

Sec. 22-51. - Designated; zoning map.

- (a) For the purposes of this chapter, the city is hereby divided into twelve (12) districts as follows:
- (1) RA-40—Single-family dwelling and agricultural district.
 - (2) R-20—Single-family dwelling residential district.
 - (3) R-10—Single-family dwelling residential district.
 - (4) R-7—Single-family dwelling residential district.
 - (5) R-M—Multifamily dwelling residential district.
 - (6) C-1—Central commercial district.
 - (7) C-2—Shopping center commercial district.
 - (8) C-3—Highway commercial district.
 - (9) C-4—Neighborhood business commercial district.
 - (10) O & I—Office and institutional district.
 - (11) I-10—Restricted industrial district.
 - (12) I-100—Industrial district.
- (b) The boundaries of such districts are hereby established as shown on a map entitled, "Official Zoning Map for Dunn, North Carolina," which is hereby made a part of this article by reference and is on file and available for public inspection in the office of the zoning administrator.

(Code 1974, § 25-21; Ord. No. 02004-26, 8-5-04; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-13, 10-12-10)

DIVISION 1.5. - RA-40 SINGLE-FAMILY DWELLING AND AGRICULTURAL DISTRICT

Sec. 22-70. - Permitted uses generally.

The following uses shall be permitted in an RA-40 single-family dwelling and agricultural district:

- (1) Single-family on minimum land area of forty thousand (40,000) square feet. It may be reduced to twenty thousand (20,000) square feet if public water is used and is in conjunction with land area for septic waste disposal system approved by Harnett County Health Department;
- (2) Family care home;
- (3) Bona fide farm; commercial and non-commercial—excluding concentrated animal feeding operation;
- (4) Agricultural, horticultural, and garden uses provided that no buildings used for growing or storage are within one hundred (100) feet of a property line or are shielded by a blind fence when such building exceed two hundred (200) square feet in gross area.
- (5) Public and nonprofit institutions of an educational, religious, or cultural type, excluding corrective institutions and hospitals treating other than human beings, on a minimum land area of two (2) acres, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (6) Governmental buildings and uses;
- (7) Public and private utilities provided they are enclosed with a blind fence when installed within one hundred (100) feet of an existing residential use;

- (8) Private stables or corals, provided that such uses shall not be located nearer than two hundred (200) feet to a lot not in the same zoning district classification (RA-40) or other uses not located within the same planned development;
- (9) Class A manufactured home;
- (10) Agra-tourism, eco-tourism, winery and associated facilities;
- (11) Public and private gardens, gardens shall meet the setbacks for accessory buildings;

(Ord. No. O2010-01, 1-14-10)

Sec. 22-70.01. - Accessory uses.

The following accessory uses shall be permitted in an RA-40 single-family dwelling and agricultural district, provided that when any such use shall be detached from the principal structure of the property on which the use is located, such use shall be located in the rear yard and not less than fifty (50) feet from any street right-of-way:

- (1) Automobile parking and garage, only as an accessory use to the principal uses of the property on which the use is located;
- (2) Servants' quarters, not serviced by separate utility meters and not leased or rented to anyone other than the family of a bona fide servant spending more than fifty (50) percent of his employed time at the premises to which the servants' quarters is an accessory use and in the employ of the family occupying such premises;
- (3) Guest quarters, serviced by separate utility meters and not containing cooking facilities;
- (4) Private, noncommercial swimming pools, provided that, except for those used as an accessory use to a single-family, detached dwelling, such uses shall not be located nearer than fifteen (15) feet to a lot used for or to be used for single-family dwelling purposes, measured from the edge of the pool;
- (5) Private stables and corrals, provided that such uses shall not be located nearer than two hundred (200) feet to a lot or building used for or to be used for dwelling purposes;
- (6) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (7) Customary home occupations as an accessory use to a single-family dwelling.

(Ord. No. O2010-01, 1-14-10)

Sec. 22-70.02. - Dimensional requirements.

Lots and structures in an RA-40 single family dwelling and agricultural district shall conform to the following dimensional requirements:

- (1) *Minimum requirements:*
 - a. Lot area: Twenty thousand (20,000) square feet.
 - b. Depth of front yard: Thirty (30) feet.
 - c. Depth of rear yard: Twenty-five (25) feet.
 - d. Width of side yard: Fifteen (15) feet.
 - e. With of lot: Seventy-five (75) feet.
 - f. Depth of lot: One hundred twenty (120) feet.
- (2) *Maximum requirements:*

- a. Height of principal structure: Two (2) stories or thirty-five (35) feet.
- b. Height of accessory structure: Two (2) stories or twenty-four (24) feet.
- c. Lot coverage with impervious material: Thirty (30) percent of total lot area.

(Ord. No. O2010-01, 1-14-10)

DIVISION 2. - R-20 SINGLE-FAMILY DWELLING DISTRICT

Sec. 22-71. - Permitted uses generally.

The following uses shall be permitted in an R-20 single-family dwelling district:

- (1) Single-family detached dwellings on a minimum land area per dwelling unit of twenty thousand (20,000) square feet, excluding tents and trailers of any kind used for dwelling purposes;
- (2) Family care home;
- (3) Reserved.
- (4) Public and nonprofit institutions of an educational, religious, or cultural type, excluding corrective institutions and hospitals treating other than human beings, on a minimum land area of two (2) acres, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (5) Governmental buildings and uses;
- (6) Public utility uses required to service only the district in which located;
- (7) Public and private noncommercial recreational uses and facilities, such as country clubs and golf courses, parks, and playgrounds, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (8) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (9) Duplexes;
- (10) Class A manufactured home.

(Code 1974, § 25-26; Ord. No. 1990-002, § 4, 1-4-90; Ord. No. 02003-11, 11-6-03; Ord. No. 02004-11, 6-3-04; Ord. No. O2010-01, 1-14-10)

Sec. 22-72. - Accessory uses.

The following accessory uses shall be permitted in an R-20 single-family dwelling district, provided that when any such use shall be detached from the principal structure of the property on which the use is located, such use shall be located in the rear yard and not less than fifty (50) feet from any street right-of-way:

- (1) Automobile parking and garage, only as an accessory use to the principal uses of the property on which the use is located;
- (2) Servants' quarters, not serviced by separate utility meters and not leased or rented to anyone other than the family of a bona fide servant spending more than fifty (50) percent of his employed time at the premises to which the servants' quarters is an accessory use and in the employ of the family occupying such premises;
- (3) Guest quarters, serviced by separate utility meters and not containing cooking facilities;

- (4) Private, noncommercial swimming pools, provided that, except for those used as an accessory use to a single-family, detached dwelling, such uses shall not be located nearer than fifteen (15) feet to a lot used for or to be used for single-family dwelling purposes, measured from the edge of the pool;
- (5) Private stables, and corrals, provided that such uses shall not be located nearer than two hundred (200) feet to a lot or building used for or to be used for dwelling purposes; noncommercial agricultural uses;
- (6) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (7) Customary home occupations as an accessory use to a single-family dwelling.

(Code 1974, § 25-27; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Sec. 22-73. - Dimensional requirements.

Lots and structures in an R-20 single-family dwelling district shall conform to the following dimensional requirements:

- (1) *Minimum requirements:*
 - a. Lot area: Twenty thousand (20,000) square feet.
 - b. Depth of front yard: Thirty (30) feet.
 - c. Depth of rear yard: Twenty-five (25) feet.
 - d. Width of side yard: Ten (10) feet.
 - e. Width of lot: Seventy-five (75) feet.
 - f. Depth of lot: One hundred twenty (120) feet.
- (2) *Maximum requirements:*
 - a. Height of principal structure: Two (2) stories or thirty-five (35) feet.
 - b. Lot coverage with impervious material: Thirty (30) percent of total lot area.
 - c. Height of accessory structure: Shall not exceed the height of the principal structure.
 - d. Accessory structure setbacks: Shall meet the principal building setbacks.
 - e. Lot coverage by accessory structure: Twenty-five (25) percent of rear yard.

(Code 1974, § 25-28; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Secs. 22-74—22-80. - Reserved.

DIVISION 3. - R-10 SINGLE-FAMILY DWELLING DISTRICT

Sec. 22-81. - Principal permitted uses.

The following uses shall be permitted in an R-10 single-family dwelling district:

- (1) Single-family, detached dwellings on a minimum land area per dwelling unit of ten thousand (10,000) square feet, excluding tents and trailers of any kind used for dwelling purposes;
- (2) Reserved.
- (3) Public and nonprofit institutions of an educational, religious, or cultural type, excluding corrective institutions and hospitals of any kind, on a minimum land area of two (2) acres,

provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;

- (4) Governmental buildings and uses;
- (5) Public utility uses required to service only the district in which they are located;
- (6) Public and private noncommercial recreational uses and facilities, such as country clubs and golf courses, parks and playgrounds, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (7) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (8) Family care home.

(Code 1974, § 25-29; Ord. No. 02003-11, 11-6-03; Ord. No. 02004-11, 6-3-04; Ord. No. O2010-01, 1-14-10)

Sec. 22-82. - Accessory uses.

The following accessory uses shall be permitted in an R-10 single-family dwelling district, provided that when any such use shall be detached from the principal structure of the property on which the use is located, such use shall be located in the rear yard and not less than forty (40) feet from any street right-of-way:

- (1) Automobile parking and garages, only as accessory uses to the principal uses of the property on which the use is located;
- (2) Servants' quarters not serviced by separate utility meters and not leased or rented to anyone other than the family of a bona fide servant spending more than fifty (50) percent of his employed time at the premises to which the servants' quarters is an accessory use and in the employ of the family occupying such premises;
- (3) Guest quarters not serviced by separate utility meters and not containing cooking facilities;
- (4) Private, noncommercial swimming pools, provided that except for those uses constituting accessory uses to single-family detached dwellings, such uses shall not be located nearer than fifteen (15) feet to a lot used for or to be used for single-family dwelling purposes, measured from the edge of the pool;
- (5) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (6) Customary home occupations as an accessory use to a single-family dwelling.

(Code 1974, § 25-30; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Sec. 22-83. - Dimensional requirements.

Lots and structures in an R-10 single-family dwelling district shall conform to the following dimensional requirements:

- (1) *Minimum requirements:*
 - a. Lot area: Ten thousand (10,000) square feet.
 - b. Depth of front yard: Twenty-five (25) feet.
 - c. Depth of rear yard: Twenty (20) feet.
 - d. Width of side yard: Ten (10) feet.

- e. Width of lot: Seventy-five (75) feet.
 - f. Depth of lot: One hundred twenty (120) feet.
- (2) *Maximum requirements:*
- a. Height of principal structure: Two (2) stories or thirty-five (35) feet.
 - b. Lot coverage with impervious material: Thirty-five (35) percent of total lot area.
 - c. Height of accessory structure: Shall not exceed the height of the principal structure.
 - d. Accessory structure gross square footage: Shall not exceed fifty (50) percent of square footage of principal structure.
 - e. Lot coverage by accessory structure: Fifty (50) percent of rear yard.

(Code 1974, § 25-31; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Secs. 22-84—22-100. - Reserved.

DIVISION 4. - R-7 SINGLE-FAMILY DWELLING DISTRICT

Sec. 22-101. - Principal permitted uses.

The following uses shall be permitted in an R-7 single-family dwelling district:

- (1) Single-family, detached dwellings on a minimum land area per dwelling unit of seven thousand (7,000) square feet, excluding tents and trailers of any kind used for dwelling purposes;
- (2) Reserved.
- (3) Public and nonprofit institutions of an educational, religious, or cultural type, excluding corrective institutions and hospitals of any kind, on a minimum land area of two (2) acres, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (4) Governmental buildings and uses;
- (5) Public utility uses required to service only the district in which located;
- (6) Public and private noncommercial recreational uses and facilities, such as country clubs and golf courses, parks, and playgrounds, provided that automobile parking for more than two (2) cars within fifty (50) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence, wall, or hedge at least six (6) feet high;
- (7) Duplexes; provided with a minimum lot area of twenty thousand (20,000) square feet;
- (8) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (9) Family care home.

(Code 1974, § 25-32; Ord. No. 02003-11, 11-6-03; Ord. No. 02004-11, 6-3-04; Ord. No. O2010-01, 1-14-10)

Sec. 22-102. - Accessory uses.

The following accessory uses shall be permitted in an R-7 single-family dwelling district, provided that when any such use shall be detached from the principal structure of the property on which it is

located, the use shall be located in the rear yard and not less than thirty (30) feet from any street right-of-way:

- (1) Automobile parking and garages, only as an accessory use to the principal use of the property on which located;
- (2) Servants' quarters, not serviced by separate utility meters and not leased or rented to anyone other than the family of a bona fide servant spending more than fifty (50) percent of his employed time at the premises to which the servants' quarters is an accessory use and in the employ of the family occupying such premises;
- (3) Guest quarters, not serviced by separate utility meters and not containing cooking facilities;
- (4) Private, noncommercial swimming pools, provided that except for those used as accessory uses to single-family detached dwellings, such uses shall not be located nearer than fifteen (15) feet to a lot used for or to be used for single-family dwelling purposes, measured from the edge of the pool;
- (5) Public and private gardens, gardens shall meet the setbacks for accessory buildings;
- (6) Customary home occupations as an accessory use to a single-family dwelling.

(Code 1974, § 25-33; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Sec. 22-103. - Reserved.

Editor's note— Ord. No. 02004-08, adopted May 6, 2004, repealed § 22-103, which pertained to special use permit for class A manufactured home and derived from Ord. No. 1990-002, § 7, adopted Jan. 4, 1990.

Sec. 22-104. - Dimensional requirements.

Lots and structures in an R-7 single-family dwelling district shall conform to the following dimensional requirements:

- (1) *Minimum requirements:*
 - a. Lot area: Seven thousand (7,000) square feet.
 - b. Depth of front yard: Twenty-five (25) feet.
 - c. Depth of rear yard: Twenty (20) feet.
 - d. Width of side yard: Ten (10) feet.
 - e. Width of lot: Fifty (50) feet.
 - f. Depth of lot: One hundred (100) feet.
- (2) *Maximum requirements:*
 - a. Height of principal structure: Two (2) stories or thirty-five (35) feet.
 - b. Lot coverage with impervious material: Forty (40) percent of total lot area.
 - c. Height of accessory structure: Shall not exceed the height of the principal structure.
 - d. Accessory structure gross square footage: Shall not exceed fifty (50) percent of square footage of principal structure.
 - e. Lot coverage by accessory structure: Fifty (50) percent of rear yard.

(Code 1974, § 25-34; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Secs. 22-105—22-120. - Reserved.

DIVISION 5. - R-M MULTIFAMILY DWELLING DISTRICT

Sec. 22-121. - Principal permitted uses.

The following uses shall be permitted in an R-M multifamily dwelling district:

- (1) Single-family detached dwellings.
- (2) Family care home.
- (3) Duplexes; provided with a minimum lot area of twenty thousand (20,000) square feet;
- (4) Public and private gardens, gardens shall meet the setbacks for accessory buildings.

(Ord. No. 02003-14, 12-10-03; Ord. No. 02003-15, 12-10-03; Ord. No. 02008-15, 11-17-08; Ord. No. O2010-01, 1-14-10)

Sec. 22-122. - Accessory uses.

The following accessory uses shall be permitted in an R-M multifamily dwelling district, provided that when any such use shall be detached from the principal structure of the property on which it is located, such use shall be located in the rear yard and not less than thirty (30) feet from any street right-of-way:

- (1) Automobile parking and garages, only as an accessory use to the principal;
- (2) Private, noncommercial swimming pool, meeting the requirements of the North Carolina Building Code for residential swimming pools.
- (3) Public and private gardens, gardens shall meet the setbacks for accessory buildings;

(Ord. No. 02003-14, 12-10-03; Ord. No. 02003-15, 12-10-03; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Sec. 22-123. - Dimensional requirements.

Lots and structures in an R-M multifamily dwelling district shall conform to the following dimensional requirements:

- (1) *Minimum requirements:*
 - a. Lot area: Seven thousand (7,000) square feet.
 - b. Depth of front yard: Twenty-five (25) feet.
 - c. Depth of rear yard: Twenty (20) feet.
 - d. Width of side yard: Ten (10) feet.
 - e. Width of lot: Fifty (50) feet.
 - f. Depth of lot: One hundred (100) feet.
- (2) *Maximum requirements:*
 - a. Height of principal structure: Two (2) stories or thirty-five (35) feet.
 - b. Lot coverage with impervious material: Forty (40) percent of total lot area.

- c. Height of accessory structure: Shall not exceed the height of the principal structure.
- d. Accessory structure gross square footage: Shall not exceed fifty (50) percent of square footage of principal structure.
- e. Lot coverage by accessory structure: Fifty (50) percent of rear yard.

(Ord. No. 02003-14, 12-10-03; Ord. No. 02003-15, 12-10-03; Ord. No. O2010-01, 1-14-10; Ord. No. O2010-12, 9-14-10)

Secs. 22-124—22-140. - Reserved.

DIVISION 6. - C-1 CENTRAL COMMERCIAL DISTRICT

Sec. 22-141. - Principal permitted uses.

The following uses shall be permitted in the C-1 central commercial district:

- (1) Apothecaries;
- (2) Appliance sales and repair;
- (3) Bakeries;
- (4) Banks and credit unions;
- (5) Barbershops and beauty shops;
- (6) Building trades/services
- (7) Churches;
- (8) Commercial and public parking lots and garages;
- (9) Convenience stores;
- (10) Dry cleaning;
- (11) Florists;
- (12) Financial institutions;
- (13) Funeral homes;
- (14) Governmental building and uses;
- (15) Grocery stores;
- (16) Hardware retail;
- (17) Hotels, motels and associated conference facilities;
- (18) Medical offices and clinics;
- (19) Newspaper offices and printing;
- (20) Offices (general and professional);
- (21) Photographic/art studios and galleries;
- (22) Private meeting halls and fraternal organizations with an occupancy of less than fifty (50) people;
- (23) Public utilities with storage and service yards, blind fence;
- (24) Recreational facilities, public and private, non-commercial, i.e. parks and playgrounds;

- (25) Restaurants, both indoor and drive-thru;
- (26) Retail stores;
- (27) Retail stores conducting incidental and secondary wholesale departments;
- (28) Taxicab stands;
- (29) Theaters;
- (30) Upper floor residential dwelling unit (mixed use).

(Code 1974, § 25-38; Ord. No. 1994-003, 5-5-94; Ord. No. 1999.01, 2-4-99; Ord. No. 02002-02, 2-7-02; Ord. No. 02004-02, 3-4-04; Ord. No. 02004-14, 6-3-04; Ord. No. 02008-05, 2-7-08; Ord. No. O2014-17, 12-9-2014)

Sec. 22-142. - Reserved.

Editor's note— Ord. No. 02004-03, adopted March 4, 2004, repealed § 22-142, which pertained to uses permitted within certain portions of [C-1] district and derived from Code 1974, § 25-39.

Sec. 22-143. - Accessory uses.

The following regulations shall govern permitted accessory uses in the C-1 central commercial district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.
- (3) Employee facilities including employees' cafeteria, child care center, or recreational facilities for use of employees or visitors and not the general public.

(Code 1974, § 25-40; Ord. No. 02004-05, 3-4-04)

Sec. 22-144. - Dimensional requirements.

Lots and structures in the C-1 central commercial district shall conform to the following dimensional requirements:

- (1) *Minimum lot area*: None.
- (2) *Minimum lot size*:
 - a. Depth: None.
 - b. Width: Twenty (20) feet.
- (3) *Minimum yard sizes*:
 - a. Front: None (property line).
 - b. Rear: None. Where this district abuts a residential district to the rear of the lot, there shall be a 15-foot rear yard and six-foot high blind fence or buffer.
 - c. Side: None. If a side yard is voluntarily preserved, it shall be a minimum of ten (10) feet. Common wall construction is permitted. Where a residential district abuts to the side yard,

there shall be a side yard of not less than 15 feet. In any case where a fence is required between this district and a residential district, if the adjacent residential property owner requests that this required fence not be installed, the requirement may be waived by the city council.

- (4) *Maximum building height:* No structure shall exceed fifty (50) feet, unless the outer walls of the additional height are constructed with an indentation of one (1) foot for each two (2) feet above fifty (50) feet.

(Code 1974, § 25-41)

Sec. 22-145. - Reserved.

Editor's note— Ord. No. 02003-01, adopted March 6, 2003, repealed § 22-145, which pertained to offstreet parking and derived from Code 1974, § 25-42.

Secs. 22-146—22-160. - Reserved.

DIVISION 7. - C-2 SHOPPING CENTER DISTRICT

Sec. 22-161. - Purpose and location.

The C-2 shopping center district is a special floating commercial district that applies to development under one (1) ownership. The permitted uses will be those retail uses common to the downtown central commercial district. The district is to be located on an outlying tract along a major highway.

(Code 1974, § 25-43)

Sec. 22-162. - Principal permitted uses.

The following uses shall be permitted in the C-2 shopping center district:

- (1) Apothecaries;
- (2) Appliance sales and repair;
- (3) Bakeries;
- (4) Banks and credit unions;
- (5) Barbershops and beauty shops;
- (6) Building supplies retail;
- (7) Churches;
- (8) Coin-operated laundries;
- (9) Convenience stores;
- (10) Discount stores/indoor flea market;
- (11) Dry cleaning;
- (12) Financial institutions;
- (13) Funeral homes;
- (14) Garden centers;

- (15) Governmental building and uses;
- (16) Grocery stores;
- (17) Hardware retail;
- (18) Hotels, motels and associated conference facilities;
- (19) Medical offices and clinics;
- (20) Offices (general and professional);
- (21) Photographic/art studios and galleries;
- (22) Private meeting halls and fraternal organizations with an occupancy of less than fifty (50) people;
- (23) Professional medical complex;
- (24) Recreational facilities, public and private, non-commercial, i.e. parks and playgrounds;
- (25) Restaurants, both indoor and drive-thru;
- (26) Retail stores;
- (27) Theaters.

(Code 1974, § 25-44; Ord. No. 1999.01, 2-4-99; Ord. No. 02003-11, 11-6-03; Ord. No. 02004-02, 3-4-04; Ord. No. 02008-05, 2-7-08; Ord. No. O2014-17, 12-9-2014)

Sec. 22-163. - Accessory uses.

The following regulations shall govern permitted accessory uses within the C-2 shopping center district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools will be enclosed by a fence at least four (4) feet in height.
- (3) Child care center for use of employees and not the general public.

(Code 1974, § 25-45; Ord. No. 02004-05, 3-4-04)

Sec. 22-164. - Dimensional requirements.

The following dimensional requirements shall apply within the C-2 shopping center district:

- (1) *Minimum lot area:* Three (3) acres.
- (2) *Minimum yard size:*
 - a. Front: Forty (40) feet.
 - b. Rear: Twenty (20) feet.
 - c. Side: Twenty (20) feet, each side.

(Code 1974, § 25-46; Ord. No. O2007-12, 9-6-07)

Sec. 22-165. - Reserved.

Editor's note— Ord. No. 02003-01, adopted March 6, 2003, repealed § 22-165, which pertained to offstreet parking and derived from Code 1974, § 25-47.

Sec. 22-166. - Plan—Required; contents.

- (a) A total plan shall be submitted with the application for rezoning to C-2 shopping center district status to the planning board for review.
- (b) The plan shall contain the necessary information relative to five-foot contours, ingress and egress, building locations, setback distances, drainage alignments, easements, parking lot areas, loading platforms, ownership information, intended uses, north arrow, and scale.

(Code 1974, § 25-48)

Sec. 22-167. - Same—Approval prerequisite to rezoning.

The total plan required by section 22-166 must be approved by the planning board before approval of a request for rezoning and before initial construction if the site is already in the C-2 shopping center district.

(Code 1974, § 25-49)

Sec. 22-168. - Common wall construction; separate uses.

- (a) Common wall construction shall be permitted in a C-2 shopping center district.
- (b) Separate uses, such as drive-in branch banks, will be permitted in a C-2 shopping center district, but only if incorporated as a part of the total development plan.

(Code 1974, § 25-50)

Sec. 22-169. - Reserved.

Editor's note— Ord. No. 02004-04, adopted March 4, 2004, repealed § 22-169, which pertained to driveways and derived from Code 1974, § 25-51.

Secs. 22-170—22-180. - Reserved.

DIVISION 8. - C-3 HIGHWAY COMMERCIAL DISTRICT

Sec. 22-181. - Principal permitted uses.

The following uses shall be permitted in a C-3 highway commercial district:

- (1) Animal hospitals/kennels;
- (2) Apothecaries;
- (3) Appliance sales and repair;
- (5) Auto car wash;
- (6) Auto parts (new);
- (7) Auto sales and service;

- (8) Bakeries;
- (9) Banks and credit unions;
- (10) Barbershops and beauty shops;
- (11) Boat sales;
- (12) Building supplies retail;
- (13) Building trades/services;
- (14) Bus station;
- (15) Churches;
- (16) Commercial and public parking lots and garages;
- (17) Convenience stores;
- (18) Dance schools and similar instruction;
- (19) Farm implement/heavy machinery sales and service;
- (20) Financial institutions;
- (21) Funeral homes;
- (22) Furniture showrooms;
- (23) Garden supplies;
- (24) Golf driving range;
- (25) Governmental building and uses;
- (26) Grocery stores
- (27) Hardware retail;
- (28) Hospitals/professional medical complex (emergency care);
- (29) Hotels, motels and associated conference facilities;
- (30) Indoor machinery sales
- (31) Laundromats and dry cleaners;
- (32) Miniature golf courses;
- (33) Mobile home sales;
- (34) Offices (general and professional);
- (35) Private meeting halls and fraternal organizations with an occupancy of less than fifty (50) people;
- (36) Public utilities with storage and service yards, blind fence;
- (37) Restaurants, both indoor and drive-ins;
- (38) Retail stores;
- (39) Taxicab stands;
- (40) Vending companies;
- (41) Outdoor advertising signs (billboards) allowed in C-3 zoning districts immediately adjacent to I-95.

(Code 1974, § 25-52; Ord. No. 1997.01, 1-2-97; Ord. No. 1999.01, 2-4-99; Ord. No. 02004-02, 3-4-04; Ord. No. 02008-05, 2-7-08; Ord. No. O2014-17, 12-9-2014)

Sec. 22-182. - Accessory uses.

The following regulations shall govern permitted accessory uses within the C-3 highway commercial district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.
- (3) Child care center for use of employees and not the general public.

(Code 1974, § 25-53; Ord. No. 02004-05, 3-4-04)

Sec. 22-183. - Dimensional requirements.

The following dimensional requirements shall apply within the C-3 highway commercial district:

- (1) *Minimum lot size:*
 - a. In town: Ten thousand (10,000) square feet.
 - b. In fringe: One-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet).
 - c. Depth: Seventy-five (75) feet.
 - d. Width: Seventy-five (75) feet.
- (2) *Minimum yard sizes:*
 - a. In town:
 1. Front: Twenty (20) feet from front property line.
 2. Rear: Ten (10) feet; buffer of blind fence must separate from residential district which abuts.
 3. Side: Ten (10) feet (each side); blind fence must separate C-3 highway commercial district from an abutting residential district.
 - b. In fringe:
 1. Front: Forty (40) feet from front property line.
 2. Rear: Twenty (20) feet; buffer of blind fence must separate C-3 highway commercial district from an abutting residential district.

(Code 1974, § 25-54; Ord. No. O2007-12, 9-6-07)

Sec. 22-184. - Special use permit for adult oriented business.

In any C-3 district, the zoning board of adjustment may grant a special use permit for an adult oriented business, provided the board finds that the evidence presented at the hearing establishes each of the following:

- (1) No such business shall be located within two thousand (2,000) feet of any other sexually oriented business, as measured in a straight line from property line to property line.
- (2) No such business shall be located within one thousand (1,000) feet of a church, public or private elementary school, child day care nursery, public park, residentially used or residentially zoned property, or any establishment with an on-premise ABC license, as measured on a straight line from property line to property line.
- (3) There shall be no more than one (1) adult oriented business on the same property or in the same building, structure, or portion thereof.
- (4) No other principal or accessory use may occupy the same building, structure, property or portion thereof of any adult oriented business.
- (5) Except for signs as permitted under article IV of this chapter, there shall be no other advertisements, displays, or other promotional materials visible to the public from pedestrian sidewalks, walkways, or vehicular use areas.
- (6) Each facility shall provide off-street parking in accordance with Article V, Off-Street Parking.
- (7) If such special use permit is granted, the permit is valid for two (2) years from the date of approval. Upon expiration of the permit, the sexually oriented business [shall be] in violation of the locational requirements until the applicant applies for and receives another permit. If the board of adjustment denies such permit, the applicant may not reapply for a permit until at least twelve (12) months have elapsed since the date of the board of adjustment's action for the same property or any part thereof.
- (8) That all other applicable provisions of the City Code of Ordinances will be observed.

(Ord. of 7-6-95, § 2)

Secs. 22-185—22-190. - Reserved.

DIVISION 9. - C-4 NEIGHBORHOOD BUSINESS DISTRICT

Sec. 22-191. - Principal permitted uses.

The following uses shall be permitted in the C-4 neighborhood business district:

- (1) Bakeries;
- (2) Barbershops and beauty shops;
- (3) Churches;
- (4) Governmental building and uses;
- (5) Hardware retail;
- (6) Private meeting halls and fraternal organizations;
- (7) Public utilities.

(Code 1974, § 25-55; Ord. No. 02008-05, 2-7-08)

Sec. 22-192. - Accessory uses.

The following regulations shall govern permitted accessory uses within the C-4 neighborhood business district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.

(Code 1974, § 25-56)

Sec. 22-193. - Dimensional requirements.

The following dimensional requirements shall apply within the C-4 neighborhood business district:

- (1) *Building size*: Not in excess of ten thousand (10,000) square feet of interior space on the minimum lot size.
- (2) *Minimum lot size*: Twenty thousand (20,000) square feet.
- (3) *Minimum yard sizes*:
 - a. Front: Twenty (20) feet.
 - b. Rear: Ten (10) feet.
 - c. Side: None, except a ten (10) foot side yard adjacent to a residential district. If a side yard is provided when none is required, that side yard shall be at least ten (10) feet wide. Common wall construction may be approved at the discretion of the planning board.
- (4) *Maximum height*: Thirty-five (35) feet.

(Code 1974, § 25-57)

Secs. 22-194—22-200. - Reserved.

DIVISION 10. - O & I OFFICE AND INSTITUTIONAL DISTRICT

Sec. 22-201. - Principal permitted uses.

The following uses shall be permitted within the, O & I office and institutional district:

- (1) Banks and credit unions;
- (2) Churches;
- (3) Governmental building and uses;
- (4) Medical offices and clinics;
- (5) Offices (general and professional);
- (6) Professional medical complex;
- (7) Public utilities.

(Code 1974, § 25-58; Ord. No. 1998.03, 11-5-98; Ord. No. 2000-01, 4-6-00; Ord. No. 0-1998.10, 12-3-98; Ord. No. 02004-02, 3-4-04; Ord. No. 02004-06, 5-6-04; Ord. No. 02008-05, 2-7-08; Ord. No. O2009-18, 12-8-09)

Sec. 22-202. - Accessory uses.

The following regulations shall govern permitted accessory uses within the, O & I office and institutional district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.
- (3) Child care center for use of employees and not the general public.

(Code 1974, § 25-59; Ord. No. 02004-05, 3-4-04; Ord. No. O2009-18, 12-8-09)

Sec. 22-203. - Dimensional requirements.

(a) The following dimensional requirements shall apply within the, O & I office and institutional district:

- (1) *Minimum lot size:* Seven thousand (7,000) square feet.
 - a. Depth: Fifty (50) feet.
 - b. Width: Fifty (50) feet.
- (2) *Minimum yard sizes:*
 - a. Front: Twenty (20) feet.
 - b. Rear: Ten (10) feet.
 - c. Side: Ten (10) feet, each side.
- (3) *Maximum building height:* Thirty-five (35) feet.

(b) Common wall construction may be approved at the discretion of the planning board.

(Code 1974, § 25-60; Ord. No. O2009-18, 12-8-09)

Secs. 22-204—22-210. - Reserved.

DIVISION 11. - I-10 RESTRICTED INDUSTRIAL DISTRICT

Sec. 22-211. - Principal permitted uses.

The following uses shall be permitted in the I-10 restricted industrial district:

- (1) Warehousing, completely within an enclosed building;
- (2) Freight terminal offices and warehouses;
- (3) Reserved;
- (4) Manufacture, assembly, or packaging of products of the following previously prepared materials: cloth, plastic, paper, leather, precious, and semiprecious metals and stones; wood products; and of any inorganic type; manufacturing area shall be less than fifteen thousand (15,000) square feet;
- (5) Reserved.
- (6) Experimental, film, or testing laboratories; building operation shall be less than fifteen thousand (15,000) square feet;

- (7) Manufacture or processing of food products and pharmaceuticals, exclusive of the production of fish or meat products, sauerkraut, vinegar or the like, and exclusive of the rendering or refining of fats and oils; manufacturing area shall be less than fifteen thousand (15,000) square feet;
- (8) Outside storage, provided that in the interest of safety to children and adjacent property, such storage shall be completely enclosed by a blind fence. Storage shall not be stacked or piled to a height which is greater than its distance to the nearest property line;
- (9) Sale or storage of garden supplies, landscape supplies; retail or wholesale;
- (10) Mini-storage; no storage in building setbacks. Outside storage shall consist of only motor vehicles, recreational vehicles, recreational trailers, heavy equipment; outside storage shall be completely enclosed by a blind fence;
- (11) Public utility uses and governmental uses;
- (12) Convenience store/gasoline service stations, provided that no inoperative automobiles shall be stored on the exterior except in conformity with the requirements for outside storage contained in subsection (8) of this section;
- (13) Wholesale offices and warehouse sales;
- (14) Building trades and services; shall conform to subsection (8) of this section;
- (15) Processing enterprises not otherwise prohibited in section 22-224; building operation shall be less than fifteen thousand (15,000) square feet.

(Code 1974, § 25-61; Ord. No. 2000-01, 4-6-00; Ord. No. 02004-09, 5-6-04; Ord. No. O2010-04, 4-13-10)

Sec. 22-212. - Accessory uses.

The following accessory uses shall be permitted in the I-10 restricted industrial district:

- (1) Reserved;
- (2) Automobile and truck parking and garages; provided that provisions for more than two (2) vehicles within one hundred (100) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence;
- (3) Office space, used in connection with a principal use;
- (4) Reserved;
- (5) Reserved;
- (6) Outside storage, provided that in the interest of safety to children and adjacent property, such storage shall be completely enclosed by a blind fence. Storage shall not be stacked or piled to a height which is greater than its distance to the nearest property line.

(Code 1974, § 25-62; Ord. No. 02004-05, 3-4-04; Ord. No. O2010-04, 4-13-10)

Sec. 22-213. - Minimum dimensional requirements.

The following minimum dimensional requirements shall apply within the I-10 restricted industrial district:

- (1) Depth of front yard: Twenty (20) feet;
- (2) Depth of rear yard: Twenty (20) feet, except where adjacent to a lot used for or to be used for dwelling purposes, in which case the minimum depth of rear yard shall be forty (40) feet;

- (3) Width of side yard: Ten (10) feet, except where adjacent to a lot used for or to be used for dwelling purposes, in which case the minimum width of side yard shall be twenty (20) feet;
- (4) Width of lot: Seventy (70) feet, (for newly created parcels);
- (5) Depth of lot: One hundred (100) feet, (for newly created parcels);
- (6) Area of lot: Ten thousand (10,000) square feet, (for newly created parcels).

(Code 1974, § 25-63; Ord. No. 1990-007, 2-20-90; Ord. No. O2010-04, 4-13-10)

Secs. 22-214—22-220. - Reserved.

DIVISION 12. - I-100 INDUSTRIAL DISTRICT

Sec. 22-221. - Principal permitted uses.

The following uses shall be permitted in the I-100 industrial district:

- (1) Horticultural uses;
- (2) Reserved;
- (3) Reserved;
- (4) Any use permitted in the I-10 district, subject to all the regulations of that district except dimensional restraints;
- (5) Freight terminal offices and warehouses;
- (6) Recreational facilities.

(Code 1974, § 25-64; Ord. No. 02004-02, 3-4-04; Ord. No. O2010-04, 4-13-10; Ord. No. O2014-04, 5-8-14)

Sec. 22-222. - Accessory uses.

The following accessory uses shall be permitted in the I-100 industrial district:

- (1) Reserved;
- (2) Automobile and truck parking and garages, provided that provisions for more than two (2) vehicles within one hundred (100) feet of a lot used for or to be used for single-family dwelling purposes shall be screened from such lot by a blind fence;
- (3) Office space, used in connection with a principal use;
- (4) Employee facilities including employees' cafeterias, child care facility, or recreational facilities for use of employees or visitors and not the general public;
- (5) Reserved;
- (6) Outside storage, provided that in the interest of safety to children and adjacent property, such storage shall be completely enclosed by a blind fence. Storage shall not be stacked or piled to a height which is greater than its distance to the nearest property line.

(Code 1974, § 25-65; Ord. No. 02004-05, 3-4-04; Ord. No. O2010-04, 4-13-10)

Sec. 22-223. - Reserved.

Editor's note— Ord. No. 02004-01, adopted March 4, 2004, repealed § 22-223, which pertained to conditional uses [I-100 district] and derived from Code 1974, § 25-66.

Sec. 22-224. - Prohibited uses.

No building or land shall be used and no building shall be hereafter erected or structurally altered for the purpose of conducting any of the uses listed in this section within any of the various districts as established by this chapter, unless plans for the abatement of noise, odor, smoke, ignitable corrosivity, toxicity, or other nuisance or menace to the public welfare which may be created by such activity are submitted to the city council after recommendation from the planning board. These plans shall include a statement of the level of noise, odor, smoke, or other emissions which is to be emitted from such installation, using a recognized standard of measurement. If the city council finds after public hearing as required for amendments to this chapter that the use will not be detrimental to the public health, safety, and welfare, they may issue a conditional use permit to allow the use in the I-100 industrial district. If at any time any of the following uses exceeds the level of emission as stated in the application for a conditional use permit, the use shall be discontinued until such time as the stated level is reached:

- (1) Abattoirs;
- (2) Acetylene gas manufacture and/or storage;
- (3) Acid manufacture;
- (4) Airports and landing fields for fixed wing aircraft;
- (5) Ammonia, bleaching powder or chlorine manufacture;
- (6) Asphalt manufacture or refining;
- (7) Brick, tile or terracotta manufacture;
- (8) Cellophane manufacture;
- (9) Cement, lime, plaster manufacture;
- (10) Creosote manufacturing or treatment plants;
- (11) Distillation of bones, coal, petroleum, refuse grain, tar, and wood;
- (12) Explosives, ammunition, fireworks, gunpowder manufacture;
- (13) Fat rendering or storage (greater than two thousand (2,000) gallons, or the production of fats and oils from animal or vegetable products by boiling or distillations);
- (14) Fertilizer manufacture;
- (15) Forging plants;
- (16) Garbage, offal, and animal reductions, or processing;
- (17) Glue and size manufacture;
- (18) Linseed oil, shellac, turpentine, manufacture or refining;
- (19) Oilcloth or linoleum manufacture;
- (20) Ore reduction;
- (21) Racing of vehicles;
- (22) Rubber manufacture;
- (23) Tanning, cutting, curing, cleaning or storing of green hides or skins;
- (24) Disposal of hazardous waste as defined by G.S. 130-166.16(4). In addition to the findings required to be made by the city council before a conditional use permit may be issued for this

particular use, the permittee shall satisfy the city council that it has met all of the conditions of G.S. chs. 130A and 130B concerning the management of hazardous wastes and any other applicable federal, state and local laws.

(Ord. No. O2010-04, 4-13-10)

Sec. 22-225. - Dimensional requirements.

The following dimensional requirements shall apply within the I-100 industrial district:

(1) *Minimum requirements.*

- a. Depth of front yard: Fifty (50) feet.
- b. Depth of rear yard: Fifty (50) feet, except where adjacent to a lot used for or to be used for dwelling purposes, in which case the minimum depth of rear yard shall be one hundred (100) feet.
- c. Width of side yard: Thirty (30) feet, except where adjacent to a lot used for or to be used for dwelling purposes, in which case the minimum width of side yard shall be fifty (50) feet.
- d. Width of lot: Three hundred (300) feet (for newly created parcels).
- e. Depth of lot: Three hundred (300) feet (for newly created parcels).
- f. Area of lot: One hundred thousand (100,000) square feet (for newly created parcels).
- g. Reserved.
- h. Hazardous waste, low-level radioactive waste and medical waste. To promote public safety, no hazardous waste facility, low-level radioactive waste facility nor medical waste facility shall be located within one-half-mile of any existing residential dwelling. No hazardous waste, low-level radioactive waste or medical waste facility shall locate within one thousand (1,000) feet of any stream, branch, creek or river; within any water shed containing an impoundment reservoir supplying water for human consumption or use; within the one-hundred-year floodplain. Any hazardous waste, low-level radioactive waste or medical waste facility shall have all federal and state regulatory permits approved prior to consideration by the city of an application for a building permit or zoning permit.

(2) *Maximum requirements.*

- a. Height of principal structure: One-half ($\frac{1}{2}$) times the horizontal distance between the building and the nearest lot line adjacent to a lot used for or to be used for single-family dwelling purposes, or fifty (50) feet, whichever is least.
- b. Height of accessory structure: Thirty (30) feet.
- c. Lot coverage by building: Fifty (50) percent of total lot area.

(Code 1974, § 25-67; Ord. No. 1990-007, 2-20-90; Ord. No. O2010-04, 4-13-10)

Secs. 22-226—22-230. - Reserved.