

ARTICLE 5.

ZONING DISTRICTS

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Section 5.1 Purpose Statement

In accordance with the requirement of NCGS 160D, Article 7 that zoning regulation be by districts, the City, as shown on the Zoning Map, is hereby divided into the following districts which shall be governed by all of the uniform use and dimensional requirements of this Ordinance.

The purposes of establishing the following zoning districts are:

- (A) To implement adopted plans;
- (B) To promote public health, safety, and general welfare;
- (C) To provide for orderly growth and development;
- (D) To provide for the efficient use of resources;
- (E) To facilitate the adequate provision of services.
- (F) To establish and protect industrial areas.
- (G) To establish standards for industrial development.

Section 5.2 Interpretation

- (A) No use is permitted in any zoning district unless it is listed as a permitted use ("P") or special use ("SUP") in Section 5.5. Permitted and special uses may also be listed as subject to supplemental development standards ("S") established in Article 6. The development review process for permitted and special uses is established in Article 9.
- (B) Uses not specifically listed in Section 5.5 shall be interpreted pursuant to Section 1.10.

Section 5.3 Primary Zoning Districts

For the purposes of this Ordinance, the City of Boiling Spring Lakes, North Carolina is hereby divided into the following primary zoning districts:

- (A) R-1 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and primarily located in close proximity to City lakes and the golf course.
- (B) R-2 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and is located primarily on the periphery of the R-1 zoning district and just west of NC 87.
- (C) R-3 Single-Family Residential District: This zoning district is intended for detached single-family dwellings.
- (D) R-3A Single-Family Residential District: This zoning district is intended for detached single-family dwellings and doublewide manufactured housing, with a minimum living area per dwelling unit for manufactured housing of 1,000 square feet.

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- (E) R-4 Single-Family/Duplex Residential District: This zoning district is intended for detached single-family and two-family dwellings (duplex).
- (F) R-5 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and manufactured housing. The minimum living area for manufactured housing is 750 square feet.
- (G) R-6 Rural Residential District: This zoning district is intended for large lots and rural land uses. The minimum lot size is five (5) acres and the district accommodates single-family and single/double-wide manufactured homes. Agricultural uses may be permitted as a principal use in accordance with Section 5.5 Table of Permitted/Conditional Uses. The minimum living area per dwelling unit for manufactured housing is 750 square feet.
- (H) PRD Planned Residential Development District: This floating zoning district allows for a single development operation or a definitely programmed series of development operations according to an approved Master Development Plan. All PRDs require an amendment to the City's Official Zoning Map, Master Development Plan approval, followed by the Major Subdivision approval process as specified in this Ordinance. The minimum amount of land (unified control to be planned and developed as a whole) required for a PRD district shall be at least ten (10) contiguous acres and shall include the creation of at least five (5) new lots. Single-family, two-family, and multi-family residential housing types are permitted. The minimum living area per dwelling unit is 750 square feet (minimum square footage requirement does not apply to any structures subject to regulation under the North Carolina Residential Code for one and two-family dwellings).
- (I) C-1 Commercial Mixed Use District: This zoning district is intended for retail, office, and multi-family residential uses. The preferred land use mix is primarily commercial/retail and office with multi-family residential uses and vertical and horizontal mixed use development. The minimum living area per dwelling unit is 750 square feet.
- (J) C-1A Commercial/Service District: This zoning district is intended for commercial/retail/office/trades and associated crafts in accordance with Section 5.5 Table of Permitted/Conditional Uses. This district also allows for Mixed Use, in accordance with Section 5.5 Table of Permitted/Conditional Uses.
- (K) C-C City Center District: This zoning district allows for a concentration of commercial, service, institutional, and residential uses that will serve both residents of Boiling Spring Lakes and the county. The zoning district allows for a mix of high intensity, pedestrian-oriented uses, compatibly designed, and arranged around development nodes on each side of NC 87. The zoning district is intended to promote social activity and the cultural value of the City Center. Commercial, retail, and a vertical mixture of uses are permitted. The minimum living area per dwelling unit is 750 square feet.
- (L) I-1 Light Industrial District: This zoning district allows for light industrial operations and heavy commercial uses such as building material suppliers, auto repair, auto sales, and other establishments with extensive outdoor storage or those that will have an impact on neighboring properties. Residential uses are not permitted within this zoning district.

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| <p style="text-align: center;">ARTICLE 5.</p> <p style="text-align: center;">ZONING DISTRICTS</p> |
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- (M) CON Conservation District: This zoning district contains state-owned conservation lands, flood hazard areas, and significant concentrations of wetlands. Limited uses with minimal impact are permitted in this zoning district. Residential uses are not permitted within this zoning district.
- (N) REC Recreation District: This zoning district is intended to allow for recreation uses and supporting services in accordance with Section 5.5 Table of Permitted/Conditional Uses. Residential uses are not permitted within this zoning district.

For a detailed table of specified permitted/special uses in the above listed zoning district, see Section 5.5.

Section 5.4 Overlay Districts

Reserved for future use.

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Section 5.5 Table of Permitted/Conditional Uses

| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|--|-----|-----|-----|------|-----|-----|-----|-----|------|------|------|------|-----|-----|--------------------------|
| Single-family dwelling | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | | Section 6.8 |
| Two-family dwelling (duplex) | | | | | PS | | | PS | | | | | | | Section 6.8 |
| Manufactured home - single wide | | | | | | PS | PS | | | | | | | | Section 6.7 |
| Manufactured home - double wide | | | | PS | | PS | PS | | | | | | | | Section 6.7 |
| Multi-family residential, including townhouses | | | | | | | | PS | SUPS | | SUPS | | | | Section 6.40 |
| Non-Residential Uses | | | | | | | | | | | | | | | |
| Accessory dwelling Unit | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | | Section 6.3 |
| Accessory buildings | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | Section 6.2 |
| Accounting agencies | | | | | | | | | P | P | P | | | | |
| Adult businesses | | | | | | | | | | | | SUPS | | | Section 6.11 |
| Adult care home | | | | | | | | | P | | | | | | |
| Advertising agencies | | | | | | | | | P | P | P | P | | | |
| Alcoholic beverages, retail | | | | | | | | | P | | P | | | | |
| Agriculture | | | | | | | P | | | | | | P | | |
| Animal Shelter | | | | | | | P | | | | | P | | | Section 6.12 |
| Antique shop | | | | | | | | | P | P | P | | | | |
| Arboretums & botanical gardens | | | | | | | | | | | | | P | | |
| Arcades | | | | | | | | | P | P | P | | | | |
| Archery range, indoor/outdoor | | | | | | | | | PS | PS | | PS | | | Section 6.9 |
| Art galleries | | | | | | | | | P | P | P | P | | | |
| Assisted Living Residence | | | | | | | | | SUP | | SUP | | | | |
| Attorneys | | | | | | | | | P | P | P | P | | | |

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|---------------|--|--|--|--|--|--|--|--|----|----|----|----|--|--|--------------|
| Auction House | | | | | | | | | PS | PS | PS | PS | | | Section 6.13 |
|---------------|--|--|--|--|--|--|--|--|----|----|----|----|--|--|--------------|

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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|---|-----|-----|-----|------|-----|-----|-----|-----|------|------|-----|------|-----|-----|--------------------------|
| Audio & video production services | | | | | | | | | P | P | | P | | | |
| Automobile dealerships, new & used | | | | | | | | | PS | PS | | PS | | | Section 6.14 |
| Automobile lubrication shop | | | | | | | | | SUPS | PS | | PS | | | Section 6.15 |
| Automobile/motorcycle repair shop | | | | | | | | | PS | PS | | PS | | | Section 6.16 |
| Automobile parts and supply | | | | | | | | | P | P | | P | | | |
| Bakery (retail) | | | | | | | | | P | P | P | P | | | |
| Banks | | | | | | | | | PS | | PS | | | | Section 6.17 |
| Bank teller machines (ATM), attached | | | | | | | | | P | | P | | | | Section 6.17 |
| Bank teller machines (ATM), freestanding | | | | | | | | | P | P | P | P | | | |
| Barber & beauty shops | | | | | | | | | P | P | P | P | | | |
| Bed & breakfasts | | | | | | | | | PS | PS | PS | | | | Section 6.18 |
| Boat ramp (motorized and un-motorized) | | | | | | | | | | | P | | | SUP | Section 6.19 |
| Boat sales, repairs | | | | | | | | | PS | PS | | PS | | | Section 6.20 |
| Bodywork therapy (see massage therapist) | | | | | | | | | P | P | P | P | | | |
| Book & periodical store | | | | | | | | | P | P | P | P | | | |
| Bowling alley or skating rink | | | | | | | | | P | | | | | | |
| Bulk hazardous/flammable material storage | | | | | | | | | | | | SUPS | | | Section 6.21 |
| Car wash | | | | | | | | | PS | | | | | | Section 6.22 |
| Cemeteries and mausoleums | | | | | | | | | PS | | | | | | Section 6.23 |
| Crematory | | | | | | | | | | | | SUP | | | |
| Chiropractic | | | | | | | | | P | P | P | | | | |
| Religious Institutions | | | | | | | | | PS | | PS | | | | Section 6.45 |
| Club | | | | | | | | | SUP | | SUP | SUP | | | |
| Computer sales & repair | | | | | | | | | P | P | P | P | | | |
| Community center | | | | | | | | | P | | P | | | | |

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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|--|-----|-----|-----|------|-----|-----|-----|-----|-----|------|-----|------|-----|-----|--------------------------|
| Community garden | SUP | SUP | SUP | SUP | SUP | SUP | P | SUP | | | | | | | |
| Continuing care facility | | | | | | | | | SUP | | | SUP | | | |
| Contractors offices | | | | | | | | | P | P | | P | | | |
| Crafts & hobby shops (toy & games) | | | | | | | | | P | P | P | P | | | |
| Dancing & bingo | | | | | | | | | P | | P | | | | |
| Daycare, Adult and children's | | | | | | | | | PS | | | | | | Section 6.10 |
| Deli | | | | | | | | | P | | P | P | | | |
| Dinner theaters | | | | | | | | | P | | P | | | | |
| Docks/piers/bulkheads/waterside structures | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | | PS | PS | Section 7.7 |
| Dog grooming | | | | | | | | | P | P | P | P | | | |
| Drug stores | | | | | | | | | P | | P | | | | |
| Dry cleaning & laundromats | | | | | | | | | P | | | P | | | |
| Electrical equipment sales & repair | | | | | | | | | P | P | P | P | | | |
| Electronic Game Operations | | | | | | | | | | | | SUPS | | | Section 6.24 |
| Electrical repair or contractor | | | | | | | | | P | P | | P | | | |
| Engine repair (small, including motorcycle) | | | | | | | | | P | P | | P | | | |
| Engineering/surveying/architectural services | | | | | | | | | P | P | P | P | | | |
| Exercise & physical fitness centers | | | | | | | | | P | | P | P | | | |
| Exterminating service | | | | | | | | | P | P | | P | | | |
| Farm Building | | | | | | | P | | | | | | | | |
| Farm & garden supply | | | | | | | | | P | P | | P | | | |
| Farmers market | | | | | | | | | P | | P | | | | |
| Financial services | | | | | | | | | P | P | P | P | | | |
| Fire stations | SUP | SUP | SUP | SUP | SUP | SUP | SUP | P | P | P | | P | | | |
| Firing Range | | | | | | | | | | SUPS | | PS | | | Section 6.25 |
| Flea market, indoor | | | | | | | | | P | P | | | | | |

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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|--|------|------|-----|------|-----|-----|-----|-----|------|------|------|-----|-----|-----|--------------------------|
| Flea market, outdoor | | | | | | | | | P | P | | | | | |
| Flower shops | | | | | | | | | P | | P | P | | | |
| Food stores | | | | | | | | | P | | P | P | | | |
| Funeral home | | | | | | | | | SUPS | | | | | | |
| Furniture retail | | | | | | | | | P | | P | | | | |
| Gas station & convenience stores | | | | | | | | | SUPS | | | | | | Section 6.26 |
| General contractors | | | | | | | | | P | P | | P | | | |
| Gifts & souvenirs | | | | | | | | | P | | P | P | | | |
| Golf course, club house/pro shop/driving range, golf course restaurant, bar, banquet, catering & meeting | SUPS | SUPS | | | | | | PS | | | | | | PS | Section 6.27 |
| Golf courses (including driving ranges) | SUPS | SUPS | | | | | | PS | P | | | | | PS | Section 6.27 |
| Governmental offices and buildings | P | P | | | | | P | | P | | P | | P | P | Section 6.28 |
| Greenhouse and plant nursery (retail) | | | | | | | | | P | P | | P | P | | |
| Grocery Store | | | | | | | | | P | P | P | P | | | |
| Gunsmith, including repair | | | | | | | | | P | P | | | | | |
| Handicapped/aged/infirm services | | | | | | | | | P | P | P | | | | |
| Hardware | | | | | | | | | P | P | | P | | | |
| Heating and air condition installation and repair | | | | | | | | | P | P | | P | | | |
| Heavy Equipment Sales and Rental | | | | | | | | | | | | P | | | |
| Home appliance repair) | | | | | | | | | P | P | | | | | |
| Home appliance dealers | | | | | | | | | P | P | P | P | | | |
| Home building supply (retail-contractor) | | | | | | | | | P | | | | | | |
| Home occupation | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | | Section 6.29 |
| Hospital | | | | | | | | | SUPS | | SUPS | | | | Section 6.30 |
| Hotels & motels | | | | | | | | | SUPS | | SUPS | | | | |

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| Ice cream stand or store | | | | | | | | | P | P | P | | | | |
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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|---|-----|-----|-----|------|-----|-----|-----|-----|-----|------|-----|------|-----|-----|--------------------------|
| Indoor theaters or auditoriums | | | | | | | | | P | | P | | | | |
| In-home adult/daycare center | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | | Section 6.31 |
| Insurance office | | | | | | | | | P | P | P | P | | | |
| Interior decorating service | | | | | | | | | P | P | P | P | | | |
| Jewelry | | | | | | | | | P | P | P | P | | | |
| Junkyard/salvage yard | | | | | | | | | | | | SUPS | | | Section 6.32 |
| Kindergarten/nursery schools | | | | | | | PS | PS | PS | | | | | | Section 6.34 |
| Landscaping service | | | | | | | | | P | P | | P | | | |
| Laundry Service (excludes Dry Cleaning & Commercial Laundry Facilities) | | | | | | | | | | P | | | | | |
| Leather goods | | | | | | | | | PS | PS | PS | PS | | | Section 6.35 |
| Library | | | | | | | | | P | | P | | | | |
| (renamed "Alcoholic beverages") | | | | | | | | | | | | | | | |
| Locksmith | | | | | | | | | P | P | P | P | | | |
| Manufacturing, artisan | | | | | | | | | P | P | | P | | | |
| Manufacturing, general | | | | | | | | | | | | P | | | |
| Manufacturing, intensive | | | | | | | | | | | | P | | | |
| Manufacturing, limited | | | | | | | | | P | P | | P | | | |
| Marketing Promotion Display | PS | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | Section 6.58 |
| Massage therapist (licensed per GS 90-623) | | | | | | | | | P | P | P | P | | | |
| Meat butcher | | | | | | | | | P | P | P | P | | | |
| Medical & dental offices/clinics | | | | | | | | | PS | PS | PS | | | | Section 6.36 |
| Medical & dental offices/clinics (greater than 10,000 sf) | | | | | | | | | PS | PS | | | | | Section 6.36 |
| Medical support offices (testing labs) | | | | | | | | | P | | P | P | | | |
| Metal working | | | | | | | | | P | P | | P | | | |

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| Microbrewery/micro-distillery | | | | | | | | | PS | PS | PS | PS | | | Section 6.37 |
| Mini storage units (indoor) | | | | | | | | | | | | PS | | | Section 6.38 |

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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|---|-----|-----|-----|------|-----|-----|-----|-----|------|------|-----|-----|-----|-----|--------------------------|
| Miniature golf | | | | | | | | | P | | | | | P | |
| Mixed Use | | | | | | | | | PS | PS | PS | | | | Section 6.39 |
| Mobile Food Truck | PS | PS | PS | PS | PS | PS | PS | | PS | | PS | | | PS | Section 6.56 |
| Multi-unit Housing with Services | | | | | | | | | SUPS | | | SUP | | | |
| Museum | | | | | | | | | P | | | | | | |
| Music studio | | | | | | | | | P | P | P | P | | | |
| Musical instrument and service | | | | | | | | | P | P | P | P | | | |
| Novelty shops | | | | | | | | | P | P | P | P | | | |
| Nursing homes | | | | | | | | | PS | | PS | | | | Section 6.41 |
| Office complex | | | | | | | | | P | P | P | P | | | |
| Office, general | | | | | | | | | P | P | P | P | | | |
| Opticians | | | | | | | | | P | P | P | P | | | |
| Outdoor display | | | | | | | | | PS | PS | PS | PS | | PS | Section 6.6 |
| Commercial Outdoor Storage – Accessory (includes open Storage) | | | | | | | | | PS | PS | | PS | | PS | Section 6.4 |
| Commercial Outdoor Storage – Principal (includes open storage) | | | | | | | | | | PS | | P | | PS | Section 6.5 |
| Paint/glass/wallpaper | | | | | | | | | P | P | P | P | | | |
| Pawn | | | | | | | | | P | P | | P | | | |
| Photography studios | | | | | | | | | P | P | P | P | | | |
| Picture framing | | | | | | | | | P | P | P | P | | | |
| Plumbing repair contractor | | | | | | | | | P | P | | P | | | |
| Pool hall | | | | | | | | | P | P | P | | | | |
| Postal shipping & receiving | | | | | | | | | P | P | P | P | | | |
| Pottery products | | | | | | | | | P | P | P | P | | | |
| Print shop (quick copy, cards, letterheads, etc.) | | | | | | | | | P | P | P | P | | | |

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| Private clubs or lodges (operated for the members and not for profit) | | | | | | | | | P | P | P | | | P | |
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| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplemental Regulations |
|---|-----|-----|-----|------|-----|-----|-----|-----|------|------|-----|------|-----|-----|--------------------------|
| Produce stand | | | | | | | | | P | | | | | | |
| Propane/Acetylene Wholesale/ Retail or Distribution | | | | | | | | | | | | P | | | |
| Psychological services | | | | | | | | | P | P | P | P | | | |
| Public & private schools, colleges, and universities | | | | | | | | PS | SUPS | | | | | | Section 6.42 |
| Public parks and recreation areas | P | P | P | P | P | P | P | P | P | P | P | | P | P | |
| Public utility, excluding sewer trtmt. facility | P | P | P | P | P | P | P | P | P | P | P | P | SUP | | |
| Radio/TV station | | | | | | | | | P | P | P | | | | |
| Real estate office/appraisal | | | | | | | | | P | P | P | P | | | |
| Recreational Vehicle Campground | | | | | | | | | PS | | | | | | Section 6.43 |
| Recycling center | | | | | | | | | | | | SUPS | | | Section 6.44 |
| Recycling center (municipal) | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | Section 6.44 |
| Rental equipment (excluding Heavy Equipment Sales & Rental) | | | | | | | | | P | P | | P | | | |
| Research and development business | | | | | | | | | SUPS | | | PS | | | Section 6.46 |
| Residential domestic and farm animals | | | | | | | PS | | | | | | | | Section 6.33 |
| Restaurants (drive through/in) | | | | | | | | | PS | | | | | | Section 6.47 |
| Restaurants (eat in, no drive through) | | | | | | | | | P | | P | | | | |
| Retail complex – mini unit center/mini mall | | | | | | | | | P | P | P | | | | |
| Retail trade | | | | | | | | | P | P | P | | | | |
| Satellite dish antennas | PS | PS | PS | PS | PS | PS | PS | PS | P | P | | P | | P | Section 6.48 |
| Seafood markets | | | | | | | | | P | P | P | | | | |
| Self-service ice vending machines | | | | | | | | | PS | | | | | | Section 6.49 |
| Sewer treatment facilities | | | | | | | | | | | | SUP | | | |
| Shoe store or repair | | | | | | | | | P | P | P | p | | | |

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| Solar farms | | | | | | | | | | | | SUPS | | | Section 6.50 |
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ARTICLE 5. ZONING DISTRICTS

| Uses | R-1 | R-2 | R-3 | R-3A | R-4 | R-5 | R-6 | PRD | C-1 | C-1A | C-C | I-1 | CON | REC | Supplement al |
|--|------|------|------|------|------|------|------|-----|------|------|------|------|-----|------|---------------|
| Spas & health clubs | | | | | | | | | P | P | P | | | | |
| Specialty training schools (driving, modeling, flying, photography, etc.) | | | | | | | | | P | P | | | | | |
| Sporting goods and services | | | | | | | | | P | P | P | P | | | |
| Stationary | | | | | | | | | P | P | P | P | | | |
| Storage units/containers | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | | | Section 6.2 |
| Substations/pump/telephonestations | SUPS | SUPS | SUPS | SUPS | SUPS | SUPS | SUPS | PS | P | P | SUPS | P | | | Section 6.51 |
| Swimming pool (accessory) | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | | | PS | Section 6.52 |
| Swimming pool | | | | | | | | | SUPS | | SUPS | | | SUPS | Section 6.52 |
| Tailor/dressmaker/seamstress | | | | | | | | | P | P | P | P | | | |
| Taverns | | | | | | | | | P | P | P | | | | |
| Tattoo and body piercing | | | | | | | | | SUP | P | | SUP | | | |
| Temporary construction buildings | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | | Section 6.2 |
| Temporary housing unit | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | | Section 6.57 |
| Tobacco shop | | | | | | | | | P | P | | | | | |
| Travel agencies | | | | | | | | | P | P | P | P | | | |
| Upholstery – furniture repair | | | | | | | | | P | P | P | P | | | |
| Veterinarian – animal clinics (excluding kennels) | | | | | | | | | P | P | P | P | | | |
| Warehouses – wholesale use (enclosed) | | | | | | | | | P | P | | P | | | |
| Wireless Telecommunication Facility or Complex, Freestanding and Substantial Modifications | | | | | | | SUPS | | SUPS | | | SUPS | | | Section 6.53 |
| Wireless Telecommunication Facility, Collocation or Collocated Small/Micro Wireless Facility | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | Section 6.54 |
| Woodworking (retail) | | | | | | | | | P | P | | P | | | |
| Youth center | | | | | | | | | PS | PS | | PS | | PS | Section 6.55 |

ARTICLE 5. ZONING DISTRICTS

Section 5.6 Dimensional Requirements

Section 5.6.1 Required Yards and Building Setback Exceptions

- (A) The minimum yards, setbacks, or other open spaces required by this Ordinance for each and every building shall not be encroached upon by a building or considered as meeting the yard and open space requirements of any other building. Required yards and setback distances shall be measured from the property line or street right-of-way line to the nearest portion of any building or structure foundation/footprint, excluding:
- (1) For side yard the outermost four feet of any eave, gutter, canopy, or similar fixture.
 - (2) A deck or patio if no portion of the same extends more than 2 inches above grade, not to extend within five (5) feet of any lot line.
 - (3) Any structure that is a mere appendage to a building, such as a flagpole or fountain.
 - (4) Fences.

Section 5.6.2. Through Lots (Double Frontage) and Corner Lots

- (A) In the case of "through lots" (also referred to as "double frontage lots"), the lot shall be considered to have two front lot lines on each street frontage.
- (B) For corner lots, the side having the shortest street frontage is considered the front for setback purposes. The UDO Administrator may waive this requirement and determine the front yard to be on the street front that is in line with the prevailing pattern of front yards on the street in order to be consistent with the established pattern of the street.

Section 5.6.3 Height Limit Exemptions

Except as may otherwise be prohibited by the FAA regulations, the height limitations of this Ordinance shall not apply to public buildings, church spires, belfries, cupolas, and domes not intended for residential purposes, or to monuments, water towers, observation towers, power transmission towers, telecommunication towers, silos, grain elevators, chimneys, smokestacks, derricks, conveyors, flag poles, radio, masts, aerials, and similar structures, provided the structures meet the required State Building Code.

Section 5.6.4 Lot Coverage

- (A) In determining the percentage of building coverage permitted on a lot, the ground floor area of the dwelling, roofed porches, carports, garages, accessory buildings, and all impervious surfaces shall be included.
- (B) Not more than 30% of total lot area may be covered by impervious surfaces. This percentage may be exceeded with a solution prepared and sealed by a North Carolina Professional Engineer that meets the intent of the Stormwater Ordinance and is approved by the UDO Administrator.

ARTICLE 5. ZONING DISTRICTS

Section 5.7 Table of Area, Setback, Living Area, and Height Requirements

NOTE: Street yard and buffer requirements outlined in Section 7.31 and 7.34 may require more restrictive setbacks than those provided below.

| Zoning District | Minimum Lot Area (SF) [1] | Minimum Lot Width (feet) [1] | Minimum Front Setback (feet) [2] | Minimum Side Setback (feet) | Minimum Rear Setback (feet) | Minimum Living Area per Dwelling (SF) | Maximum Building Height (feet) |
|--------------------------------------|---------------------------|------------------------------|----------------------------------|-----------------------------|-----------------------------|---------------------------------------|--------------------------------|
| R-1 Single-Family Residential | 15,300 | 90 | 40 | 10 | 25 | N/A | 40 |
| R-2 Single-Family Residential | 15,300 | 90 | 40 | 10 | 25 | N/A | 40 |
| R-3 Single-Family Residential | 15,300 | 90 | 40 | 10 | 25 | N/A | 40 |
| R-3A Single-Family Residential | 15,300 | 90 | 40 | 10 | 25 | 1,000[3] | 40 |
| R-4 Single-Family/Duplex Residential | 15,300 | 90 | 40 | 10 | 25 | N/A | 40 |
| R-5 Single-Family Residential | 15,300 | 90 | 40 | 10 | 25 | 750[3] | 40 |
| R-5 Manufactured Home (MH) | 15,300 | 90 | 40 | 10 | 25 | 750[3] | 40 |
| R-6 Rural Residential | 5 acres | N/A | 50 | 10 | 50 | 750[3] | 40 |
| PRD Planned Residential District | N/A | N/A | N/A | N/A | N/A | 750[3] | 40 |
| CON Conservation | 5 acres | 90 | 50 | 10 | 50 | 1,000[3] | 40 |
| C-1 Commercial Mixed Use | 10,000 | 60 | 50 | 10 | 10 | 750[3] | 48 |
| C-1A Commercial/Service | 10,000 | 60 | 50 | 10 | 10 | 750[3] | 48 |
| C-C City Center | 10,000 | 60 | 15 | 10 | 10 | 750[3] | 48 |
| I-1 Light Industrial | 20,000 | 90 | 50 | 25 | 50 | N/A | 48 |
| REC Recreation | 10,000 | 60 | 50 | 10 | 10 | N/A | 48 |

[1] Lots that do not meet the minimum lot area or width are subject to the provisions outlined in Section 12.2. [2]

Lots that front on NC 87 shall have a 75-foot minimum front setback.

[3] Minimum living area per dwelling (sf) does not apply to any structure subject to regulation under the NC Residential Code for one and two-family dwellings

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