

TABLE OF PERMITTED USES  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
ACCESSORY BUILDINGS	P	P	P	P	P	P	C*	P	P*	C*					
ACCESSORY USES incidental to the permitted or conditional principal use and which will not create a nuisance or hazard (see Note 1)	P	P	P	P	P	P	P		P	P	P	P	P	P	P
ACCOUNTING OFFICE											P	P			
ADOPTIVE HOME	P	P	P	P	P		P		P						
ADULT AND SEXUALLY ORIENTED BUSINESS (see Note 2)															
ADULT CARE HOME	C														
ADULT DAY CARE CENTERS	C	C													
AGRICULTURAL WAREHOUSES												C	P	P	
AGRICULTURE, including the processing and sale of products produced on the premises	P	P											P	P	
AIR CONDITIONING AND VENTILATING SHOPS												P		P	
AIRFIELDS	C												C		
AMBULANCE SERVICES												C	P	P	
ANIMAL AND POULTRY PROCESSING PLANTS														C	
ANTIQUE AUCTION CENTERS WITH PERMANENT INDOOR WAREHOUSING												P			
ANTIQUE SHOPS											P	P			
APPLIANCE MANUFACTURING														P	
APPLIANCE STORES											P	P			
ARCHITECTURAL AND SURVEYING OFFICES											P	P			
ARMORIES												P	P		
ART AND CRAFTS SUPPLIES											P	P			
ART DEALERS											P	P			
ART GALLERIES									P	P	P	P			
ASSEMBLY HALLS, CONCERT HALLS, AND SIMILAR PLACES OF ASSEMBLY, provided that all activities are conducted within an enclosed building											C	P			

\* No more than one accessory building per principal structure is allowed.

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
ASSISTED LIVING RESIDENCE		C													
AUTOMOBILE PARTS AND SUPPLIES											P	P			
AUTOMOBILE RENTAL AND SALES, RETAIL AND WHOLESALE (See Note 3)											C	P			
AUTOMOBILE REPAIR, MAJOR (see Note 21)**												C	P	P	
AUTOMOBILE REPAIR, MINOR(see Note 22)**											C	P	P	P	
AUTOMOBILE STORAGE AND SALVAGE													C		
AUTOMOBILE WASHING AND DETAILING, no gas sales or other car services											C	P			
BAKERIES, INDUSTRIAL, including discount retail sales												P	P	P	
BANKS (with drive-thru within 100 feet of a street intersection)									C	C	C	C			
BANKS AND CREDIT UNION (without drive-thru within 100 feet of a street intersection)									P	P	P	P			
BANQUET/RECEPTION/MEETING HALL FACILITY (see Note 17)*	C														
BARBER AND BEAUTY SHOPS									P	P	P	P			
BED AND BREAKFAST FACILITIES	C									C	P	P			
BILLBOARDS (OFF-PREMISE ADVERTISING)														C	
BINGO PARLORS (see Note 29)***												C	C		
BOARDING HOUSES							C			C					
BOAT BUILDING AND WHOLESALE SALES												C	P	C	
BONA FIDE FARMS	P	P													P
BOOK STORES											P	P			
BOTTLING PLANTS													P	P	
BROKERAGE OFFICES										P	P	P			
BUILDING CONTRACTORS' OFFICES, SHOPS, & YARDS													P	P	
BUILDING SUPPLIES AND STORAGE												P	C		
BULK STORAGE OF FLAMMABLE LIQUIDS												P	C	P	
BUS STATION												P			
BUSINESS, FINANCIAL, GOVERNMENTAL, POLITICAL, PROF., AND PUBLIC UTILITY OFFICES & AGENCIES									P	P	P	P			

\*Amended 6/9/08 (Ord. No. 07-08-35) \*\*Amended 2/8/10 (Ord. No. 09-10-17) \*\*\*Amended 9/9/13 (Ord. No. 13-14-04)

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
CABINET MAKER SHOPS AND PLANTS												P	P	P	
CAFETERIAS											P	P			
CAMPGROUNDS	C	C										P			C
CANDY STORES											P	P			
CARTAGE AND EXPRESS FACILITIES												C	P		
CEMENT AND CONCRETE MIXING PLANTS														C	
CEMETERIES	C	C							C	C		P			C
CHILD DAY CARE CENTERS & KINDERGARTENS (see Note 20)*	C	C		C	C				C	C		C			
CHILDREN'S CAMP	C	C													C
CHURCHES	C	C	C	C	C				C	C		P			
CIRCUSES, CARNIVALS, AND FAIRS	C											C			
CLOCK REPAIR SHOPS											P	P			
CLOTHING MANUFACTURING												P	P		
CLOTHING STORES											P	P			
CLUBS AND LODGES, PRIVATE	C								C	P	P	P			
CLUBS AND TAVERNS											C	C			
CLUBS AND LODGES, CIVIC AND FRATERNAL	C								C	P	P	P			
COLD STORAGE AND FREEZING PLANTS													C	P	
COLLEGES	C								C	C	C	C			
COMMERCIAL PRODUCTION OF SWINE, POULTRY, OR LIVESTOCK	C	C													
COMMUNICATIONS, BROADCASTING, AND TELECOMMUNICATION TOWERS; RADIO, TELEVISION, AND RADAR (see Note 4)												C	C	C	
COMMUNITY BUILDINGS									P	P	P	P			
COMPUTER SALES AND SERVICE											P	P			
CONCRETE PRODUCTS AND RELATED/ALLIED FACILITIES													P		
CONTRACTOR TRADES, including but not limited to carpentry, electrical, heating, and plumbing												P			
CONVENIENCE STORES, with drive-thru or gasoline pumps within 100 feet of a street intersection											C	C	P		

\*Amended 10/27/08 (Ord. No. 08-09-15)

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
CONVENIENCE STORES, except drive-thru or gasoline pumps further than 100 feet of a street intersection											P	P	C		
CONVENIENCE STORES WITHOUT GAS PUMPS												P	P	C	
COPYING AND PRINTING SERVICES											P	P			
CRAFT STORES											P	P			
CREMATORIUMS****											C	C			
DAIRIES, COMMERCIAL	C												P	P	
DENTAL, MEDICAL, AND OTHER RESEARCH LABORATORIES													P		
DEPARTMENT STORES											P	P			
DRESS-MAKING AND CLOTHING DESIGN SHOPS											P	P			
DRIVE-IN THEATERS												C			
DRUG STORES											P	P			
DRY CLEANING AND LAUNDRY PLANTS											C	C	C		
DRY CLEANING PICK-UP STATIONS									P		P	P			
DWELLINGS, MULTI-FAMILY (see Note 14)							P		P	P					
DWELLINGS, SINGLE-FAMILY***	P	P	P	P	P	P		P	P	P					
DWELLINGS, TWO-FAMILY/DUPLEX (no more than one accessory building per principal structure shall be allowed)*		P					P		P						
EARTH MOVING CONTRACTOR AND HEAVY EQUIPMENT STORAGE														C	
EDUCATIONAL INSTITUTIONS	C	C	C	C	C				C	C	C	P			
ELECTRICAL COMPONENTS MANUFACTURING													P	P	
ELECTRICAL REPAIR SHOPS											P	P			
ELECTRONIC GAMING OPERATION (See Note 23)**													C		
ENGINEERING OFFICES											P	P			
EXTRACTION OPERATIONS														C	
FABRIC STORES											P	P			
FAMILY CARE HOMES (see Note 5)	P	P	P	P	P	P	P		P						
FAMILY FOSTER HOME	C		C	C	C		C		C						
FARM EQUIPMENT DEALERS												P	P	P	

\*Amended 9/10/07 (Ord. No. 07-08-09) \*\*Amended 4/12/10 (Ord. No. 09-10-22) \*\*\* Amended 11/14/2011 (Ord. No. 11-12-06) \*\*\*\*Amended 3/12/12 (Ord. No. 11-12-10)

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
FARM SUPPLY STORES											P	P			
FARMERS AND PRODUCE MARKETS	C										C	P	P		
FARMING, TRUCK GARDENING, PLANT NURSERIES, GREENHOUSES, INCLUDING SALES	P	P											P		
FEED AND SEED STORES												P	P		
FEED, FERTILIZER, AND FLOUR MILLS													C	C	
FISH HATCHERIES														C	
FLEA MARKETS/VENDOR MARKETS												P	P		
FLOOR COVERING STORES											P	P			
FLORAL AND GIFT SHOPS											P	P			
FOOD PROCESSING PLANT, EXCEPT ANIMAL AND POULTRY													C	P	
FORESTRY	P	P													
FOUNDRIES														P	
FUNERAL HOMES										P		P			
FURNITURE STORES											P	P			
GAME ROOMS, POOL AND BILLIARD PARLORS											C	C			
GARMENT MANUFACTURING PLANTS													P	P	
GOLF COURSES AND CLUBS	C	C							C						C
GROCERY STORES											P	P			
GROUP CARE FACILITY (see Note 5)	C								C						
GUN REPAIR SHOPS											P	P			
HARDWARE STORES											P	P			
HEALTH CLUBS; EXERCISE CENTERS; GYMS									P	P	P	P			
HOMELESS SHELTER (see Note 16)*	C											C			
HOME OCCUPATIONS (see Note 6)	P	P	P	P	P				P	P					
HOSPITALS	C	C								P		P			
HOTELS/MOTELS/INNS											P	P	P		
ICE CREAM PARLORS											P	P			
ICE PLANTS														P	
INCINERATORS													C		

\*Amended 8-26-06 (Ord. No. 06-07-10)

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
INDOOR RECREATIONAL FACILITY such as a Bowling Alley, Skating Rink, and Paint Ball course											C	P			
INDUSTRIAL PARKS													C	C	
IN HOME DAYCARE FACILITY (see Note 24)*	CU	CU	CU	CU	CU				CU						
INSURANCE OFFICES											P	P			
INTENSIVE LIVESTOCK OPERATIONS (see Note 7)															
INTERIOR DECORATING SERVICES											P	P			
JAIL/PRISON													C	C	
JEWELRY STORES											P	P			
JUNK, WRECKING, AND SALVAGE YARDS, including automobiles, furniture, machinery, & tires (see Note 8)														C	
KENNELS	C	C													
LANDFILLS														C	
LAUNDROMATS (SELF-SERVICE)									P		P	P			
LAW OFFICES										P	P	P			
LIBRARIES									P	C	P	P			
LIVESTOCK SALES, if setback no less than 150 feet from any lot line and no less than 1,000 feet from any resid. district														C	
LOCKSMITH SHOPS											P	P			
LUMBER AND PULPWOOD OPERATIONS														C	
MAGAZINE AND STATIONARY SHOPS											P	P			
MAIL ORDER HOUSES													C	C	
MANUFACTURED HOME, CLASS A, no more than one per lot and only as the prin. bldg. (see Notes 9 & 10)	C	P						P							
MANUFACTURED HOME, CLASS B, no more than one per lot and only as the prin. bldg. (see Notes 9 & 10)								P							
MANUFACTURED HOME PARK (see Article 7 & Note 11)		C						P							
MANUFACTURED HOME SALES												P	P		
MANUFACTURED OFFICES (see Note 10)													P		

\*Amended 8/23/10 (Ord. No. 10-11-04)

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
MARKETING, PROCESSING, AND GRADING OF FARM PRODUCE, TOBACCO WAREHOUSES, PEANUT BUYING STATIONS														P	
MEDICAL AND DENTAL OFFICES										P	P	P			
MINI-WAREHOUSES, SELF-SERVICE												C	C		
MODULAR HOMES (see Note 12)	P	P	P	P	P		P	P	P	P					
MONUMENT WORKS AND SALES												P	P	P	
MOVING AND STORAGE COMPANIES												P	P	P	
MULTI- AND SINGLE-FAMILY RESIDENTIAL (See Note 13)											P	P			
MULTI-UNIT ASSISTED HOUSING WITH SERVICES	C									C					
MUSEUMS										P	P	P			
NATURE PRESERVES															P
NEWSPAPER PRODUCTION											P	P	P		
NURSERIES AND PLANT CULTIVATION AND SALES, GREENHOUSES	C	C										P	P		
NURSING HOMES, CONVALESCENT HOMES	C	C							C	P		P			
PAINT STORES											C	P			
PARKING LOTS/FACILITIES									P	P	P	P	P	P	
PERMANENT, NON-SEASONAL SAWMILLS														P	
PERSONAL CARE SERVICES										P	P	P			
PET AND HOBBY SHOPS											P	P			
PHARMACEUTICAL RESEARCH AND PRODUCTION FACILITIES													P	P	
PHOTOGRAPHIC STUDIO										P	P	P			
PLANNED BUSINESS DEVELOPMENT												C			
PLANNED INDUSTRIAL DEVELOPMENT													C	C	
PLASTICS MANUFACTURING													P	P	
PRINTING AND BINDING ESTABLISHMENTS											P	P	P		
PUBLIC BUILDINGS	C	C	C	C	C		C		C	C	P	P	P	P	
PUBLIC UTILITIES OFFICE											P	P			
RACE TRACKS												C			
RADIO AND TELEVISION STUDIOS											P	P			

TABLE OF PERMITTED USES (continued)  
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PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
RADIO REPAIR SHOP											P	P			
RAILROAD FREIGHT STATIONS													P		
REAL ESTATE OFFICES										P	P	P			
RECREATIONAL FACILITY, PUBLIC, including parks, playgrounds, ball fields, recreation centers, swimming pools, tennis courts, and accompanying clubhouses.	P	P	P	P	P		P		P	P	P	P			C
RECREATIONAL FACILITY, PRIVATE, including parks, playgrounds, ball fields, recreation centers, swimming pools, tennis courts, and accompanying club houses															
RESIDENTIAL CHILD-CARE FACILITY	C														
RESTAURANTS									C		P	P	C		
RETAIL ESTABLISHMENTS									P		P	P			
ROADSIDE STAND FOR SALE OF PRODUCE RAISED ON THE SAME TRACT	P	P													
SALES, WHOLESALE WITH NO OUTSIDE STORAGE												P	P		
SANITATION COMPANIES													C	C	
SHEET METAL FABRICATION AND SALES													C		
SHOE REPAIR SHOPS											P	P			
SHOOTING AND ARCHERY RANGES	C														
SHOPPING CENTERS									C		C	C			
SIGN SHOPS											P				
SOLAR FARM FACILITY (see Note 27)**	C	C											C	C	
SOUP KITCHEN (see Note 15)*	C			C	C										
SPORTING GOODS STORES											P	P			
STABLES	C	C													C
STORAGE FACILITIES FOR HOUSEHOLD GOODS, BUSINESS GOODS, AND RECORDS, when provided for within an enclosed building												P			
TAILORING SHOPS											P	P			
TATTOO PARLORS (see Note 28)***											C	C			
TAXIDERMISTRY STUDIOS (see Note 30)****											C				
TAXI STANDS											P	P			

\*Amended 8/28/06 (Ord. No. 06-07-10) \*\*Amended 2/11/13 (Ord. No. 12-13-20) \*\*\*Amended 4/18/13 (Ord. No. 12-13-24)\*\*\*\*Amended 4/14/14 (Ord. No. 13-14-20)



TABLE OF PERMITTED USES (continued)  
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PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
TELECOMMUNICATION TOWERS												C	C	C	
TELEVISION, RADIO, AND/OR MICROWAVE TOWERS AND RELATED OFFICE BUILDINGS													P		
TELEVISION REPAIR SHOP											P	P			
TEMPORARY BUILDINGS (see Note 10)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
TEMPORARY STORAGE ASSOCIATED WITH BUSINESS START-UP (up to 120 days)											P				
TEMPORARY STORAGE ASSOCIATED WITH BUSINESS START-UP (greater than 120 days)											C				
TEMPORARY STORAGE UNITS (see Note 25)**	P	P	P	P	P	P	P		P	P		P			
TEXTILES AND HOSIERY MILLS													C	P	
THEATERS, INDOOR									P		P	P			
THERAPEUTIC FOSTER HOME	C									C					
TIRE RECAPPING AND RE-TREADING												P	C		
TOBACCO PROCESSING													P	P	
TOBACCO PRODUCTS MANUFACTURING													P	P	
TOBACCO SHOP											P	P			
TOWNHOUSE FOR INDIVIDUAL OWNERSHIP					C***		P			P					
TOY STORES											P	P			
TRUCK SERVICE CENTER													C		
TRUCK STOPS AND TERMINALS												P	P	P	
UPHOLSTERY SHOPS											P	P	P		
VARIETY STORES											P	P			
VETERINARY HOSPITALS OR CLINICS AND RELATED KENNELS, provided that all activities are conducted within an enclosed building											P	P	P		
WAREHOUSES, INCLUDING MINI-WAREHOUSES												C	P	P	
WASTEWATER TREATMENT PLANT														C	C
WATCH REPAIR SHOP											P	P			
WATER TANKS (see Note 18)*	C												C	C	
WATER TREATMENT PLANTS														C	C

\*Amended 4/10/06 (Ord. No. 05-06-41) \*\*Amended 3/12/12 (Ord. No. 11-12-09) \*\*\*Amended 4/10/14 (Ord. No. 13-14-18)

TABLE OF PERMITTED USES (continued)  
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PERMITTED USES	RA-20	RA-20A	R-12	R-10	R-8	R-6SF	MF	MH	PUD	O/I	B-1	B-2	LI	HI	CON
WHOLESALE SHOWROOM AND SALES FACILITIES, BUT NOT WAREHOUSING											P	P			
WHOLESALE SHOWROOM AND SALES FACILITIES, INCLUDING WAREHOUSING												P			
WASTEWATER PUMP STATION, WATER &/OR WASTEWATER METERING STATIONS & WATER WELL (see Note 19)**	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
WELDING, BLACKSMITH, AND MACHINE SHOPS*													P	P	
WHOLESALE STORAGE, SALES AND STORAGE SERVICES													P		
YARD SALES (only four (4) one-day yard sales in any 365-day period of time will be permitted)	P	P	P	P	P										

\*Amended 06/25/07 (Ord. No. 06-07-49) \*\*Amended 12/11/06 (Ord. No. 06-07-28)

**Section 4-11: Notes to the Table of Permitted Uses**

*Note 1. Accessory Uses.*

(A) In the B-1 district, no storage or service of goods will be permitted outside of buildings that can be viewed from the street except outside display and sale of goods will be permitted in front of businesses but a four foot wide area of sidewalk must be kept clear of any object or vegetation to allow pedestrian movement.

(B) *Swimming Pools.* All public, commercial, or private outdoor swimming pools of three (3) feet or more in depth, either above ground or below ground, and of either permanent or temporary construction shall meet the following requirements in addition to setbacks and other requirements specified elsewhere:

(1) That the setback for an above ground swimming pool from any lot line equals the required setback for accessory structures in the district in which it is located plus one (1) foot for each foot over five (5) of pool height.

(2) That a fence be erected to a minimum height of four (4) feet to completely enclose all sides of the pool not bounded by a building. A gate of equal height shall be installed and securely fastened when the pool is not in use.

(3) That all mechanical equipment be located a minimum of five (5) feet from any property line.

(4) Swimming pools are not permitted in a front yard.

(C) *Fences and Walls.* Decorative fences and walls not over five (5) feet high may project into or may enclose any front yard, except on corner lots where the maximum allowed height is four (4) feet. Decorative or boundary fences or walls enclosing rear or side yards may be six (6) feet high. A fence or wall may be erected in the side and rear yard to a maximum height of ten (10) feet in nonresidential districts. All fences and walls must be constructed within the lot line. Fences shall be five (5) feet from all property lines which are adjacent to street right-of-ways. Razor wire and concertina wire is prohibited on all fences except in the HI district.

(D) Grazing areas or maintenance of buildings which provide for the feeding, confining, maintaining, or stabling of cattle, horses, sheep, goats, turkeys, chickens, swine, non-domestic animals or any combination thereof shall be prohibited within the following districts: R-12, R-10, R-8, MF, MH, PUD, O/I, B-1, B-2 and LI.

(E) *Satellite Dish Antennas.*

(1) *General Requirements.*

- (a) A zoning certificate of compliance is required when installing, moving, or substantially constructing or reconstructing a dish antenna over four (4) feet in diameter.
- (b) A dish antenna must be installed in compliance with the manufacturer's specifications at a minimum.
- (c) In all residential districts, dish antennas must be permanently installed on the ground and shall not exceed eight (8) feet in diameter.
- (d) In business and industrial districts, dish antennas may either be installed on the ground or on the roof of the building. If installed on the roof, the dish shall not be larger than twelve (12) feet in diameter; shall not project higher than ten (10) feet above the maximum building height of the zoning district or more than one third (1/3) the actual building height above the roof, whichever is less; shall be set back from the front and sides of the building at least eighteen (18) feet; and shall not be used for any advertising purposes. A dish antenna may be installed on the top of another part of the building which is lower than the roof, such as a balcony or parking deck, only if such location is at the rear or side of the building and all other requirements are met.
- (e) A dish antenna may be attached to an accessory building which is permanently secured to the ground, but may not be attached to the principal building except as provided for in (d) above.
- (f) If a dish antenna is repainted, the only permissible colors are the original color used by the manufacturer, off-white, pastel beige, grey, or pastel grey-green. The paint must have a dull (non-glossy) finish and no patterns, lettering, or numerals shall be permitted on either side of the dish surface.
- (g) No dish antenna shall be installed in any public right-of-way or in any drainage or utility easement.

(2) *Location in Yards.*

- (a) A dish antenna shall be installed in the rear yard only, in all districts except as provided for in (1) (d) above and in (2) (b) below.
- (b) In business and industrial districts only, a dealer selling dish antennas may have a maximum of one (1) such antenna installed in the front or side yard for display purposes providing all other requirements are met. If a dealer displays a dish antenna in front or side yard, his permissible sign area shall be reduced by one half (½).

(3) *Setback Requirements.*

- (a) The minimum required setback for dish antennas, from the side lot line, shall be the same as for the principal building except on corner lots, on the side abutting the street; the minimum required setback shall be the same as the required front yard setback along that street.
- (b) The minimum required setback for dish antennas from the rear lot line shall be ten (10) feet or the same as accessory buildings, whichever is greater.
- (c) In districts where there are no side or rear yard requirements, a minimum setback of ten (10) feet from the side and rear lot lines shall be required of dish antennas.
- (d) In all cases, no dish antenna shall be located within fifteen (15) feet of any street right-of-way.

(4) *Maximum Height Requirements.*

- (a) In all residential districts, the maximum height of dish antennas shall be fifteen (15) feet or the height of the principal building, whichever is less.
- (b) In commercial and industrial districts, the maximum height of dish antennas installed on the ground shall be twenty (20) feet.

(5) *Buffering Requirements.*

- (a) In all residential districts, dish antennas shall be surrounded on all sides with any one or combination of evergreen vegetation, topography, landscaped earth berm, or architectural features such as fences or buildings so that view of one-half ( $\frac{1}{2}$ ) of the dish area is restricted from all public streets and six (6) feet above ground level of abutting residential property. If evergreen vegetation is used, a species and size may be planted which can be expected to buffer the required area within two (2) years of normal growth. Any buffer vegetation which dies must be replaced.
- (b) In business and industrial districts, dish antennas must be screened from view from abutting residential property and residential streets. The buffer requirements as to materials and height shall be the same as in (5) (a) above.

*Note 2. Adult and Sexually Oriented Businesses.* Adult and sexually oriented businesses are prohibited within Ayden's zoning jurisdiction and include: adult arcades, adult bookstores, adult cabarets, adult motion picture theaters, adult theaters, massage parlors, sexual encounter establishments, sexually oriented businesses, and specified sexual activities.

*Note 3. Automobile Rental and Sales, Retail and Wholesale.* All such facilities shall have a separate office meeting all code requirements. The lot shall have a capacity of at least six vehicles. Lots with a capacity of 10 or more vehicles shall be paved and landscaped in conformance with the provisions of Article 8 of the Zoning Ordinance of the Town of Ayden. Ingress, egress, and interior circulation for vehicles shall conform to the requirements of the Town of Ayden, North Carolina Department of Transportation, and North Carolina Division of Motor Vehicles. Owners and operators shall have all required licenses and permits. All displayed vehicles shall be clean and capable of operation on the street as originally intended. Any vehicle not capable of operation on the street as originally intended shall be subject to classification as a junked vehicle.

*Note 4. Communications, Broadcasting, and Telecommunication Towers.* Must have setbacks from all property lines of at least one (1) foot for every foot of structure height.

*Note 5. Family Care Homes/Group Care Facility.* As allowed by NCGS 168-22, a family care home/group care facility may not be located within a one-half mile radius of an existing family care home or group care facility.

*Note 6. Home Occupations.* A home occupation as defined in this Ordinance and permitted in certain residential districts shall be governed by the following requirements:

- (A) Customary home occupations such as dressmaking, cooking and baking, hair dressing, music instruction, and the practice of such professions as insurance and accounting shall be a permitted use within the dwelling unit. The Planning Board shall decide whether other occupations not listed above are within the spirit of this category of uses.
- (B) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area or five hundred (500) square feet, whichever is less, of the dwelling unit shall be used in the conduct of the home occupation.
- (C) There shall be no changes in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, except one non-illuminated sign not exceeding four (4) square feet in size.
- (D) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for

parking generated by the conduct of such home occupation shall be met off the street, but not in any required front yard.

- (E) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot in which the home occupation is located. No equipment or process shall be used which creates visual or audible interference with radio or television receivers off the premises, or which causes fluctuations in line voltage off the premises.
- (F) No more than one (1) person not a resident of said dwelling is employed in connection with the home occupation.

*Note 7. Intensive Livestock Operations.* Intensive livestock operations are not permitted within Ayden's planning jurisdiction.

*Note 8. Junk, Wrecking, and Salvage Yards.* Provided:

- (A) All buffering and enclosure requirements are met as specified in Article 10;
- (B) Entire operation shall be kept free of pests such as rodents and mosquitoes;
- (C) No burning or smelting shall be allowed;
- (D) The operation of the junk yard will not be detrimental to adjacent land uses; and
- (E) All junk, wrecking, and salvage yards are in compliance with the Town of Ayden Fire Code.

*Note 9. Manufactured Home Requirements.* All manufactured homes, whether used for residential or business purposes, shall meet the following requirements:

- (A) The supports of all manufactured homes shall rest upon footings which meet the North Carolina Regulations for Mobile Homes.
- (B) Each manufactured home stand and space shall be graded to provide adequate storm drainage away from the manufactured home.
- (C) The following utility standards shall apply. All installations (other than those within the manufactured home itself) of plumbing and electrical wiring and all gas and oil appliances shall comply with the provisions of the building, plumbing, electrical, heating, and gas regulations of the state, county, and Town.
- (D) Every manufactured home shall be tied down to ground anchors. Ground anchors and tie downs shall be installed in accordance with the North Carolina Regulations for Mobile Homes.

- (E) Each manufactured home shall be installed with a permanent masonry foundation when located on an individual lot. Manufactured homes located within a manufactured home park shall use skirting made of a material compatible with the siding of the manufactured home.
- (F) Empty LP gas containers and other materials not approved by the Fire Department shall not be stored under manufactured homes.

*Note 10. Temporary Uses.* For any of the following temporary uses, a zoning certificate of compliance must be obtained.

(A) *Manufactured Offices.* Manufactured offices may be used on a temporary basis for such purposes as construction offices, blood mobiles, book mobiles, and traveling museums. However, such uses must obtain a temporary occupancy permit from the Administrator if the use is to last more than forty-eight (48) hours at one site. Manufactured offices may also be used for other office or business purposes in cases where the permanent structure has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must be obtained before the use of the manufactured office is initiated. This occupancy permit shall be valid for a specified period of time while reconstruction takes place not to exceed six (6) months and may be renewed no more than once.

(B) *Manufactured Homes.* Temporary use of a manufactured home as a residence shall be permitted in any residential district in cases where the permanent home has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must be obtained from the Administrator before use of the manufactured home is initiated. This occupancy permit shall be valid for a specified period of time not to exceed six (6) months while reconstruction takes place and may be renewed no more than once.

(C) *Temporary Buildings.* Temporary buildings may be used for nonresidential purposes, such as construction offices and storage structures, if a temporary occupancy permit is obtained from the Administrator. This permit shall be valid for a specified period of time.

*Note 11. Manufactured Home Parks.* If the owner of a manufactured home community (which consists of at least five manufactured homes) intends to convert the land to another use, the landowner must give each owner of each manufactured home notice of the intended conversion at least 180 days before the home owner is required to vacate and move, regardless of the term of tenancy.

*Note 12. Modular Homes.* The following construction and design standards apply to modular homes manufactured after January 1, 2004:



- (A) The pitch of the roof for homes with a single predominant roofline shall be no less than five (5) feet rise for every twelve (12) feet of run.
- (B) The eave projections of the roof shall not be less than ten (10) inches (excluding roof gutters) unless the roof pitch is 8/12 or greater.
- (C) The minimum height of the first story exterior wall must be at least 7 feet 6 inches.
- (D) The materials used in and the texture of the exterior must be compatible in composition, appearance, and durability to the materials commonly used in the exteriors of standard residential construction.
- (E) The modular home must be designed to require foundation supports around the perimeter. These may be in the form of piers, piers and curtain walls, piling foundations, perimeter walls, or another type of approved perimeter support.

*Note 13. Multi- and Single-Family Residential.* Subject to the following requirements:

- (A) Minimum non-ground level building floor area of eight hundred (800) square feet per residential unit.
- (B) All residential usage shall be on second floor or higher levels of buildings.
- (C) All ground floor space shall be developed for commercial, non-residential uses, as permitted in the B-1 district.
- (D) If a building permit is obtained for exterior renovation, no such renovation shall proceed until any plastic, aluminum, or other metal system covering the original exterior of the building is removed.
- (E) The building exterior shall be restored to its original appearance as closely as reasonably possible.
- (F) Previous exterior alterations which have, in the opinion of the Town of Ayden Zoning Administrator, become a part of the historical record of the building, may be retained as if part of the original exterior.
- (G) Existing door or window openings shall not be closed, nor shall unique architectural features such as cornices, mid-cornices, and window surrounds be removed, except to be replaced with elements of like design.
- (H) If metal canopies are retained, at least the visible edges must be covered with canvas; new canopies or awnings shall be made of canvas or other similar product approved by the Zoning Administrator.

Approval of plans and issuance of a building permit for work on any building in the B-1 district listed as a "Contributing Building" in the Town of Ayden Historic District as listed in the National Register of Historic Places shall be subject to the requirements set forth in (D), (E), (F), (G), and (H) above.

*Note 14. Residential Multiple Family Development.* Shall be in accordance with the following:

(A) *Multiple Family Dwelling Requirements*

- (1) The standards established in this section shall apply to new construction and conversions of all multi-family development.
- (2) Site plan review by the Planning Board and approval by the Town Board of Commissioners is required prior to the issuance of any permits and before any construction or site alteration is begun. If property is to be subdivided, the site plan drawn to scale shall include all information required by the Town of Ayden Subdivision Regulations, in addition to the following information:
  - (a) Existing and proposed lot lines, streets, parking lots, utility easements and drainage facilities.
  - (b) Existing and proposed building locations.
  - (c) Existing and proposed open spaces, setbacks, and accessory uses.
  - (d) Any additional information that may be required by the Zoning Administrator in order to determine compliance with these and other applicable regulations and requirements.
  - (e) A computed schedule expressed in square feet showing the area of: the total site, the total floor area of all principal and accessory buildings, the total parking area as required by Article 8, the total open space, and the total area in landscaping and screening as required by Article 10.

(B) *Design and Site Considerations*

- (1) *Driveways.* Points of egress and ingress shall consist of a paved driveway or roadway with a minimum paved width of twenty-seven (27) feet and shall be located a sufficient distance from highway intersections to minimize traffic hazards, congestion, and inconvenience.

- (2) *Parking.* All parking lots and areas shall be paved, and all spaces and traffic lanes shall be marked clearly in conformity with industry standards. Off-street parking and loading shall be provided in accordance with Article 8.
- (3) *Traffic Circulation, Private and Public Streets.* Traffic circulation may be via streets or, where approved by the Board of Commissioners, private drives. Private drives may be considered where the drive(s) will handle only local traffic within the development. If private drives are proposed, the developer shall provide and file subdivision street disclosure statements to buyers in accordance with GS 136-1-2.6 and shall show evidence that a property owners association will be established to assume responsibility for maintenance of the private roads.  
All public streets shall be developed in conformance with Town of Ayden Subdivision Regulations. Private drives shall be designed and constructed, including paving, to Town of Ayden standards or equivalent and approved by the Town of Ayden consulting engineer. A registered civil engineer shall certify that all public and private drives have been designed and constructed to the design and engineering standards set forth herein.
- (4) *Landscaping.* Landscaping shall be in conformance with requirements set forth in Article 10, and the landscaping plan for the proposed project shall be incorporated in the site plan submitted in accordance with the requirements of this article and the Town of Ayden Subdivision Regulations.
- (5) *Utilities.* A registered civil engineer shall design all stormwater drainage, sanitary sewer, erosion control, water supply and other necessary utility plans in conformance with all applicable building and development codes and engineering principles and shall certify final construction of such to the Town of Ayden prior to final plat approval. All utility and street improvements shall be reviewed by the Town's consulting engineer prior to approval of the preliminary plat.
- (6) *Signs.* Two ground signs shall be permitted at each entrance to the development. The maximum size of the signs shall be sixteen (16) square feet per sign face. The maximum height shall be fifteen (15) feet. The signs shall be set back at least fifteen (15) feet from the street right-of-way. No other signs shall be allowed, except for directional, information, traffic, and other governmental or public service uses. Moving and flashing signs are prohibited. Line-of-site requirements will be those of the North Carolina Department of Transportation. The plan for signage shall be included in the preliminary site plan in conformance with preliminary site plan requirements and in conformance with any provisions of Article 9 which may be applicable.

(7) *Open Space.*

- (a) Thirty (30) percent of the net area shall be reserved for common and/or private open space.
- (b) Public and/or private streets, driveways, off-street parking area, principal and accessory structures shall not be used in calculating the open space requirement.
- (c) Recreation areas may be counted as open space provided impervious surfaces constitute no more than fifty (50) percent of such recreation area.
- (d) If any portion of the area proposed for a Multiple Family development lies within an area designated in an officially adopted greenway master plan as a greenway corridor, the area so designated shall be included as part of the area set aside to satisfy the open space requirements of this section. The area within such greenway corridor shall be dedicated and/or reserved for the public at the option of the Town.
- (e) Accessory structures will only be allowed for residential usage within single-family residential zones.

(C) *Recreation Area Requirement (Private)*

- (1) The recreation requirement shall not apply to developments that contain less than two (2) acres or are located within a one-half mile radius of a public recreation area.
- (2) Common recreation areas shall be provided at a ratio of one hundred (100) square feet per dwelling unit.

(D) *Garbage/Trash Container Pad Locations*

- (1) No container pad shall be located closer than twenty (20) feet to any dwelling structure.
- (2) Each container pad required to service the development shall be located within two hundred (200) feet of the dwelling units such container is intended to serve.
- (3) Container pads shall be enclosed on three sides by a solid screen consisting of a fence or foliage, or a combination of both.
- (4) Container pads shall conform to the requirements of the Town of Ayden.

(E) *Management and Maintenance.* All Multiple Family developments will be managed and maintained under unified control. Association or maintenance covenants will be prepared, properly recorded, and a copy shall be provided to the Town.

*Note 15. Soup Kitchen\*.* Shall be in accordance with the following:

- (A) Soup Kitchens may only be permitted as a Conditional Use in the R-8 and R-10 Districts when the use is clearly accessory to the primary use of the property as an active Church or similar Religious Institution whose members congregate regularly at the site.
- (B) The property on which the Soup Kitchen is located shall be at least two-acres (87,120 square feet) in area.
- (C) No Soup Kitchen shall be located closer than ½ mile from any existing or permitted Soup Kitchen.
- (D) On-site supervision shall be maintained during all hours of operation.
- (E) Meals may not be served prior to 7:00 a.m. or after 6:00 p.m.
- (F) The Soup Kitchen operator shall submit a written management plan including, as applicable, provisions for the following: staff training, neighborhood outreach, site security and safety, and transportation of clients. The written management plan shall also identify any additional services proposed to be provided.

*Note 16. Homeless Shelter\*.* Shall be in accordance with the following:

- (A) The property on which the Homeless Shelter is located shall be at least one-acre (43,560 square feet) in area.
- (B) No Homeless Shelter shall be located closer than ½ mile from any existing or permitted Homeless Shelter.
- (C) No Homeless Shelter shall be located on any property that is within one-hundred (100) feet of any residentially used property.
- (D) On-site supervision shall be maintained during all hours of operation.
- (E) For the purposes of noise abatement, organized outdoor activities may only be conducted between the hours of 8:00 a.m. and 8:00 p.m.
- (F) Homeless shelters shall provide for separation of families from individuals and special needs clients.
- (G) The homeless shelter provider shall submit a written management plan including, as applicable, provisions for the following: staff training, neighborhood outreach, site security and safety, transportation of clients, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and

treatment programs for residents. The written management plan shall also identify any additional services proposed to be provided.

*Note 17: Banquet / Reception / Meeting Hall Facility\* shall be in accordance with the following:*

- (A) Outdoor activities associated with the facility may be permitted by the Board of Commissioners if the area proposed for such activity is clearly identified on the Site Plan. The Board may require additional setbacks, buffering, and/or time limitations for such outdoor activities.
- (B) The property on which the facility is located shall be at least three-acres (130,680 square feet) in area.
- (C) The required front setback for the primary structure shall be two hundred (200) feet. The required front setback for any parking lot associated with the facility shall be one hundred (100) feet.

*Note 18: Water Tanks\*\* shall be in accordance with the following:*

- (A) The height and minimum lot area requirements prescribed by Article 5 shall not be applicable.
- (B) Water tanks shall be setback at least one-foot for every four-feet of structure height from all property lines, but in no instance shall the setback be less than prescribed by the applicable zoning district.
- (C) Water tanks may be placed on lots that have no frontage on a public street so long as they have appropriate access to a public street through a legally recorded access easement.
- (D) Water tanks shall be surrounded by a fence or wall at least six-feet in height and a combination of trees and shrubs shall be located outside the fence so as to screen two-thirds of the fence surface area upon maturity.

*Note 19: Waste Water Pump Station, Water and/or Wastewater Metering Station and Water Wells\*\*\* shall be in accordance with the following:*

- (A) The setbacks, minimum lot width and minimum lot area requirements prescribed by Article 5 shall not be applicable.
- (B) The creation of a lot for such a use shall be permitted as a Minor Subdivision.
- (C) The facilities may be placed on lots that have no frontage on a public street so long as they have appropriate access to a public street through a legally recorded access easement. Additionally, such lots may be created to serve these facilities.
- (D) The facilities shall be surrounded by a fence or wall at least six-feet in height and a combination of trees and shrubs shall be located outside the fence so as to screen two-thirds of the fence surface area upon maturity.

*Note 20: Child Day Care Centers\* shall be in accordance with the following:*

- (A) Child Day Care Centers may only be permitted as a Conditional Use in the R-8 and R-10 districts when the use is clearly accessory to the primary use of the property as an active Church or similar Religious Institution whose members congregate regularly at the site.
- (B) The property on which the Child Day Care Center is located shall be at least one-acre (43,560 square feet) in area. This minimum area requirement may be satisfied if the church owns two or more adjacent properties that form a campus that is greater than one-acre.
- (C) The site must have an improved parking lot that meets the minimum requirements of Article 9 of this Chapter. An existing improved parking lot associated with the church may be used to meet this requirement so long as there is no conflict in times of operation between the Child Care Center and other church activities utilizing the parking lot.
- (D) While any reasonable conditions may be stipulated as part of the proposed uses approval, the Planning Board and Board of Commissioners should specifically consider conditions related to the facility's proposed hours of operation and the proposed number of clients as dictated by the character and use of adjacent and nearby properties and the size of the facility (property and structure).

*Note 21: Automobile Repair; Major\*\* shall be in accordance with the following:*

- (A) All wrecked or damaged motor vehicles awaiting repair shall be stored at the rear or side of the principal structure and shall be screened so as not to be visible from adjoining property lines and street rights-of-way. Acceptable screening shall include a fence in accordance with Section 11-4, Note 2 (c), or existing vegetation on the property that provides a complete visual barrier to a height of at least six-feet.
- (B) No vehicle shall be stored on the premises for more than twenty (20) days.
- (C) There shall be no exterior storage of items other than vehicles.
- (D) All services shall be performed within a completely enclosed building

*Note 22: Automobile Repair; Minor\*\* shall be in accordance with the following:*

- (A) The on-site storage of wrecked or damaged vehicles shall not be permitted.
- (B) No vehicle shall be stored on the premises for more than seven (7) days.
- (C) All services shall be performed within a completely enclosed building.

*Note 23: Electronic Gaming Operations\*\*\* shall be in accordance with the following:*

- (A) An Electronic Gaming Operation shall not be permitted if located within one-half mile of an existing Electronic Gaming Operation.

- (B) An Electronic Gaming Operation shall not be permitted if located within 2,500 feet of an existing school or church.
- (C) The Hours of Operation of an Electronic Gaming Operation shall be limited to them operating from 8 am – 10 pm Monday through Saturday. They may not operate on Sundays.
- (D) Electronic Gaming Operations shall be limited to have no more than fifteen (15) computers / gaming terminals.
- (E) The use shall be conducted within a completely enclosed building and no outside congregation of customers is permitted for any purpose.

*Note 24: In-Home Daycare Facilities\* shall be in accordance with the following:*

- (A) In-Home Day Care Facilities shall obtain any required state permits and/or licenses and continuously operate within the parameters of the same.
- (B) Any related children proposed to be kept on the premises shall be documented by the applicant on the Conditional Use Application.
- (C) The Town's Code Enforcement Officer and/or other individual(s), as determined by the Town Manager, may enter the premises and inspect the facility, without prior notice, to ensure that it is being operated in accordance with the provisions herein and any other requirements of the approved Conditional Use Permit.
- (D) Clients shall use existing residential driveways for drop-off/pick-up. Any proposed expansion of an existing residential driveway shall be approved as part of the Conditional Use Permit.
- (E) No signage of any kind associated with the In-Home Day Care Facility shall be permitted.

*Note 25: Temporary Storage Containers\*\* shall be in accordance with the following:*

Temporary storage containers on single unit residential and duplex residential lots:

- (A) The property owner must secure a zoning compliance certificate for the location of a temporary storage unit for a period of sixty (60) days. The Zoning Administrator may approve an extension by issuing a Zoning Compliance Certificate up to ninety (90) days, upon determining all of the following:
  - (1) That the residential structure is damaged or dilapidated.
  - (2) That the residential structure will undergo renovation, repair, or reconstruction during the extension.
  - (3) That a building permit has been issued for the renovation, repair or reconstruction, if required, and remains valid during the extension.



- (4) That the temporary storage container will not be used to store nonresidential materials and equipment such as contractor's materials and equipment during the extension.
- (5) Temporary storage containers shall comply with the following setbacks:
- If a temporary storage container is placed in the required front yard, then the temporary storage container shall be located only in the area primarily used for vehicular ingress and egress and must have five (5) feet setback from the edge of the paved right-of-way.
  - If a temporary storage container is placed in the required rear or side yard, no setback shall be required except that no temporary storage container shall encroach upon adjacent property.
- (B) No more than two (2) temporary storage containers shall be located on a single lot or parcel of land. The total square footage of the unit(s) may not exceed 320 square feet.
- (C) No other type of container or shipping container shall be located on the same lot or parcel of land.
- (D) Temporary storage containers shall not be used to store or transport nonresidential materials and substances, including but not limited to the following: solid waste, hazardous materials, explosives and unlawful substances and materials.
- (E) If a Zoning Compliance Certificate is issued for temporary storage incident to an active building permit, the certificate for the storage unit may be extended to run with the approved Building Permit. Subsequent to the issuance of a Certificate of Occupancy, the unit must be removed within thirty (30) days.

Temporary storage containers on non-residential lots:

- (A) The property owner must secure a Zoning Compliance Certificate for the location of a temporary storage unit for a period of ninety (90) days. The Zoning Administrator may approve an extension by issuing a certificate up to one hundred twenty (120) days, upon determining all of the following:
- (1) That the non-residential structure is damaged or dilapidated.
  - (2) That the non-residential structure will undergo renovation, repair, or reconstruction during the extension.
  - (3) That a building permit has been issued for the renovation, repair or reconstruction, if required, and remains valid during the extension.
- (4) Temporary storage containers shall comply with the following setbacks:
- Temporary storage container must be placed either to the side or rear of the structure. The container must be located in a manner that will not impede traffic flow or encroach on adjoining properties.
  - Temporary storage containers may not compromise access to any loading zones, mandatory parking spaces, or off-street loading areas.
- (B) No more than two (2) temporary storage containers shall be located on a single lot or parcel of land. The total square footage of the unit(s) may not exceed 320 square feet. Non-residential property owners located within the B-2 zoning district may

request approval for an additional two (2) units resulting in a total of 640 square feet. In order to secure approval of additional units, non-residential property owners within the B-2 zoning district must exhibit that the location of the units will not impede traffic flow, disrupt ingress and egress from the site, or be located on parking spaces tied to the business operation. Additionally, justification for why the additional units are necessary must be provided prior to approval.

- (C) No other type of container or shipping container shall be located on the same lot or parcel of land.
- (D) Temporary storage containers shall not be used to store or transport materials and substances, including but not limited to the following: solid waste, hazardous materials, explosives and unlawful substances and materials.
- (E) If a permit is issued for temporary storage incident to an active building permit, the permit for the storage unit may be extended to run with the approved Building Permit. Subsequent to the issuance of a Certificate of Occupancy, the unit must be removed within thirty (30) days.

*Note 26: Temporary Uses Permitted\**

- (A) Purpose: It is the purpose of this section to recognize that there is a need for special allowances to be granted to allow certain temporary uses so that they may be permitted within the community. Because of the special problems related to temporary uses, it is also necessary to provide specific, separate, and distinct guidelines and standards for them. It is the express intent of these provisions to minimize any potential adverse impact of such temporary uses by eliminating, to the greatest possible extent, any major problems, threats, or dangers to the public health, safety, or welfare as may exist with any or all of these temporary uses.
- (B) Permits: A Temporary Use permit must be applied for and permitted before any temporary use may commence.
- (C) Exemptions: All Town of Ayden sponsored/affiliated events and functions approved by the Town Board of Commissioners shall be exempt from the terms of all temporary use regulations.
- (D) Allowable Temporary Uses: the following uses shall be allowed as temporary uses for the period specified below:
  - (1) Circuses and/or carnivals.  
Allowable Permit Period: 7 Days once per calendar year.
  - (2) Evangelistic and religious related congregation (including funeral services).  
Allowable Permit Period: 7 Days under each permit.
  - (3) Outdoor bazaars, cookouts, and/or similar activities by churches or other nonprofit institutions and organizations.  
Allowable Permit Period: 2 consecutive days under each permit.

- (4) Open lot sales area for Christmas trees or special fund raising sales or nonprofit organizations.  
Allowable Permit Period: 45 days.
- (5) Antique and classic auto and truck shows sponsored by nonprofit organizations. Food vendors and auto part vendors are permitted a part of the show.  
Allowable Permit Period: 2 days under each permit.
- (6) Outdoor weddings using tents.  
Allowable Permit Period: 3 days.
- (7) Antique sales/consignment events.  
Allowable Permit Period: 4 days per permit (only two permits allowed per calendar year).
- (8) Temporary relocation manufactured housing for displacement as a result of natural or man-made disasters or public sponsored redevelopment projects in a neighborhood or area.  
Allowable Permit Period: 18 months (extension may be requested through the Board of Commissioners).
- (9) Other temporary recreational or entertainment-related events or activities such as fairs or concerts.  
Allowable Permit Period: 3 Days (only two permits allowed per calendar year).
- (10) Temporary use of a recreational vehicle as a dwelling unit, to be utilized while renovating the primary structure on site. Use of the recreational vehicle unit as a residence may only be utilized in conjunction with an active building permit. Use of the unit shall cease upon issuance of a certificate of occupancy from the Pitt County Building Inspector. In order to utilize a recreational vehicle as a temporary residence, the unit must be tied into the town's central wastewater treatment system or septic system available on site.  
Allowable Permit Period: Permit will run with an active Building Permit issued through the Pitt County Inspections Department.

(E) Standards: The following guidelines shall apply to all temporary uses.

- (1) A letter of intent outlining the dates, location, use, duration of use, owner, operator, and other pertinent information shall be submitted along with the other requirements of this Ordinance to the Zoning Administrator prior to the issuance of a permit. Such letter, upon final acceptance, shall be the commitment to comply with the requirements contained herein and the conditions outlined therein by the responsible party of such use.
- (2) The Town Manager, Zoning Administrator, Police Chief, and Fire Chief shall inspect and approve the installation of all temporary uses prior to any use of the facility.
- (3) For circuses, carnivals, bazaars, evangelistic or religious congregations, open lot sales, fairs, or special entertainment events, and special sales, each permit applicant shall submit a parking and traffic plan which shall include the following:

- (a) Indication of area to be used by operators' vehicles and customers;
  - (b) Designation of entrances and exits, traffic flow, and parking areas;
  - (c) Total number of parking spaces available;
  - (d) Estimated number of customers or participants.
- (4) Where a tent or similar structure is to be used, the following requirements or documentation shall be met:
- (a) A limitation of the number of occupants in a structure shall be observed as per the NC Fire Code and Building Code.
  - (b) In conjunction with an occupancy limit, a seating plan, if seating is provided for an audience, must be also submitted and approved by the Fire Marshall.
  - (c) All tents and other temporary structures must be inspected and approved by the Fire Marshall and the Pitt County Building Inspector as deemed necessary.
- (5) Where temporary structures, tents, mobile offices, accessory uses, existing structures, or similar uses are required in connection with the temporary use, a sketch plan or layout generally drawn to scale shall be submitted and shall show the location or placement of the temporary uses, structures, and accessory uses in conjunction with adjacent streets, parking, attendant accessory uses, existing or proposed structures and traffic movement or flow pattern, and entrances and exits.
- (6) The following additional requirements shall apply:
- (a) *Fairs or Related Temporary Recreational or Entertainment Events.* Fairs or similar events which usually occur on an annual basis are only allowed in nonresidential districts and public parks.
  - (b) *Temporary Housing.* Recreational Vehicle; nonpermanent housing units for displacement as a result of a substantial renovation project in a neighborhood or other residentially zoned areas shall be allowed provided they meet the following requirements:
    - 1. The unit must be sited in accordance with the following dimensional requirements:
      - a. Minimum clearance between the temporary unit and the primary structure shall be fifteen (15) feet.
      - b. The temporary unit shall have a minimum setback of fifteen (15) feet from any street right-of-way, as applicable.
      - c. The temporary unit must comply with all established side, front, and rear yard setback requirements for the district within which the unit is located.

2. All temporary units shall be connected to town utilities for water and sanitary sewer if available, or a State-approved septic system.
3. Adequate provision shall be made for solid waste management in compliance with town ordinances and policies.

(F) Allowable Zoning Districts: Temporary Uses shall be permitted following staff approval in the RA-20, RA-20A, B-1, B-2, and O&I zoning districts.

*Note 27: Solar Farm\*: Shall be in accordance with the following requirements as well as any additional requirements seemed necessary by town staff as part of the conditional use process.*

(A) General Requirements

- (1) A Solar Facility developed as a principal use shall require issuance of a conditional use permit and will be subject to the following requirements.
- (2) Setbacks – The setbacks, minimum lot width and minimum lot area requirements prescribed by Article 5 shall be applicable.
- (3) Height – All structures, equipment, and systems associated with the solar farm shall not exceed 25 feet in height as measured from the grade at the base of the structure to the apex of the structure.
- (4) Landscaping and Bufferyards – Solar Facilities shall be completely surrounded by a security fence or wall at least six-feet in height. Fence shall be no less than five (5) feet from all property lines. When developing a solar farm that is to be adjacent to residential property, a combination of trees and shrubs shall be located outside the fence so as to screen two-thirds of the fence surface area upon maturity. Applicants may submit alternative methods for screening solar facilities as part of the project review process. In utilizing this option, applicants must establish screening through a combination of fencing and vegetation. The alternate plan for screening must be outlined as part of the site plan.
- (5) Signage – With the exception of the manufacturer's or installer's identification, appropriate warning signs, and owner identification sign, all other signs shall be prohibited.
- (6) Lighting – All outdoor lighting shall be shielded to direct light and glare onto the system's premises and may be of sufficient intensity to ensure security
- (7) Parking and Driveways – The parking requirements prescribed in Article 9 of the ordinance shall not be applicable. All driveways shall comply with Section 9-9 of this ordinance. Reasonable accessibility for emergency services vehicles shall be required.

(B) Application Requirements

- (1) Submit a site specific development plan that includes:

- (a) The location and dimensions of all proposed areas for the placement of solar panels;
  - (b) The location and dimensions of screening, fencing, or vegetative buffer and related improvements;
  - (c) Driveways and access areas including emergency services;
  - (d) Location where wiring is brought together for inter-connection to system components and/or the local utility power grid, and location of disconnect switch;
  - (e) Any proposed new structures;
  - (f) Any other relevant elements as requested by the Planning Staff.
- (2) Applicant will also provide copies of all additional permits necessary for the operation of the site-specific solar farm facility to the Planning Director (ex. DENR permits, Army Corps wetland, storm water permit, etc...)

(C) Installation and Design

- (1) Approved Solar Components – Electric solar energy components must have a UL listing or equivalent.
- (2) Compliance with Building Codes – All solar facilities shall meet all requirements of the North Carolina State Building Code, and must be inspected by a town/county building inspector.
- (3) Compliance with Electrical Code – All photovoltaic systems shall comply with the National Electric Code, current edition.
- (4) Abandonment – It is the responsibility of the property owner to remove all obsolete or unused systems within twelve (12) months of cessation of operations.
- (5) Electrical Disconnect Switch – The electrical disconnect switch shall be clearly identified and unobstructed, and shall be noted clearly on the site plan.

(D) Other Conditions – Other conditions, including but not limited to, buffering and noise controls that provide adequate protection for adjacent residential properties a may be deemed reasonable for the type of system, may be added by the Town Staff.

*Note 28: Tattoo Parlors\*. Tattoo Parlors may be permitted as a Conditional Use in the B-1 and B-2 Commercial zoning districts provided that:*

- (A) The tattoo parlor may not be located or operated within five hundred (500) feet of:
  - (1) A church, synagogue, or regular place of worship
  - (2) A public or private elementary school or secondary school

- (3) A public park
  - (4) A funeral home
  - (5) A daycare facility
  - (6) Another tattoo parlor
- (B) For the purpose of the Article, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where a tattoo parlor is to be conducted, to the nearest property line of the premises of any use listed in (A) above.
- (C) No more than one (1) tattoo parlor establishment shall be located in the same building or structure or on the same lot. No person shall permit any building, premises, structure, or other facility to contain more than one tattoo parlor.
- (D) The use shall be conducted within a completely enclosed building and no outside congregation of customers is permitted for any purpose.
- (E) The tattoo parlor must receive all applicable permits from the Pitt County Health Department.

*Note 29: Bingo Parlors\* shall be accordance with the following:*

- (A) Bingo Parlors shall obtain any required state permits and/or licenses and continuously operate within the parameters of the same. A copy of required permits or license shall be made available to the Town of Ayden as part of the Zoning Compliance Certificate Application.
- (B) No person shall sell, give, dispense, provide, keep, or consume, or cause to be sold, given, dispensed, provided, kept, or consumed any alcoholic beverage on the premises of the bingo parlor.
- (C) A Bingo Parlor shall not be permitted if located within 1,000 feet of an existing Bingo Parlor.
- (D) The use shall be conducted within a completely enclosed building and no outside congregation of customers is permitted for any purpose.
- (E) The Hours of Operation of a Bingo Parlor shall be limited to them operating from 8am – Midnight Monday through Sunday.

*Note 30: Standards for Taxidermy Studios\*\*.* The following shall apply to the establishment of Taxidermy Studios within the B-1 zoning district:

- (A) Studio layout: All activities relating to the preservation and/or preparation of all animals associated with the taxidermy process must take place behind a solid wall, and be distinctly separated from the studio space associated with the facility.

- (B) Delivery of animals: The delivery of animals must be in a closed bin or opaque storage bag. Unusual deliveries will be handled through a rear door at the discretion of the business owner.
- (C) Disposal of waste material: Disposal of all refuse material associated with the taxidermy process must be disposed of on a daily basis, if necessary. Refuse material must be removed from the facility in closed bins or opaque storage bags.
- (D) Permits Required: The operator of any proposed taxidermy facility must present permits issued by the North Carolina Wildlife Resources Commission, and if applicable the Pitt County Health Department.
- (E) Studio Space: The studio space relating to a Taxidermy studio must comprise a minimum of 40% of the structure's operational square footage.