requirements of 305A.
- (7) Outdoor sales and display of items shall not occupy required parking, loading, buffer/screen, or landscaping areas.

ARTICLE 400 OFF-STREET PARKING AND LOADING

401. Purpose and Intent.

It is the intent of these regulations to encourage the appropriate location of offstreet parking and offstreet loading to provide the needed levels of service to the citizens of and visitors to the City of Asheboro and its environs, to avoid undue congestion on the streets, to protect the capacity of the street system, to move traffic, to avoid unnecessary conflicts between vehicles and pedestrians, to preserve and enhance the designated pedestrian activity areas within the City and to facilitate access from streets to offstreet parking lots and structures and offstreet loading spaces.

402. Offstreet Parking Required.

In all districts, except the B-3 and A districts, in connection with every industrial, commercial, institutional, residential or any other use, at the time any new structure is erected or any existing structure enlarged or use of land is increased in density or intensity, or uses of structures or land change, offstreet parking shall be provided for vehicles in accordance with requirements contained in this Article. Conformance with the parking requirements herein shall be for any new use or portion of enlarged use or structures only and not the existing use or structure.

403. Compliance with Regulations.

The requirements for offstreet parking space and offstreet loading space shall be a continuing obligation of the owner of the real estate upon which any such structure is located, so long as the structure is in existence and its use requiring parking or loading, or both, continues. It shall be unlawful for an owner of any structure affected by this Ordinance to discontinue, change or dispense with, or cause the discontinuance or change of the required vehicle parking or loading space apart from the discontinuance of such structure, without establishing alternative parking and loading space which meets the requirements of and is in compliance with this Ordinance.

404. Methods of Providing Required Parking.

All required parking areas (including parking access, spaces, and maneuvering areas) shall be located on the same zoning lot as the principal use(s) it serves, except as provided below.

A. In lieu of actual construction of required on-site parking area (including spaces, ingress/egress and maneuvering areas), all or any portion of the offstreet parking required in this Article may be provided as follows:

1. Required parking for a use on a zoning lot may be located on another zoning lot, either by itself or combined with parking for other uses, subject to certification by the Zoning Administrator that the following requirements have been met:

- B. No part of an offstreet parking area or offstreet loading area required for any structure or use for the purpose of complying with the provisions of this Ordinance shall be included as a part of an offstreet parking area or offstreet loading area similarly required for another structure or use, unless the Zoning Administrator determines that the period(s) of demands for offstreet parking for such structures or uses will not be simultaneous with or overlap each other.

An agreement, with the City of Asheboro as one of the parties with a right of enforcement, for such joint use, in the form of a reciprocal easement acceptable to the Office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

The Zoning Compliance Permit covering such approval shall include the requirements that the permit is valid only so long as the conditions described in the application for the permit exist.

406. Number of Required Offstreet Parking Spaces.

- A. Required Offstreet Parking Spaces.

The number of required offstreet parking spaces for all districts except for the B-3 and A Districts shall be as set forth in Table 400-1.

- B. Calculation of Certain Parking Requirements.

Where parking requirements relate to number of seats, and seating is in the form of undivided pews, benches, or the like, twenty lineal inches shall be construed to be equal to one seat. Where parking requirements relate to movable seating in auditoriums and other assembly rooms, ten square feet of net floor area shall be construed to be equal to one seat, except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles, and shall not include accessory unoccupied areas or the thickness of walls.

407. Determinations for Unlisted Uses.

The Zoning Administrator shall make a determination, in the cases of uses not listed in Table 400-1, of the minimum required offstreet parking spaces.

In reaching the determination, the Zoning Administrator shall be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the proposed uses and studies of the parking requirements of such uses in other jurisdictions.

408. Offstreet Parking Space Design Standards (Amended 8/6/2015).

All required parking areas shall meet the following minimum design requirements. All non required parking and loading areas shall be designed, built and maintained to prevent problems due to erosion, runoff and dust:

- A. The minimum dimensions for required offstreet parking spaces and aisles shall be in accordance with Diagram 400-1.

Table 400-1

Use	# of Spaces
Accessory Apartment - (amended 11-6-2014)	2.0 per dwelling unit
Adult Day Care Facility (for less than 30)	1.0 per employee plus 1.0 per facility vehicle, plus 1.0 per 15 clients
Adult Day Care Facility (for more than 30)	1.0 per employee plus 1.0 per facility vehicle, plus 1.0 per 15 clients
Adult Day Care Home - for less than 6 persons	1.0 per employee plus 1.0 per facility vehicle, plus 1 per client
Adult Establishment General	As determined by underlying equivalent non-adult use; if no equivalent exists, 5.0 per 1,000 sq. feet
Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages	3.0 per 5 occupants as established by the current NC Building Code as amended for occupancy load.
Agricultural Roadside Stand - produce produced on site	3.0 per 1,000 sq ft GFA
Agricultural Tourism Facility	4 spaces per 1,000 square feet of GFA retail/demonstration space plus 1 space per employee of largest shift plus one per facility vehicle. Areas in which seating is provided require 2 spaces per 5 seats.
Airport/ Heliport Heliport	1 space per 4 seating accommodations for waiting passengers, plus 1 space for each 2 employees of largest shift

Table 400-1

Use	# of Spaces
Amusement Parks - Permanent	1 space per 3 persons in designed capacity, plus 2 spaces per 3 employees on the largest shift
Animal Hospital / Vet Clinic General	5.0 per 1,000 sq ft GFA
Automated Teller	2 per machine
Bakery - On and Off premises sale permitted Wholesale & Retail	1 per 400 sq ft of floor area, plus 1.0 per facility vehicle
Bakery - On premises sale only	1 per 350 sq ft of floor area
Bakery Distribution Center-- with Retail Sales Permitted NO BAKING PERMITTED	1 per 350 sq ft of retail floor area; plus 1 per employee per largest shift; and 1 per facility vehicle
Banks	1 per 300 GFA plus a waiting lane for each drive up window or station with a capacity for 5 vehicles. All waiting lanes shall be located off street right-of-way
Banquet Facility (Function Hall, Rental Hall, Reception/Meeting Hall)	1 per 4 occupants as established by the current NC State Building Code as amended for "Occupant Load"
Bar	2.0 per 5 seats and/or barstools

Table 400-1

Use	# of Spaces
Bed & Breakfast	2 for owners, 1 per facility vehicle, 1.5 per guest room
Boarding / Rooming Houses	2 for resident manager plus 2 per roomer
Brewery	4 spaces per 1,000 sq ft GFA of retail space plus 1 per employee of largest shift; and 1 per facility vehicle
Brewpub	2 per 5.0 seats and/or barstools plus 3 spaces per 1,000 sq. ft. GFA brewing area.
Bus Terminal	8.0 per 1,000 sq ft GFA waiting area
Business Services	3.5 per 1,000 sq ft GFA
Carwash/Mini Lube	A waiting lane for each drive thru station with a capacity for 5 vehicles. All waiting lanes shall be located off street right-of-way and outside required parking area; 1.0 per employee plus 1.0 per facility vehicle
Child Day Care Large Home	1.0 per employee plus 1.0 per facility vehicle, plus 4 additional
Child Day Care Center - Large	1.0 per employee plus 1.0 per facility vehicle, plus 2.0 per 15 children

Table 400-1

Use	# of Spaces
Child Day Care Center - Medium	1.0 per employee plus 1.0 per facility vehicle, plus 2.0 per 15 children
Child Day Care Center- Small	1.0 per employee plus 1.0 per facility vehicle, plus 2.0 per 15 children
Child Day Care Home	1.0 per employee plus 1.0 per facility vehicle, plus 2 additional
College / University Seminary	0.5 per student
Commercial Developments with multi use and or structures	5.0 per 1,000 sq ft GFA
Commercial Flex Space	5 per thousand GFA
Communication Facilities - Commercial	1.0 per 1,000 sq ft GFA
Community Center	1 per 4 occupants as established by the current NC State Building Code as amended for "Occupant Load"
Congregate Living Facility-DOES NOT INCLUDE STRUCTURED ENVIRONMENT	1.0 per employee of largest shift, plus 1.0 per facility vehicle plus 0.2 per resident

Table 400-1

Use	# of Spaces
Congregate Living Facility - for 6 or less persons FAMILY CARE HOME	1.0 per employee of largest shift, plus 1.0 per facility vehicle plus 0.2 per resident
Contractors Office	1 per 400 sq ft of floor area
Correctional Facilities	1.0 per employee plus per 1.0 per 2.5 inmates
Crematorium	0.25 per seat of chapel capacity plus 0.33 per employee
Cultural Facility	3.3 per 1,000 sq ft GFA
Dormitories	3.3 per 1,000 sq ft GFA
Drinking Establishments - Bar, Cocktail Lounge, Tavern, Coffeehouse	2.0 per 5 seats and/or barstools
Drive Up Window/Station/Drive throughs where permitted as part of a principal use	A waiting lane for each drive up window or station with a capacity for 5 vehicles. All waiting lanes shall be located off street right-of-way
Drive-In Theater	Car standing space for patrons awaiting admission shall be provided on the site in an amount equal to not less than 30% of the vehicular capacity of the theatre.

Table 400-1

Use	# of Spaces
Dry Cleaners - Small	1 per 350 sq ft GFA
Dry Cleaning Plant	1.0 per employee on largest shift plus 1.0 per facility vehicle
Dwelling for Caretaker/Security Guard on premise where employed	1 per employee per shift
Dwelling Multiple Family for Elderly	1.0 per dwelling unit
Dwelling Multiple Family Units up to .17 FAR -- One Bedroom Two or more Bedrooms	1.5 per unit 2.0 per unit
Dwelling Multiple Family Units up to .22 FAR by CUP/SUP -- One Bedroom Two or more Bedrooms	1.5 per unit 2.0 per unit except as modified by Article 200A
Dwelling Single Family Units	2.0 per dwelling unit
Dwelling Two Family Units	2.0 per dwelling unit
Dwelling within Mixed Use Structure	2.0 per dwelling unit except as modified by Article 200A

Table 400-1

Use	# of Spaces
Eating Establishments - Walkin / Drivein	2 .0 per 5 seats plus a waiting lane for each drive up window or station with a capacity for 5 vehicles. All waiting lanes shall be located off street right-of-way
Eating Establishments - Sit Down	2 .0 per 5 seats
Electronic & Electrical Repair - Large	4.0 per 1,000 sq ft GFA plus 1 per facility vehicle
Electronic & Electrical Repair - Small	4.0 per 1,000 sq ft GFA
Exterminator	4.0 per 1,000 sq ft GFA plus 1 per facility vehicle
Extraction of Earth Products	1 .0 per each two employees on shift of average greatest employment, plus 1.0 for each vehicle used directly in the conduct of such use.
Farmers Market	1 per each 350 sq ft of display area
Flea Markets, Open Air Sales	3.0 per 1,000 sq ft GFA or outdoor area devoted to sales
Fraternity & Sorority Houses	3.3 per 1,000 sq ft GFA

Table 400-1

Use	# of Spaces
Funeral Parlor	.25 per seat of chapel capacity space
Furniture Refinishing and Repair	1.0 per each two employees on shift of average greatest employment, plus 1.0 for each vehicle used directly in the conduct of such use.
Gamerooms	1.0 per 150 sq ft of GFA devoted to such use
Gas Station	5 per 1,000 GFA Building Only
Golf Course NOT including Par 3 or miniature courses	3.3 per 1,000 sq ft GFA or 1.0 per 30% of the maximum capacity for open uses
Health Practioners Offices	5.0 per 1,000 sq ft GFA
Health Services	1.0 per employee of largest shift plus 1.0 per facility vehicle, plus 2 per bed.
Helistop Helistop	1 space per 4 seating accommodations for waiting passengers, plus 1 space for each 2 employees of largest shift, plus 1 per facility vehicle
Home Occupation	2 per residence, plus 2

Table 400-1

Use	# of Spaces
Hospital	1 space per 2 beds, plus 1 space per doctor, plus 1 space per facility vehicle, plus 0.8 space per employee of largest shift.
Hotels / Motels	1 per lodging unit plus 1 per each 2 employees plus accessory use parking. Incidental and accessory uses open to non guests and located in the same structure as the hotel/motel (i.e. including but not limited to eating establishment, bar, retail, personal services, etc.) shall provide 50 percent of the parking spaces normally required for the respective use. Uses located on outparcel(s), or in separate structure(s), shall provide the number of parking spaces required for the respective use(s).
Industrial Developments with multi use and or structures	5.0 per 1,000 sq ft GFA except designated warehouse and or Manufacturing, Processing & Assembly sq ft plus 1.0 per 1,000 sq ft GFA of designated warehouse space and or 0.6 per employee of largest shift plus 1 space per vehicle used directly in conduct of Manufacturing, Processing & Assembly
Industrial Flex Space	3 spaces plus 3 spaces per thousand GFA when no more than 25% of building being used as office space
Interior Cleaning Services	1 .0 per each two employees on shift of average greatest employment, plus 1.0 for each vehicle used directly in the conduct of such use.
Junkyards	0.5 per employee plus 1.0 per 5,000 sq ft of lot area
Kennel	5.0 per 1,000 sq ft GFA
Landfills - Clean Material	1.0 per employee of largest shift

Table 400-1

Use	# of Spaces
Landfills - Sanitary	1.0 per employee of largest shift
Limited Duration-Circus, Carnival & Fair Tent Revivals (exempt from paving requirement)	.3 per seat for activities where seating provided or 1 per 3 persons expected as average attendance. Previous attendance records shall be provided as required for documentation. Plus 2 spaces per 3 employees.
Liquor Store/Package Store	4 spaces per 1,000 sq. ft. GFA. Drive through package stores shall provide a waiting lane for each drive up window or station with a capacity for 5 vehicles. All waiting lanes shall be located off street right-of-way
Lumber & Building Material Sales	2.0 per 1,000 sq ft GFA
Lumberyard	2.0 per 1,000 sq ft GFA
Mail Order Distribution Center	1 .0 per each two employees on shift of average greatest employment, plus 1.0 for each vehicle used directly in the conduct of such use.
Mail Order Office	1 .0 per each two employees on shift of average greatest employment, plus 1.0 for each vehicle used directly in the conduct of such use.
Manufactured Home / Mobile Home Park	2 per dwelling unit
Manufactured Home / Mobile Home Sales Lot	3.00 per 1,000 sq ft GFA

Table 400-1

Use	# of Spaces
Manufactured Home / Mobile Homes - Class A Double wide	2 per dwelling unit
Manufactured Home / Mobile Homes - Class A Single wide	2 per dwelling unit
Manufacturing, Processing & Assembly- Light	0.6 per employee of largest shift plus 1 space per vehicle used directly in conduct of such use
Manufacturing, Processing & Assembly - Heavy	0.6 per employee of largest shift plus 1 space per vehicle used directly in conduct of such use
Massagists, Therapeutic Health	5.0 per 1,000 sq ft GFA
Meat Packing/Slaughterhouse	1.0 per 1,000 sq ft GFA
Medical & Dental Labs	4.0 per 1,000 sq ft GFA
Membership Organizations - not for commercial gain	3.3 per 1,000 sq ft GFA
Mental Institutions/Sanitariums	2 per bed

Table 400-1

Use	# of Spaces
Microbrewery	4 spaces per 1,000 sq ft GFA of retail space plus 1 per employee of largest shift; and 1 per facility vehicle
Mini-warehouse	1.0 per 10 storage units plus 1.0 per employee
Mobile Home Sales Lots	3 per 1,000 sq ft GFA
Motor Vehicle Repair -Major	3.0 per bay/work area plus 2.0 per 3 employees plus 1 per vehicle used directly in the conduct of such use. (Amend. 9-8-05)
Motor Vehicle Repair- Minor	3.0 per bay/work area plus 2.0 per 3 employees plus 1 per vehicle used directly in the conduct of such use. (Amend. 9-8-05)
Nightclub/Cabaret	5 spaces per 1,000 sq. ft. GFA.
Nursing, Convalescent & Extended Care Facilities	1.0 per employee of largest shift plus 1.0 per facility vehicle, plus 0.35 per bed
Office Development with Multi use and/or structures	5.0 per 1,000 sq. ft. GFA
Personal Services	1.0 per 350 sq ft GFA

Table 400-1

Use	# of Spaces
Photographic Lab Facility - Commercial	4.0 per 1,000 GFA plus 1.0 for each vehicle used directly in the conduct of such use.
Photographic Mini-Lab Facility (One hour type)	4.0 per 1,000 GFA plus 1.0 for each vehicle used directly in the conduct of such use.
Photography Studio - with Lab for inhouse use only	4.0 per 1,000 GFA plus 1.0 for each vehicle used directly in the conduct of such use.
Place of Assembly, Commercial NOT CHURCHES/SYNAGOGUES	0.3 per seat in main assembly area
Place of Worship Place of Assembly, Non-Commercial	0.3 per seat in sanctuary /main assembly area
Printing & Publishing	1.0 per 1,000 sq ft GFA
Produce Sales, Temporary	3.0 per 1,000 sq ft GFA or outdoor area devoted to sales The following sections do not apply: 408E, 408F, 409, 410
Professional Recovery Facility (amended 11-6-2014)	1.0 per employee of largest shift plus 1.0 per facility vehicle, plus 0.2 per resident
Professional Services	1.0 per 400 sq ft of GFA

Table 400-1

Use	# of Spaces
Public Facility	.3 per seat for activities where seating provided or 1 per 3 persons expected as average attendance. Previous attendance records shall be provided as required for documentation. Plus 2 spaces per 3 employees
Public Use Facility	1.0 per employee .
Railroad Classification Yard	1.0 per employee
Recreation & Amusement Services- COMMERCIAL/Indoor (does not include gamerooms) Recreation, Commercial Indoor	1.0 per 150 sq ft of GFA devoted to such use
Recreation & Amusement Services- COMMERCIAL/Outdoor Recreation, Commercial Outdoor	1.0 per tee, green,court, cage, and/or other method of participation however styled, plus 1.0 per employee
Recreational Vehicle / Travel Park/Camp	2.0 per site plus 1.0 per employee of largest shift, plus 1.0 per facility vehicle
Recycling Plant	1.0 per employee of largest shift
Recycling Center	1 .0 per employee plus 1.0 per facility vehicle used in conduct of such use
Rehabilitation Center	4.0 per 1,000 sq ft GFA

Table 400-1

Use	# of Spaces
Rental/Sales of Commercial Vehicles & Heavy Equipment	3.0 per 1,000 sq ft gross retail area plus 1.0 space per bay / work area plus 2 spaces per 3 employees plus 1 space per vehicle used directly in the conduct of such use (Amended June 8, 2006)
Rental/Sales of Domestic Vehicles	3.0 per 1,000 sq ft GFA
Repair Services	4.0 per 1,000 sq ft GFA
Research Activities	1.4 per employee
Residential Townhouse Development in the B3 District	1.5 spaces per unit (Inserted 2-9-06)
Retail Convenience Goods	4.0 per 1,000 sq ft GFA
Retail Shoppers Goods	4.0 per 1,000 sq ft GFA
School - Business	1.6 per classroom, 0.33 per student , plus1.0 per staff member
School - Technical/Vocational	1.6 per classroom, 0.33 per student , plus1.0 per staff member

Table 400-1

Use	# of Spaces
Schools Public, Private, Charter (4-2013) High	1.6 per classroom, 0.33 per student , plus 1.0 per staff member
Schools Public, Private, Charter (4-2013) Elementary, Middle	1.0 per employee plus 1.0 per facility vehicle, plus 1.0 per 15 children (7/97)
Schools, Nursery/Pre Schools etc.	1.0 per employee plus 1.0 per facility vehicle, plus 1.0 per 15 children
Seasonal Sales, Temporary	3.0 per 1,000 sq ft GFA or outdoor area devoted to sales The following sections do not apply: 408E, 408F, 409, 410
Service Station	1.0 per 4 pumps plus 3.0 per repair bay
Sign Painting	4.0 per 1,000 GFA
Solar Farm	0.6 per employee of largest shift (if employees are part of regular operations plus 1 space per vehicle used directly in conduct of such use)
Stable - Commercial	1.0 per 5 stalls
Taxi Stand	1.0 per employee

Table 400-1

Use	# of Spaces
Transfer Station	1.0 per employee, plus 1 per facility vehicle used in conduct of such use
Truck Terminal	1.0 per employee
Vehicle Towing Operation	1.0 per employee, plus 1 per facility vehicle used in conduct of such use, plus 2
Warehouse	0.6 per employee of largest shift
Wholesale Distribution	0.6 per employee of largest shift

Article 600 Special Uses

601 Intent.

It is the intention of the City Council to (1) establish the procedure for reviewing and regulating the extent, location and design of all public use facilities, and (2) create, and from time to time amend, a list of Special Uses within Article 200, District Regulations, which, because of their inherent nature, extent and external effects, require special care in the control of their location and methods of operation. The City Council is aware of its responsibility to protect the public health, safety and general welfare and believes that certain uses which, now or in the future, may be included on this list are appropriately handled as Special Uses, subject to review in relation to general and specific requirements, rather than as uses permitted by right.

Subject to the specific procedures established for reviewing public use facilities, the City Council intends that the general standards, established in Article 200, and the more specific requirements established below shall be used by the City Council to direct deliberations upon applications for the approval of Special Uses. It is the express intent of the City Council to delineate the areas of concern connected with each Special Use and to provide standards by which applications for such Special Use shall be evaluated.

602 General Standards.

602.1 Except as provided in Section 602.2 of this Ordinance, the City Council shall find that the following general standards shall be met by all applicants for approval of Special Uses:

1. *That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.*
2. *That the use meets all required conditions and specifications.*
3. *That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and,*
4. *That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.*

The City Council shall make these general findings based upon substantial evidence contained in its proceedings. It shall be the responsibility of the applicant to present evidence in the form of testimony, exhibits, documents, models, plans and the like to support the application for approval of a Special Use.

602.2 Public Use Facilities shall be reviewed by utilizing one of the following options ~~in~~
~~all zoning districts:~~

621 Cultural Facility

Cultural facilities may be permitted in R40, R15, R10, R7.5 and RA6 districts subject to the following requirements:

- 621.1 Such facilities shall have a minimum of two acres within the zoning lot.
- 621.2 No structures or parking areas may be located within 50 feet of any zoning lot line.
- 621.3 Buffers and screens shall be installed and maintained as per Article 304A.
- 621.4 Signs shall be regulated as per Article 500.
- 621.5 Offstreet parking shall be regulated as per Article 400.
- 621.6 The parking areas and walkways shall be illuminated for public safety at night. However, such lighting shall be designed so as not to disturb adjacent properties.

622 Reserved

623 Extraction of Earth Products

Extraction of Earth Products may be permitted ~~in all districts~~ subject to the following requirements:

- 623.1 In addition to the information required for all applications for approval of Special Uses, the following shall be submitted as part of the application.
 - (a) Three copies of Site Plan, prepared by a North Carolina Registered Land Surveyor or Engineer, which shall contain the following:
 - 1. North Point, scale and date.
 - 2. Extent of area to be excavated or mined.
 - 3. Locations, width and elevation of all easements and rights-of-way within or adjacent to the extraction site.
 - 4. Location of all existing or proposed structures on site.
 - 5. Location of all areas on the site subject to flood hazard or inundation as shown on flood maps or soils map.
 - 6. Location of all water courses on the site, including direction of flow and normal fluctuation of flow.

landscaping and/or fencing compatible with the development's architectural and landscaping design and compliant with applicable design standards. This area may be fenced. Fencing shall comply with any applicable design standards. (Amended 2-4-2016)

629.22 All manufactured homes shall conform to supplemental regulations of Article 300A, Section 326A.1.

630 Planned Unit Development

Planned Unit Developments may be permitted ~~in all districts~~ subject to the following requirements:

A. Residential Planned Unit Developments

1. Residential Planned Unit Developments may be permitted in any R40, R15, R10 R7.5, RA6 or OA6 zoning district as long as the proposed development contains a minimum of 2 acres. Those uses ordinarily permitted by right, by SUP, or as an accessory within the district the development is to be located may be included in the development.
2. Review of an application for a PUD SUP shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the PUD requires review as a "major" subdivision the Sketch Design Plat shall be properly submitted, reviewed and recommended by the Planning Board for the City Council's consideration at the same meeting as the PUD SUP. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. If the PUD requires a "minor" subdivision the required subdivision plat shall be properly submitted for approval. Approval shall be subject to any conditions of the PUD SUP and granted only after approval of the SUP by the City Council. (9/02)
3. Residential PUDs may have direct access to City streets or State roads which are not major or minor thoroughfares, provided such access will not create safety hazards due to design or congestion.
4. Streets within a PUD may be public or private according to the regulations of the Asheboro Subdivision Ordinance.
5. The yard and height regulations set forth in Table 200-1 may be modified for a PUD, provided that, for such development as a whole, excluding public street right-of-ways or the area dedicated to private streets but including individual lots, common area, parks and other permanent open spaces, there shall not be less than the required area per dwelling unit for the district in which such development is located.

- 638.2 The minimum lot size shall be five acres with a minimum frontage of 200 feet.
- 638.3 The structures shall be located a minimum of 200 feet from any zoning lot boundary.
- 638.4 Signs shall be limited to one non-illuminated sign with a maximum area of six square feet. No other external evidence of the mental institution/sanitarium for identification or advertising purposes shall be permitted.
- 638.5 At the time of the Special Use request, the operator of such a facility shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the patients. The more dangerous the patients are to the public, the more elaborate and certain the security measures shall be.
- 638.6 Buffering and screening shall be as required by Article 300A.
- 638.7 Parking shall be provided as required by Article 400.
- 638.8 The facility shall comply with all applicable Federal, State and local requirements.

639 Professional Recovery Facility (Amended 11-6-2014)

- 639.1 No such use shall be established within one-half mile of another such use, congregate living facility, or family care home.
- 639.2 No sign identifying the facility shall be permitted beyond the name of the facility on the mailbox.
- 639.3 At the time of the Special Use request, evidence shall be provided indicating adequate measures to prevent the unauthorized exit of clients.
- 639.4 The applicant shall prove the ability to meet and, if approved, maintain, all required governmental licensure requirements of any applicable state governmental body responsible for licensing operations of the facility.

640 ~~Place of Worship~~ ~~Place of Assembly, Non-Commercial~~ in Residential Districts (Amended 2-4-2016)

~~Places of Worship~~ ~~Place of Assembly, Non-Commercial~~ may be permitted in R40, R15, R10, R7.5, and RA6 Districts subject to the following regulations.

- 640.1 ~~Place of Worship~~ Place of Assembly, Non-Commercial sites shall contain a minimum of one acre.
- 640.2 ~~Places of Worship~~ Place of Assembly, Non-Commercial shall meet the requirements of Design Standards for Residential Districts.
- 640.3 ~~Places of Worship~~ Place of Assembly, Non-Commercial shall provide screening around parking areas to avoid any nuisance to adjoining residential property.
- 640.4 Parking shall be located in the rear or interior side yard of the property but not in the front or in the street side yards. Offstreet parking shall be provided in accordance with Article 400.
- 640.5 Notwithstanding Article 800, a legal non-conforming ~~Place of Worship~~ Place of Assembly, Non-Commercial is permitted to make minor changes permitted by Section 606 whether or not a Special Use Permit has been granted by the Asheboro City Council.
- 640.6 Any ~~Place of Worship~~ Place of Assembly, Non-Commercial that was a legal use prior to October 2000 shall not be considered nonconforming due to non-compliance with the requirements of this Section. Any ~~Place of Worship~~ Place of Assembly, Non-Commercial that was a legal use prior to October 2000 shall be permitted to apply for a Special Use Permit as set forth in this Section regardless of non-compliance with Subsections 640.1, 640.2, 640.3 and 640.4. In reviewing such request all new construction shall comply with Subsections 640.2, 640.3 and 640.5. (6/02)

641 Gamerooms

Gamerooms may be permitted in B2, B3 and I 2 districts subject to the following requirements:

- 641.1 The site shall have direct access to a major or minor thoroughfare as shown on the Thoroughfare plan.
- 641.2 Off street parking shall be provided as required in Article 400.
- 641.3 A site plan showing compliance with the requirements for a Zoning Compliance Permit, as required by Article 1005, shall be submitted.
- 641.4 Signage shall be limited to one ground sign and not more than two wall signs. No portable signs shall be permitted.
- 641.5 The requirements of 317A Performance Standards for all Commercial Districts (noise and light) shall be met and maintained.

- 650.4 Buffering and screening shall be provided to screen any parking areas, structures and facilities related to the operation of the agricultural tourism facility. Such screening shall consist of opaque screening equivalent to or exceeding a Type D screen as defined by Article 300A, Section 304A.
- 650.5 When located within two hundred (200) feet from a public right-of-way, parking shall be located to the rear or side, but not in front of, the principal structure utilized for an agricultural tourism facility. Parking located more than two hundred (200) feet from a public right-of-way may be located on any side of the principal structure as long as the requirements of Section 650.4 above are met.
- 650.6 Signage shall be limited to one identification sign no more than six (6) feet in height and twenty-five (25) square feet in area when located less than forty feet from the public right-of-way and forty (40) feet in area when located more than forty feet from the public right-of-way.
- 650.7 Applications for permits under this Section shall be accompanied by a site plan or plat in accordance with Article 1000.

651 Whole Block Redevelopment Utilizing a Special Use Permit

651.1 Intent

It is the intention of the City Council to (1) establish the procedure for reviewing and regulating the extent, location and design of whole block redevelopments that have a deficiency in meeting the requirements of Article 200A (Subsections (D)(10)). These alternative whole block redevelopment proposals require special care in the control of their location, design and methods of operation because of their inherent nature, extent and external effects. The City Council is aware of its responsibility to protect the public health, safety and general welfare and believes that certain development proposals for whole block redevelopments are appropriately handled as Special Uses.

Subject to the specific procedures established for reviewing whole block redevelopments, the City Council intends that the general standards, established in the Zoning Ordinance, and the more specific requirements established below shall be used by the City Council to direct deliberations upon applications for the approval of Special Uses. It is the express intent of the City Council to delineate the areas of concern connected with each Special Use and to provide standards by which applications for such Special Use shall be evaluated.

651.2 General Standards

Whole block redevelopment proposals shall be reviewed by utilizing one of the following options in all zoning districts:

ARTICLE 1000
ADMINISTRATION AND LEGAL PROVISIONS

1001 Establishment of Administrative Officer.

The provisions of this Ordinance shall be administered by the Zoning Administrator, who shall be designated by the City Manager.

1002 Duties of the Zoning Administrator.

The Zoning Administrator shall have the power to grant Zoning Compliance permits and Certificates of Zoning Compliance and to make or cause to be made inspections of buildings or premises necessary to carry out the enforcement of this Ordinance. In connection with the enforcement of this Ordinance, the Zoning Administrator shall make all necessary determinations and interpretations as required by this Ordinance. Persons aggrieved by a decision or a determination made by the Zoning Administrator may appeal that action to the Board of Adjustment.

1003 Powers and Limitations of the Zoning Administrator.

If any proposed excavation, construction, moving, alteration, or use of land as set forth in an application for a Zoning Compliance Permit is in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue a Zoning Compliance Permit; however;

- A. Issuance of a Zoning Compliance Permit shall in no case be construed as waiving any provisions of this Ordinance.
- B. Under no circumstance is the Zoning Administrator permitted to grant exceptions to the actual meaning of any clause, standards, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter, or use either building, structures or land.
- C. Under no circumstance is the Zoning Administrator permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out his duties.
- D. The Zoning Administrator shall issue a permit when the imposed conditions of this Ordinance are complied with by the applicant regardless of whether the use of the permit would violate contractual or other arrangements (including, but not by way of limitation, restrictive covenants) among private parties.
- E. If an application for such permit is disapproved, the Zoning Administrator shall state in writing the cause of such disapproval.

1004 Zoning Compliance Permit Required (Amended-10-10-2019 ~~2-4-2016~~).

With exception of the Airport (A) District in which the Asheboro Airport Authority maintains site plan review authority, it shall be unlawful to begin the excavation for the construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure, costing more than \$250.00 or exceeding one hundred square feet in area, until the Zoning Administrator has issued for such work a Zoning Compliance Permit which includes a determination that plans, specifications and the intended use of such structure do, in all respects, conform to the

- F. Bee keeping;
- G. Aquiculture;
- H. The raising, breeding, working and use of farm animals excepting hog parlors, broiler houses, laying parlors, turkey houses, and feed lot operations.

Airport (Amended 2-4-2016)

A facility intended and used as the place where one or more fixed-wing or rotary-wing aircraft are regularly stored, maintained, or repaired while not in flight with an area that the aircraft may use to take off and land, and including the sale of goods or materials to users of such aircraft.

Airport Overlay Zone

All lands within the City limits and within the extraterritorial jurisdiction of Asheboro that lie within any approach to the Asheboro Municipal Airport. Such area shall be as depicted on the Official Zoning Map. The Asheboro Municipal Airport Overlay district shall be considered as an overlay district to the existing zone districts. Uses permitted within the underlying districts shall be permitted provided they meet the requirements of this Section.

Alcoholic Beverages

Beverages containing more than 1/2 percent of alcohol by volume.

Amenity Space

An area located indoors or outdoors, designed for active or passive recreation uses.

Amusement Device

~~Any pool, billiard, bagatelle, pigeon-hole, or similar table; pinball machine; or mechanical or electronic amusement device which is or may be operated for or upon the payment of money, trade token, or slug, either directly or indirectly, and which operates or may be operated by retail patrons as a game or contest of skill or amusement of any kind or description, and which contains no automatic payoff device for the return of money, trade token, or slug, or for which no provision whatever is made for the return of money to the player; except any table, alley, machine or other game or device which would otherwise fall within this definition shall not be exempted therefrom by reason of arrangement or provisions whereby a player may from time to time win, earn, or be awarded prizes, money, free or reduced cost play of the game or device, or other incentives or remuneration for or by reason of playing the game or device.~~

Amusement Device, Mechanical or Electronic

~~Any machine which, upon insertion of a coin, trade token, or slug, or upon other~~

~~activation for payment or promise of payment in money, operates or may be operated by retail patrons as a game or contest of skill or amusement of any kind of description, and which contains no automatic payoff device for the return of money, trade token, or slug, or which make no provision whatsoever for the return of money to the player; except any table, alley, machine or other game or device which would otherwise fall within this definition shall not be exempted therefrom by reason of arrangement or provisions whereby a player may from time to time win, earn, or be awarded prizes, money, free or reduced cost play of the game or device, or other incentives or remuneration for or by reason of playing the game or device.~~

~~A mechanical or electronic amusement device is hereby further defined to include any machine, apparatus, or contrivance which is used or which may be used as a game of skill and amusement wherein or whereby the player initiates, employs, or directs any force, action, or image generated by, on, or in the machine.~~

Amusement Park (Amended 2-4-2016)

A commercially operated park having various devices for entertainment (as a merry-go-round and roller coaster) and usually booths for the sale of food and drink. This definition does not include limited duration events.

Alley

A dedicated and publicly maintained right-of-way, twenty feet or less in width, that provides a secondary means of access to abutting property and not intended for general vehicular traffic circulation.

Animal Hospital or Veterinary Clinic

Any structure and land used (primarily and essentially) for the medical and surgical care of ill, injured, or disabled animals other than humans.

Animals, Household.

Animals which are customarily kept for personal use or enjoyment within the home, not exhibited to the public, nor raised for commercial purposes. Animals which are dangerous to humans or property when they reach maturity or have cloven or solid hooves are not household animals. Household animals shall include but not be limited to domestic dogs, domestic cats, canaries, parakeets, love birds, parrots, cockatoo, finches, toucans, mynah birds, guinea pigs, hamsters, mice, rats, gerbils, small reptiles, small amphibians, and aquarium fish.

Arcade

A series of arches supported by columns, piers, or pillars that may be freestanding or attached to a structure. An arcade may be a roofed passageway between buildings and often have a decorative purpose.

Art Gallery.

The use of a structure or building for the display of sculpture, painting, photographs, or other artistic works for public viewing with only incidental sales.

Auction Sales

A public sale at which items are sold one by one, each going to the last and highest of a series of competing bidders.

Automobile Washing Establishment

~~_____ A structure or portion thereof the principal use of which is the washing of automobiles
_____ or other motor vehicles.~~

Awning

A covering which extends from a structure as a shelter from the weather or as a shading device. This does not include a canopy or marquee.

Bakery

The use of a structure or building for the production of bakery products including but not limited to breads, cakes, pastries, and doughnuts. When identified in this Ordinance as a use under "Retail," the bakery products produced must be for the direct sale to the consumer with no wholesale production or sales. Wholesale bakeries, for the purpose of this Ordinance, shall be considered manufacturing.

Bank

Financial institution engaged in deposit banking and closely related functions such as the extension of credit by means of loans and investments, and fiduciary activities.

Bank- Automatic Teller (Amended 2-4-2016)

A machine used by bank and financial service patrons for conducting transactions including deposits, fund transfers, and withdrawals without contact with financial institution personnel. An automatic teller machine may be a walk-up or drive-through machine. The machine may be located at or within a bank, or in other locations.

Banquet Facility

Includes banquet facility, banquet hall, function hall, rental hall, reception or meeting hall. A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, such as

hosting a party, —banquet or reception, that is not open to the general public, whether or not a fee is charged. —Food may be prepared onsite or brought in from off-site. Live entertainment may be featured as accessory to the meeting or banquet. Not included in this definition are banquet facilities that are incidental and customary accessory uses, such as within places of assembly, noncommercial ~~houses of worship (i.e. — church, synagogue, mosque, etc.)~~ and hotels.

Banquet Facility Large

A banquet facility with a Occupancy Load as established by N.C. State Building Code section as amended for “Occupant Load” that requires the facility to have a fire sprinkler system.

Bar

An establishment where alcoholic beverages may be obtainable within or there on and where such beverages are consumed on the premises. If the facility also sells food and the sale of food products represent more than fifty percent of the facility's total sales, the facility shall be considered an Eating Establishment. A bar may include a tavern or coffeehouse but does not include a nightclub/cabaret, game room or the display of specified anatomical areas or specified sexual activities.

Barrier

Curbs, walls, fences, or similar protective devices designed and located to protect public right-of-way and adjoining properties from damaging effects.

Basement/Cellar

A story partly underground but having at least sixty percent of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet.

Bed and Breakfast Inn

An owner occupied dwelling unit that contains guests rooms where short term lodging rooms and meals are provided for compensation.

Berm

A related system of earth mounds and plantings which taken as a whole, form a visual barrier (As referred to in Section 300A).

Billboard/Off Premises Advertising Sign

Any sign used as an outdoor display for the purpose of directing attention to a business,

commodity, service or entertainment conducted, sold, manufactured or offered at a location other than the location of said sign.

Boarding/Rooming House

A building in which rooms are provided, for compensation, with or without meals and not occupied as a single residence/dwelling unit. A bed and breakfast or hotel/motel is not considered a boarding/rooming house.

Bollard

An upright post, a minimum of 4 inches in width, consisting of concrete, steel, or similar durable material, placed securely into the ground designated primarily to prevent vehicles from entering an area, such as a sidewalk for pedestrians, bicycles, or wheelchairs.

Brewery

An establishment greater than 18,000 square feet in area primarily engaged in the wholesale production and distribution of beer, ale, porter and other fermented malt beverages. Areas for demonstration, education, retail sales or tasting are included in this definition, are incidental to the primary use of producing beverages in accordance with state ABC permits and shall not be counted towards the square footage limitation.

Brew Pub

An eating establishment engaged in the incidental retail production of beer, ale, porter and other fermented malt beverages. Areas for demonstration, education or tasting are included in this definition and are incidental to an eating establishment and producing beverages in accordance with state ABC permits.

Buffer

A strip of land together with planting/screening required thereon. Both the amount of land and the type of planting/screening may be specified.

Buildable Area

The portion of a lot remaining after required yards have been provided and any conservation or preservation areas, submerged lands, easements or road rights-of-way have been subtracted from the lot area.

Building

Any structure that encloses a space used for sheltering any occupancy.

Building, Accessory

A subordinate building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the principal building.

Camp

Land containing two or more campsites which are located, established or maintained for occupancy by people in temporary living quarters, such as tents, recreation vehicles, or cabins, for recreation, education or vacation purposes.

Campsite

Any plot of ground within a camp intended for the exclusive occupancy by a cabin, recreation vehicle or tent.

Canopy

A structure attached to or cantilevered from a building. This may be a roof type canopy which is supported only by its flush attachment to the building, or it may be supported also by columns, braces or poles which extend to the ground. This does not include an awning.

Car Wash

An establishment engaged in the business of washing domestic vehicles with self serve, automated or staffed facilities.

Cellar/Basement

~~———— A story partly underground but having at least sixty percent of its height above the
—— average level of the adjoining ground. A basement shall be counted as a story for the
—— purpose of height measurement if the vertical distance between the ceiling and the average
—— level of the adjoining ground is more than five (5) feet.~~

Cemetery, Human

Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including crematories, mausoleums, columbarium, and mortuaries, if operated in connection with and within the boundaries of such cemetery.

Cemetery, Pet

Land used or intended to be used for the burial of animals in individual burial plots or a mausoleum and dedicated for cemetery purposes.

Certificate of Occupancy

A document issued by an authorized official setting forth that land, a building or structure legally complies with the City of Asheboro Building Code, this Ordinance and other pertinent local and state requirements and that the same may be used for the purposes stated therein

Drive-In Window

A window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers in motor vehicles by means that eliminate the need for such customers to exit their motor vehicles.

Drive Through (Amended 2-4-2016)

Relating to or conducting exchanges with clients who drive up to a window and remain in their motor vehicles:

Dry Cleaners

~~_____ An establishment engaged in providing laundry, dyeing and dry cleaning services to
_____ individual customers.~~

Dry Cleaning Plant

An establishment engaged in providing laundry, dyeing and dry cleaning services on a large scale for institutions, businesses or other such establishments.

Dry Cleaners, Small

An establishment engaged on a small scale in providing laundry, dyeing and dry cleaning services to individual customers.

Dwelling/Residence

A building designed for, or used by, one or more families for residential purposes.

Dwelling/Residence, Attached Single Family

Two or more one-family dwellings connected by common walls or floors, where each unit is intended for separate ownership.

Dwelling/Residence, Detached Single Family

An individual dwelling unit for one family located on an independent lot containing no other dwelling units.

Dwelling/Residence, Modular

A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two or more sections transported to the site in a manner similar to a manufactured home (except that the

A business that is engaged in the extermination of troublesome rodents and pests.

Extraterritorial Planning Jurisdiction

The land beyond the corporate limits as delineated on the official zoning map of the Extraterritorial Planning Jurisdiction map of the City of Asheboro, recorded in the office of the Randolph County Register of Deeds, which is subject to the City of Asheboro's land development regulations pursuant to North Carolina General Statute 160A-360 (Amended 12-6-2012).

Family

Any number of people related by blood, marriage or adoption or not more than five unrelated persons living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes. The term "family" shall not be construed to include a fraternity or sorority, club, rooming house, institutional group or the like.

Family Child Care Home (Amended 2-4-2016)

A family child care home is a child care arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care.

Family Child Care Home, Large (Amended 2-4-2016)

A Child Care Home providing child care for nine (9) to twelve (12) children

Farmers Market

A structure or structures erected for the display and sale of agricultural products and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell such products, This is not an accessory use to an existing principal use.

Family Day Care Home

A residence within which child care and supervision is provided for no more than five children, unrelated to the caregiver, for less than a twenty-four hour period.

Fire Escape

A fireproof stairway down an outside wall, to help people escape from a burning building.

Flammable Liquids

A liquid having a flash point below 100 degrees F (37.8 degrees C) and having a vapor pressure not exceeding 40 lbs. per square inch (absolute) (2,068 mm Hg) at 100 degrees F

Floor Area Ratio

The ratio of permitted floor area to the area of the lot.

Florescent Color

A brilliant color that emits or appears to emit a glow

Fraternity ~~or~~ & Sorority Houses

A dwelling or combination of dwellings on a single lot occupied by and maintained exclusively for college students who are affiliated with a social, honorary, or professional organization recognized by the college or university.

Funeral Parlor

An establishment engaged in preparing human remains for burial and conducting funerals.

Full Cutoff Fixture

———An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

Furniture Refinishing and Repair

An establishment engaged in the stripping, cleaning, painting, staining, sealing, varnishing, or other like refinishing of the wood or metal components of furniture or the replacement or repair of broken or missing portions of a piece of furniture.

Gamerooms

Unless more specifically and appropriately defined by another use. Any establishment offering the operation of amusement devices, and/or mechanical or electronic amusement devices and which derives more than **25%** of its annual revenues —from such devices.

Garage, Private

A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Gas Station

An establishment where gasoline or diesel fuel is supplied and dispensed at retail and where no servicing or repair of vehicles is permitted. Convenience goods may be sold at

Lumber and Other Building Materials Sales

An establishment engaged in the retail sale of finished lumber, packaged roofing materials, doors, and other materials used by individuals or builders.

Lumberyard

An establishment engaged in the cutting, dressing, finishing and wholesale sale of lumber.

Mail Order ~~Distribution Center/Mail Order Office~~Business

A business in which orders for goods are received and filled by mail and no on-site retail sales occur at the business.

Major Thoroughfare

A major thoroughfare as identified by the Thoroughfare Plan for the City of Asheboro.

Manufactured/Mobile Home

A dwelling unit that is not constructed in accordance with the standards set forth in the North Carolina State Building Code, and is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis and exceeds 32 feet in length and eight feet in width.

- A. Class A: A manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development and also meet City of Asheboro appearance criteria, as determined by the Zoning Administrator.
- B. Class B: A manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban but which do not meet City of Asheboro appearance criteria, as determined by the Zoning Administrator.
- C. Class C: Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home.

Manufactured/Mobile Home Park

A parcel of land under single ownership that has been planned and improved for the placement of manufactured housing for dwelling purposes.

Manufactured Home Sales Lot

A lot that displays manufactured homes for sale. This definition also includes modular homes that meet the NC Building Code on display for sale.

A membership establishment operated by a corporation or association of persons for activities which include but are not limited to business, professional, literary, political, educational, fraternal, or labor activities, but which are not operated for profit or to render a service which is customarily conducted as a business.

Mental Institutions/Sanitariums (Amended 2-4-2016)

An institution providing mental health and physical care services for inpatient medical or surgical care for the mentally ill who are dangerous to others as defined in G. S. 122C-3 or the physically sick.

Metallic Color

A color having iridescent and reflective properties

Microbrewery

An establishment less than 18,000 square feet in area primarily engaged in the wholesale production and distribution of beer, ale, porter and other fermented malt beverages. Areas for demonstration, education, retail sales or tasting are included in this definition, are incidental to the primary use of producing beverages in accordance with state ABC permits and shall not be counted towards the square footage limitation.

Minilube

The use of a structure for the express purpose of changing fluids, filters and grease in a motor vehicle.

Mini Warehouse

A building or group of single story buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the dead storage of customers' goods or wares, mainly excess personal property.

Minor Thoroughfare

A minor thoroughfare as identified by the Thoroughfare Plan for the City of Asheboro.

Mixed Use Residential in B3 Districts

A residential conversion of any existing structure within the B3 District. Such conversion shall maintain the ground floor for commercial use, thus creating a mixed use structure. Conversions of this type shall be permitted only upon the issuance of a Special Use Permit.

Mixed Use Structure

A structure, where permitted, that houses multiple uses. See note #16 of Article 200.

Mobile Home/Manufactured Home

~~———— A dwelling unit that is not constructed in accordance with the standards set forth in the North Carolina State Building Code, and is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis and exceeds 32 feet in length and eight feet in width.~~

~~———— A. Class A: A manufactured home, constructed no more than ten (10) calendar years prior to the application for a zoning compliance permit, that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and also meet City of Asheboro appearance criteria, as determined by the Zoning Administrator.~~

~~———— B. Class B: A manufactured home, constructed no more than ten (10) calendar years prior to the application for a zoning compliance permit, that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction but which do not meet City of Asheboro appearance criteria, as determined by the Zoning Administrator.~~

~~———— C. Class C: Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home.~~

Mobile Home Sales Lot (Amended 2-4-2016)

~~———— A lot that displays manufactured homes for sale. This definition also includes modular homes that meet the NC Building Code on display for sale.~~

Mobile/Manufactured Home Park

~~———— A parcel of land under single ownership that has been planned and improved for the placement of manufactured housing for dwelling purposes.~~

Motel/Hotel

~~———— An establishment which provides lodging for transient guests, arriving in motor vehicles, in return for monetary reward and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and desk service, the use and upkeep of furniture and bellboy service. A typical hotel/motel consists of a number of bedrooms united under one (1) roof, but having individual entrances and with adequate parking available nearby.~~

Motor Vehicle Repair, Minor

Photographic Mini Lab Facility (one hour type) (Amended 2-4-2016)

A facility in which photographs, taken off-site, are processed, developed, printed and duplicated for individuals or businesses.

Photography Studio- with lab for inhouse use only (Amended 2-4-2016)

A facility in which photography occurs on the premises.

Photovoltaic System

An active solar energy system that converts solar energy directly into electricity.

Place of Assembly

~~———— A place designed to accommodate the assembly of persons attending athletic events, musical performances, dramatic or dance performances, speeches or ceremonies, and other such entertainment events, and including but not limited to coliseums, athletic centers, concert halls, and auditoriums.~~

Place of Assembly, Commercial

A facility for the gathering of persons to attend athletic events, entertainment events (including musical, dance, and dramatic arts productions/performances), ceremonial events, and other similar types of events for which a fee, rate, or other consideration is charged directly or indirectly to support the facility as a business or undertaking intended for profit. If the use of the facility fits within a more specific use classification found within Table 200-2, the more specific listing shall be the controlling classification.

Place of Assembly, Noncommercial

A facility that is not developed or operated for the purpose of functioning as a for-profit business undertaking. Such a facility is used for the gathering of persons to attend civic, social, religious, deliberative, recreational, or artistic events/activities for which no fee or monetary charge of any kind is levied as a prerequisite for participation in the event/activity itself. If the use of the facility fits within a more specific use classification found within Table 200-2, the more specific listing shall be the controlling classification.

Place of Worship (Amended 8-6-2015)

~~———— (1) A church, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs; (2) a special-purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.~~

Planned Development

Land under unified control to be planned and developed as a whole in a single

development operation or a definitely programmed series of development operations. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is built according to general and detailed plans which include not only streets, utilities, lots and building location, and the like, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned development includes a program for the provision, operation, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated, or maintained at general public expense.

Planning/CD Department

~~———— The unit of government of the City of Asheboro that supervises planning and
— redevelopment activities of the City. Also known as the Community Development
— Department.~~

Planning Director

~~———— The individual charged with the supervision of the Planning Department.~~

Principal Building

A building in which is conducted the principal use of the parcel on which it is situated.

Principal Use

The primary purpose of function that a parcel serves or is intended to serve.

Produce sales

The display and sale of agricultural products, that is not an accessory use to an existing principal use, on an undeveloped or developed lot . Not to include flea market and open air sales or produce / farmers market.

Professional Recovery Facility (Amended 11-6-2014)

Any establishment, other than a family care home, hospital or nursing home, licensed by the N.C. Department of Social Services, or other unit of state government, to provide persons a structured environment. A structured environment shall be defined as a setting within which persons, progressing from relatively intensive treatment for crime, delinquency, mental or emotional illness, alcoholism, drug addiction or similar conditions to full participation in community life, are provided professional staff services, as well as board, lodging, supervision, medication and other treatment.

Professional Services

Services generally involves practitioners of a calling or vocation in which a knowledge of some department of science or learning is used in its application to the affairs of others. Such activities would include but not be limited to accounting, auditing and bookkeeping services, architectural services, engineering and surveying services, interior design services and legal services. Physicians and dentists are classified as Health Practitioners. (See Health Services and Health Practitioners).

Public Use Facility (Amended 2-4-2016)

The use of land, buildings, or structures by a public utility, railroad, or a unit of government, to provide public services, governmental or proprietary, directly to the general public. This definition includes, but is not limited to, water treatment plants or pumping stations, sewage treatment plants or pumping stations, substations, telephone exchanges, and other similar public service structures. This definition also includes police and fire stations, municipal buildings, bus terminals or similar facilities for public transportation, community centers, emergency response facilities and any other public facility providing the above services but not including land, buildings, or structures devoted solely to the storage and maintenance of equipment and materials.

Public Notice

Public notice of a hearing means notice of the time and place thereof published once a week for two successive calendar weeks in a newspaper ~~published~~ circulated in Asheboro.

Publishing and Printing

An establishment primarily engaged in preparing, publishing, and printing of newspapers, periodicals, books and pamphlets, reports, advertisements, etc.

Radio and Television Studio

A facility for the production and broadcast of radio and television shows, including such things as offices, dressing rooms, broadcast and taping studios, file rooms, set storage and related installations, but not including radio and television transmitting and receiving facilities, as defined in this Ordinance.

Radio and Television Receiving Antenna and Dish, Accessory

An antenna or dish designed for the above-ground reception of airborne radio or television signals and serving only the needs of the occupants of a single building or of a single residential development.

Railroad Classification Yard (Amended 2-4-2016)

A fan-shaped network of tracks and switches where railroad cars are sorted and made up into trains for their respective destinations.

Recreation

Any form of play, amusement, or relaxation.

Recreation and Amusement Services

~~———— A commercial facility providing recreational activities including but not limited to
—— swimming pools, tennis clubs, public gymnasiums, discotheques, bowling alleys,
—— shuffleboard courts, baseball hitting ranges, miniature golf, golf driving ranges, dance
—— schools or classes, skating rinks, zoos and indoor movie theaters.~~

Recreation, commercial indoor

Any form of play, amusement, or relaxation used for monetary gain conducted within an enclosed structure. ~~(Does NOT include amusement arcades, gamerooms, or billiards or pool halls. SEE Gamerooms)~~

Recreation, commercial outdoor

Any form of play, amusement, or relaxation used for monetary gain not conducted within an enclosed structure.

Recreation Space

Recreation space is part of the total open space requirement, and is an exterior area for common passive or active recreation use; i.e, play areas for children, outdoor seating areas and the like where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 20 feet from any residential unit.

Recreation Space, Active

Land dedicated to solely to the pursuit of recreation. Active recreation space includes but is not limited to athletic fields, exercise facilities, buildings or structures for recreation activities, courses or courts, children's play areas, and dog play areas.

Recreation Space, Passive

An undeveloped space used for recreational enjoyment that requires minimal development. The quality of the environment and "naturalness" of an area is the focus of the recreational experience in a passive recreation area. Passive recreation space includes but is not limited to barbeque areas, benches, gazebos, community gardens, and bike paths/walking trails.

Research, development, and prototype testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration, or odor detectable outside the buildings.

Residence/Dwelling

——— A building designed for, or used by, one or more families for residential purposes.

Residence/Dwelling, Attached Single Family

——— Two or more one-family dwellings connected by common walls or floors, where each unit is intended for separate ownership.

Residence/Dwelling, Detached Single Family

——— An individual dwelling unit for one family located on an independent lot containing one other dwelling unit.

Residence/Dwelling, Modular

——— A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two or more sections transported to the site in a manner similar to a manufactured home (except that the modular home meets the North Carolina State Building Code), or a series of panels or room sections transported on a truck and erected or joined together on the site.

Residence/Dwelling, Multiple Family

——— A structure containing three or more dwelling units.

Residence/Dwelling, Prefab

——— A dwelling constructed from standardized sections fabricated beforehand for shipment and quick assembly.

Residence/Dwelling, Single Family

——— A structure containing a single dwelling unit.

Residence/Dwelling, Two Family

——— A structure containing two dwelling units.

Residence/Dwelling Unit

~~_____ A room or group of rooms forming a single independent habitable unit used for, or
_____ intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one
_____ family only; for owner occupancy or for rental, lease, or other occupancy.~~

Residential Conversion within a B-3 District

~~_____ A residential conversion of any existing structure within the B3 District. Such
_____ conversion shall maintain the ground floor for commercial uses, thus creating a mixed use
_____ structure. Conversions of this type shall be permitted only upon the issuance of a Special
_____ Use Permit.~~

Residential Districts

R40, R15, R10, R7.5 and RA6 Districts shall be considered as residential districts.

Residential Townhouse Development in the B3 District

A development of a zoning lot that consists of two (2) or more dwelling units or mixed-use buildings, each of which is located on its own individual lot, plus land developed and designated for the common use and benefit of the occupants of the townhouse lots, provided an entity is designated to be legally responsible for maintenance and control of the common land areas. The individual lots within a Townhouse Development shall not be required to meet the lot design standards of Article 200 Table 200-1 provided the zoning lot containing the Townhouse Development meets such standards.

Retail

The use of land, buildings or structures for the sale of merchandise, new or used.

Retail Sales, Convenience Goods

Commercial establishments that generally service day-to-day commercial needs of a residential neighborhood, including, but not limited to, convenience stores, tobacco shops, newsstands, bakeries, candy, nut and confectionery stores, delicatessens, dairy products, meat and seafood markets, produce markets, food stores with less than ten thousand square feet in floor area.

Retail Sales, Shoppers' Goods

Commercial establishments that, supply the more durable and permanent needs of a community, including but not limited to, apparel and footwear stores; appliance stores; art supplies stores; automotive supply stores; book and stationery stores; camera and photography supplies stores; department stores; discount stores; drug stores; farm supplies stores; florists; furniture and home furnishing stores; gift shops; gun and ammunition sales; hardware stores; hobby, toy and crafts stores; jewelry stores; lawn and garden supply stores;

failures such as the failure of a water, sewer, or electrical utility.

(c) Civil emergency, which includes by way of illustration and not limitation riots and other events where public safety authorities are unable to maintain public order or afford adequate protection for lives or property and

(d) Community disorders, which includes temporary housing for individuals who have experienced or were threatened with physical, sexual, and/or emotional abuse.

Sight Distances

The triangular area formed by the intersecting streets pavement edges and a straight line connecting points on said street pavement edges, each of which is thirty-five (35) feet in distance from the point of intersection. (Where two (2) state maintained streets intersect, regulations of N. C. DOT shall apply.)

Signs:

Sign (Amended 8-6-2015)

Any structure designed to inform or attract the attention of persons not on the premises on which the device is located, including one which directs attention to a business, commodity, service, or entertainment conducted, sold, manufactured, or offered.

Signs, Area

Free-standing Pole or Pylon

The surface area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, semi-circle or other regular geometric figure, including all of the elements of the display, but not including frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface and bearing no advertising matter. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign areas shall be computed by the measurement of one of the faces. In the case of cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area.

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign.

Sign, Area

Monument

organizations and individuals.

Shelter, Emergency

~~_____ A facility operated by a governmental unit, non-profit agency, or house of worship~~
~~_____ providing without charge, temporary sleeping accommodations, with or without meals,~~
~~_____ for individuals, and/or families displaced from their residences as a result of sudden~~
~~_____ natural or man-made catastrophe including, but not limited to, earthquake, fire, flood,~~
~~_____ tornado, hurricane, extreme weather conditions, or the release of hazardous or toxic~~
~~_____ substance(s) into the environment.~~

Slaughterhouse

~~_____ An establishment where animals are killed, butchered and prepared for further~~
~~_____ processing.~~

Solar Collector

Any solar structure or equipment that absorbs and accumulates solar radiation for use as a source of energy. A solar collector may be roofmounted or ground mounted.

Solar Energy

Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Farm

A utility-scale commercial facility that uses solar energy, specifically for the conversion of sunlight into electricity by photovoltaics, concentrating solar thermal devices or various experimental technologies, for the primary purpose of wholesale or retail sales of generated electricity. The use of solar collectors for personal or business consumption that occurs on-site is not considered a solar farm.

Solid Waste

Garbage, rubbish, refuse or other discarded solid or semi-solid material resulting from domestic, commercial, industrial, agricultural activities or governmental operations, excluding solids or dissolved materials in domestic sewage or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

Special Purpose Lot (Amended 8-6-2015)

A lot legally created to accommodate a unique non-residential use, that upon approval by the Zoning Administrator in accordance with this Ordinance, is not required

Use, Principal

The primary use and chief purpose of a lot or structure.

Used Merchandise

An establishment engaged in the sale of previously owned goods, except the sale of used motor vehicles.

Variance

A relaxation by the Board of Adjustment of the dimensional regulations of this Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Ordinance would result in unnecessary and undue hardship.

Vehicle

A land operated means of transportation for persons or objects, including but not limited to cars, trucks, buses, motorcycles, motor scooters, motor homes, and trailers. Domestic motor vehicles, commercial vehicles, and recreational vehicles are included within this definition.

Vehicle, Commercial

A vehicle that has a gross vehicle weight rating of at least 26,001 pounds.

~~Any vehicle, licensed by any state of the United States or Mexico or Province or Territory of Canada, other than domestic vehicles, as defined in this Ordinance, or over one ton in weight or 20 feet in length.~~

Vehicle, Domestic

A vehicle that has a gross vehicle weight rating of less than 26,001 pounds. ~~Any vehicle, licensed as a commercial vehicle by any state of the United States or Mexico or Province or Territory of Canada.~~

Vehicles, Junked Motor

~~The term junked motor vehicle means a vehicle that does not display a current license plate and that:~~

~~A. is partially dismantled or wrecked; or~~

~~B. cannot be self-propelled or moved in the manner in which it originally was~~

_____ intended to move; ~~or~~

_____ C. ~~is more than five years old and appears to be worth less than one hundred~~
_____ ~~dollars (\$100).~~

Vehicle, Nuisance

_____ A junked motor vehicle on public or private property that is determined and declared to
_____ be a health or safety hazard, a public nuisance, or unlawful, including a vehicle found to be:

_____ A. ~~a breeding ground or harbor for mosquitoes, other insects, rats or other pests;~~
_____ ~~or~~

_____ B. ~~a point of heavy growth of weeds or other noxious vegetation over eight (8)~~
_____ ~~inches in height; or~~

_____ C. ~~a point of collection of pools or ponds of water; or~~

_____ D. ~~a point of concentration of quantities of gasoline, oil or other flammable or~~
_____ ~~explosive materials as evidenced by odor; or~~

_____ E. ~~one which has areas of confinement which cannot be operated from the inside,~~
_____ ~~such as trunks, hoods, etc.; or~~

_____ F. ~~so situated or located that there is a danger of it falling or turning over; or~~

_____ G. ~~any other vehicle specifically declared a health and safety hazard and a public~~
_____ ~~nuisance by the City Council; or~~

_____ H. ~~offensive to the sight as to damage the community, neighborhood or area~~
_____ ~~appearance, upon a finding that such aesthetic regulation is necessary and~~
_____ ~~desirable for the protection of property values, promotion of tourism, indirect~~
_____ ~~protection of health and safety, preservation of the character and integrity of the~~
_____ ~~community, or, promotion of the comfort, happiness, and emotional stability of~~
_____ ~~area residents; or~~

_____ I. ~~used by children in play activities.~~

Vehicle Towing Storage Facility:

The use of land or buildings to park, store and maintain vehicles associated with vehicle towing. This includes storage of towed vehicles while awaiting proper disposition of these vehicles and storage of vehicles engaged in vehicle towing (i.e. tow trucks). A vehicle towing yard does not include a vehicle towing operation.

Vehicle Towing Operation:

A vehicle towing operation is solely designated for administrative activities associated with vehicle towing. A vehicle towing operation does not include a vehicle towing storage facility.

Vehicle Towing Operation and Storage Facility:

The use of land or buildings for both a vehicle towing storage facility and a vehicle towing operation.

Vocational School

An establishment in which is offered, for compensation, instruction in a vocation such as but not limited to barbering, cosmetology, hair styling, bartending and interior decorating.

Warehouse

A building or group of buildings for the storage of goods or wares belonging either to the owner of the facility or to one or more lessees of space in the facility or both. This definition shall be deemed to include the indoor storage of vehicles.

Warehouse, Mini

~~A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of goods belonging to the individual lessees of the stalls and accessible to the lessees through individual doors.~~

Wholesale Distribution

Establishments engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users or to other wholesalers.

Yard

An open space unoccupied and unobstructed by any structure or portion of a structure provided, however, that fences and walls may be permitted in any yard subject to height limitations established herein., and further provided that poles, posts and other customary yard accessories, ornaments, and furniture shall be permitted in any required yard, if they do not constitute substantial impediments to free flow of light and air across the yard to adjoining properties.

Yard, Front

A yard extending between the side lot lines across the portion of a lot adjacent to a street. \