

## Section 50: Table of Permitted Uses

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	R M F- L	R M F- M	R M F- H	R M F- H	B 1	C B	B 2	C S	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	U M X Z	Supp Regs	NAICS
<b>Agriculture, Forestry, Fishing</b>																										
Agricultural Uses	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Kennels	P	S	S	S								P	P	P	P	P	P	S		P		S		P	63.19 72-26	
Veterinaries	P											P	P	P	P	P	S		P	P			P			
Wholesale Nurseries & Greenhouses (12/13/82)	P	P	P	P	P							P	P	P	P	P	P	P	P	P	P	P	P	P		
<b>Construction</b>																										
General Building Contractor	P												P	P	P	P			P					S	63.14	
General Contractors Other Than Building	P													P	P	P			P					S	63.14	
Landscaping Contractors (12/13/82)	P												P	P	P	P			P					S	63.14	
Special Trade Contractors	P												P	P	P	P			P					S	63.14	
Special Trade & General Contractors with no Outside Storage (12/5/88)	P											P	P	P	P				P					P		
<b>Transportation, Communication, Utilities</b>																										
Solar Power Farms															P	P			S							
Air Transportation	P														P	P			P					P		
Bus & Taxi Terminals (2/14/83)	P												P	P	P	P								P		
Commercial Marina with Floating Structures (4/2/84)	S	S	S	S								S	S		S	S						S				
Commercial Marina (2/14/84)	P	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P					S		P	72-31	
Dry Stack Storage of Boats: (1/7/08)																										
As a stand-alone warehouse														P	P	P	P							P		
As accessory to a marina	P	S	S	S	S									P	P	P	P						P	P		
<u>Commercial Parking Lots</u>													P		P									P	63.17	

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	R M F-L	R M F-M	R M F-H	R M F-H	B 1	C B	B 2	C S	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	U M X Z	Supp Regs	NAICS	
Electric / Gas & Sanitary Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	63.14		
Electric Substations	P		S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	S	P	P	S		P	63.14		
Junk Yards, Scrap Processing (See Section 63.3-2)																	P								63.3-2	423930 423140 423130	
Mini-Warehouses	P													P	P	P	P			P				P			
Motor Freight Transportation Warehousing	P														P	P	P			P							
Post Offices	P												P	P	P	P	P			P	P			P			
Railroad Transportation															P		P							P			
Recreational Vehicle and Boat Trailer Storage Lots (2/3/14)	P											P		P	P	P	P	P		P					63.10		
Telephone & Telegraph Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P			
TV & Radio Broadcasting	P													P	P	P	P			S				P			
Warehousing	P													P	P	P	P			P				P	63.20		
Water Transportation Facilities	P													P	P	P	P							P			
Other Communication Facilities Including Towers (2/5/96)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S	S	S	S		S			
Antenna & Towers Less Than 70 Ft. In Height & Ancillary to the Principal Use (2/5/96)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	63.5-1		
Cellular & PCS Antennas (See Section 63.5-1 (H))	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	63.5-1		
Amateur Radio Antennas (up to 90 ft.) (10/07)	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	63.5-1			
Wholesale Trade																											
Livestock Sales																	P										
Wholesaling	P														P	P	P			P					63.20		

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Wholesaling With No Outside Storage (11/2/81)	P													P	<u>P</u>					P				<u>P</u>		
Wholesaling Seafood With Water Frontage	P											P		P		P				P						
<b>Retail Trade</b>																										
Apparel & Accessory Store	P											P	<u>P</u>	P	<u>P</u>	P				P				<u>P</u>	<a href="#">63.13</a>	
Automobile Service Station	P											P	<u>P</u>	P	<u>P</u>	P	P			P	P			<u>S</u>	<a href="#">63.15</a>	
Automobile Dealers & Truck Sales	P													P	<u>P</u>	P	P			P						
Boat Dealers	P													P	<u>P</u>	P	P			P						
Building Material & Garden Supplies	P													P	<u>P</u>	P	P			P				<u>P</u>	<a href="#">63.13</a>	
Convenience Food Store (7/5/85)	P			S	S	S						P	<u>P</u>	P	<u>P</u>	P	P	S	S	P		S		<u>P</u>	<a href="#">63.13</a>	
Drug Store	P											P	<u>P</u>	P	<u>P</u>					P				<u>P</u>	<a href="#">63.13</a>	
Neighborhood Drug Store													<u>P</u>		<u>P</u>			P						<u>P</u>	<a href="#">63.13</a>	
Eating and Drinking Places	P											P	<u>P</u>	P	<u>P</u>	P	P			P	P			<u>P</u>		
Entertainment Establishments, Bars, Cabarets, Discos	P											S		P	<u>P</u>					P	P					
Entertainment Establishments, Bars, Cabarets, in a Shopping Center	P											P		P	<u>P</u>					P	P					
Farm Implement Sales	P													P	<u>P</u>	P	P			P				<u>P</u>		
Food Stores	P											P	<u>P</u>	P	<u>P</u>					P	P			<u>P</u>	<a href="#">63.13</a>	
Fruit & Vegetable Stand Produced on Same Parcel as Offered for Sale	P	P	P	P								P		P					P			P		<u>P</u>		
Furniture, Home Furnishing & Equipment	P											P	<u>P</u>	P	<u>P</u>	P				P	P			<u>P</u>	<a href="#">63.13</a>	
General Merchandise Stores	P											P	<u>P</u>	P	<u>P</u>					P	P			<u>P</u>	<a href="#">63.13</a>	
Handcrafting Small Articles	P											P	<u>P</u>	P	<u>P</u>	P				P				<u>P</u>		

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Hardware	P											P	P	P	P	P				P				P	63.13	
Landscaping Service	P												P	P	P	P				P				P	63.14	
Miscellaneous Retail	P											P	P	P	P					P	P			P	63.13	
Mobile Home Dealers & Prefabricated Buildings (5/6/85)	P													P	P	P				P						
Retail Nurseries (12/13/82)	P											P	P	P	P	P			S	P				P		
Historic Restaurant	P			S								P		P		P	P									
<b>Financing, Insurance, Real Estate</b>																										
Banks, Credit Agencies, Savings & Loans	P											P	P	P	P			P		P	P			P		
<b>Services</b>																										
Adult Entertainment Establishments																S										
Automobile / Boat Repair Sales	P													P	P	P	P			P						
Automobile Rentals	P												P	P	P					P				S	63.14	
Barber / Beauty Shop (10/90, 7/10/06)	P											P	P	P	P	P		P		P	P			P		
Bed and Breakfast Inn (6/5/06)		S	S	S															S			S		P		
Business Services Including Printing	P											P	P	P	P	P		P		P				P		
Camping, Travel Trailer Parks (2/14/83)	P	S	S	S	S	S								P								S				
Drive-In Theater	P													P	P									P		
Dry Cleaning / Laundry Plant	P											P		P	P	P	P			P						
Electrical Repair Shop	P													P	P	P				P						
Equipment Rental & Leasing	P													P	P	P	P			P				S	63.14	
Funeral Home	P											P	P	P	P			P								
Golf Courses	P	P	P	P	P	P	P	P	P	P	P								P			P		P		
Hotels & Motels (12/13/82)	P												P	P		P				P				P		

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Indoor Recreation Establishments	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P	<u>P</u>	P	<u>P</u>	P	P	S	S	P	P	S		<u>P</u>			
Outdoor Recreation Establishments	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P	<u>P</u>	P	<u>P</u>	P	P	S	S	S	P	S		<u>P</u>			
Indoor Theater (2/14/83)	P												<u>P</u>	P	<u>P</u>					P	P			<u>P</u>			
Outdoor Shooting Ranges (2/7/83)																	S			S							
Parks & Recreation Area (4/2/07)	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P		<u>P</u>			
Personal Services	P											P	<u>P</u>	P	<u>P</u>					P	P			<u>P</u>			
Repair Shop															<u>P</u>										63.14		
Resort Hotel / Motel (1/4/83)	P												<u>P</u>	P		P				P				<u>P</u>			
Stables (3/2/81)	P	P	P	P										P		P	P		P			P					
Septic Tank Vacuum Service	P													P	<u>P</u>	P	P									562991	
Watch, Clock, Jewelry Repair	P											P	<u>P</u>	P	<u>P</u>	P				P				<u>P</u>			
Health																											
Adult Day Care	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>P</u>					P				S		<u>P</u>			
Child Care Center (10/7/13)	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P	<u>P</u>	P		S	S	P			P	S	S	<u>P</u>			
Community Center	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>P</u>		<u>P</u>				P			S		<u>P</u>			
Family Child Care Home (10/7/13)	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	S	<u>S</u>	S								P	S	<u>P</u>	72-20		
Group Home (12/14/15)	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>S</u>		<u>S</u>				P			P		<u>P</u>	63.11		
Hospitals	P	S	S	S	S	S												P		P		S		<u>P</u>			
Laboratories, Testing													<u>P</u>		<u>P</u>									<u>P</u>			
Nursing Home/Rehabilitation Center (11/10/08)	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>					P		P		S		<u>P</u>			
Residential Care (9/8/81)	P	P	P	P	P	S	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>							P	P			P		<u>P</u>	63.4		
Educational Services																											
Colleges, Universities, Professional Schools & Technical Institutions	P	S	S	S	S	S									<u>P</u>			P		P		S		<u>P</u>			
Elementary & Secondary Schools	P	P	P	P	P	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>							P				P		<u>P</u>			
Libraries	P	P	P	P	P	S	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P				P	P		P	P		<u>P</u>			

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Museums (5/2/83)	P											P	P	P				P		P	P			P		
Membership Organizations																										
Churches	P	P	P	P	P	S	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P		<u>P</u>	63.16	
Labor Organizations	P															P	P	P						<u>P</u>		
Lodges, Fraternal & Social Organizations (5/2/83)	P	S	S	S	S	S						P	<u>P</u>	P	<u>P</u>			P	S			S		<u>P</u>		
Fraternities / Sororities, Residential												P		P				P						<u>P</u>		
Other																										
Accessory Buildings or Uses, clearly incidental to the Permitted Use or Building (see Section 63.2)	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P		<u>P</u>		
<u>Accessory Dwelling Unit</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>														63.2	
<u>Additional Height Allowance</u>																								<u>S</u>		
Cemeteries	S	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>								S			S		<u>S</u>		
Christmas Tree Sales (7/6/92)	P											P	<u>P</u>	P	<u>P</u>	P	P	P		P	P			<u>P</u>	63.1	
Circuses, Carnivals, Fairs & Side Shows of No More than 30 Days Duration Per Year	P			P								P		P	<u>P</u>	P				P				<u>P</u>		
Community Boating Facility (8/6/92)	S	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	S										S		<u>S</u>		
Private Residential Boating Facility (9/19/92)	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P										P		<u>P</u>		
Demolition-Landscape Landfill	P	P	P	P	P							P		P		P	P	P	P	P	P	P			63.3-3	562219
Duplexes	P		S	P	S	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>													<u>P</u>		
Dwelling Unit Contained within Principal Use(4/85)	P											S	<u>S</u>	S	<u>P</u>	S	S			S				<u>P</u>	63.18	
Electronic Gaming Operations (5/3/10) (see section 63.10)													<u>P</u>	S	<u>P</u>	S									63.10	

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Evangelistic and Religious Assemblies not Conducted at a Church (7/6/92)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	63.1	
Government Offices & Buildings	P	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S		P		
High Density Development	P		S	S	S													S							72-43	
Home Occupation	P	P	P	P	P	P	P	P	P	P	P								P			P		P		
Mobile Home			S	P	P	P										S	S		P			S				
Mobile Home, Doublewide (6/7/82)	P		P	P	P	P										S	S		P			P				
Mobile Home Park (Density shall not exceed 2.5 Units Beyond Employment Center, Urban Mixed Use, or Community Mixed Use Place Types (2/16/87, 10/11/95, 9/6/16)	P			S	S	S															S					
Mobile Home Subdivision (6/1/92)			S	S	S	S												S			S					
<u>Motion Pictures Producing &amp; Distribution</u>															P									P		
Offices for Private Business & Professional Activities	P											P	P	P	P	P	P		P					P		
Outdoor Advertising																P	P			P						
Pumpkin Sales (7/6/92)	P											P	P	P	P	P	P		P	P					63.1	
Principal Use Sign	P											P		P	P	P	P			P	P					
Research Facilities	P													P	P	P	P			P				P		
Residential Private Pier	P	P	P	P	P	P	P	P	P	P	P											P		P		
Septage, Sludge Disposal (7/6/83, 8/1/83)																	S								72-33	221320
Senior Living: Active adult retirement community or Independent Living (11/10/08)			S	S	S													S						P		

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Senior Living: Assisted Living or Personal Care Facility (11/10/08)		S	S	S	S			<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		S					S				S		<u>P</u>			
Senior Living: Continuing Care Retirement Community or Life Care Community (11/10/08)	P	S	S	S								S										S		<u>P</u>			
Single Family Dwelling	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	S		S				P	P	P		P		<u>P</u>			
Single Family Dwelling-Attached (1/4/82)	P		P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	S		S				P						<u>P</u>	63.4-4		
Special Fund Raising for Non-Profit Organizations (7/6/92)	P	P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P		<u>P</u>			
Temporary Sign	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P		<u>P</u>			
Recycling Facilities: (1/3/89)																											
Small Collection	P	S	S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P	<u>P</u>	P	<u>P</u>	P	P	S	S	P	P			<u>P</u>	63.3-4	562920	
Large Collection	P	S	S	S	S							S		P	<u>P</u>	P	P	S	S	P	S				63.3-4	562920	
Processing															<u>S</u>	P	P			S					63.3-4	562920	
Large Collection with Processing														S	<u>S</u>	S	S			S					63.3-4	562920	
Temporary Relocation Housing	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P	P	<u>P</u>	63.12		
Manufacturing																											
Artisan Manufacturing	P											P	<u>P</u>	P	<u>P</u>	P	P			P		P		<u>P</u>	63.21		
Animal Food Manufacturing	P													S	<u>S</u>	P	P			P						3111	
Grain and Oilseed Milling	P													S	<u>S</u>	P	P			P						3112	
Sugar and Confectionery Product Manufacturing	P													S	<u>P</u>	P	P			P						3113	
Fruit and Vegetable Preserving and Specialty Food Manufacturing	P													S	<u>S</u>	P	P			P						3114	
Dairy Product Manufacturing	P													S	<u>S</u>	P	P			P						3115	



Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS	
Seafood Product Preparation and Packaging	P													S	<u>S</u>	P	P			P							3117
Bakeries and Tortilla Manufacturing	P													S	<u>S</u>	P	P			P							3118
Other Food Manufacturing	P													S	<u>S</u>	P	P			P							3119
Beverage Manufacturing	P													S	<u>S</u>	P	P			P							3121
Tobacco Manufacturing																S	P										3122
Fiber, Yarn, and Thread Mills																S	P			S							3131
Fabric Mills																S	P			S							3132
Textile and Fabric Finishing and Fabric Coating Mills																S	P			S							3133
Textile Furnishings Mills															<u>S</u>	S	P			S							3141
Other Textile Product Mills															<u>S</u>	S	P			S							3149
Apparel Knitting Mills															<u>S</u>	S	P			S							3151
Cut and Sew Apparel Manufacturing															<u>P</u>	P	P			P							3152
Apparel Accessories and Other Apparel Manufacturing															<u>P</u>	P	P			P							3159
Leather and Hide Tanning and Finishing																S	P										3161
Footwear Manufacturing															<u>P</u>	P	P			P							3162
Other Leather and Allied Product Manufacturing															<u>P</u>	P	P			P							3169
Sawmills and Wood Preservation															<u>S</u>	S	P										3211
Veneer, Plywood, and Engineered Wood Product Manufacturing															<u>S</u>	S	P			P							3212
Other Wood Product Manufacturing															<u>S</u>	S	P										3219
Converted Paper Product Manufacturing																S	P										3222

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	<u>R5</u>	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS	
Printing and Related Support Activities	P													S	<u>S</u>	P	P			P							3231
Basic Chemical Manufacturing																S	P										3251
Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing																S	P										3252
Pharmaceutical and Medicine Manufacturing																P	P			P							3254
Paint, Coating, and Adhesive Manufacturing																S	P										3255
Soap, Cleaning Compound, and Toilet Preparation Manufacturing																S	P										3256
Other Chemical Product and Preparation Manufacturing [Except: Explosives Manufacturing (NAICS 325920) and All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS 325998)]																S	P										3259
Plastics Product Manufacturing																S	P			S							3261
Rubber Product Manufacturing																S	P										3262
Clay Product and Refractory Manufacturing																S	P										3271
Glass and Glass Product Manufacturing																S	P										3272

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS
Cement and Concrete Product Manufacturing [Except: Cement Manufacturing (NAICS 32731)]																S	P									3273
Other Nonmetallic Mineral Product Manufacturing																S	P									3279
Iron and Steel Mills and Ferroalloy Manufacturing																S	P									3311
Steel Product Manufacturing from Purchased Steel																S	P									3312
Alumina and Aluminum Production and Processing [Except: Alumina Refining and Primary Aluminum Production (NAICS 331313) and Secondary Smelting and Alloying of Aluminum (NAICS 331314)]																S	P									3313
Nonferrous Metal (except Aluminum) Production & Processing																S	P									3314
Forging and Stamping																S	P									3321
Cutlery and Handtool Manufacturing	P												S	<u>S</u>		P	P		P							3322
Architectural and Structural Metals Manufacturing																S	P		S							3323
Boiler, Tank, and Shipping Container Manufacturing																S	P		S							3324
Hardware Manufacturing	P												S	<u>S</u>		P	P		P							3325
Spring and Wire Product Manufacturing	P												S	<u>S</u>		P	P		P							3326

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS
Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing																S	P									3327
Coating, Engraving, Heat Treating, and Allied Activities																S	P									3328
Other Fabricated Metal Product Manufacturing															<u>S</u>	S	P			S						3329
Agriculture, Construction, and Mining Machinery Manufacturing	P													S	<u>S</u>	P	P			P						3331
Industrial Machinery Manufacturing	P													S	<u>P</u>	P	P			P						3332
Commercial and Service Industry Machinery Manufacturing	P													S	<u>P</u>	P	P			P						3333
Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	P													S	<u>S</u>	P	P			P						3334
Metalworking Machinery Manufacturing	P													S	<u>S</u>	P	P			P						3335
Engine, Turbine, and Power Transmission Equipment Manufacturing	P													S	<u>P</u>	P	P			P						3336
Other General Purpose Machinery Manufacturing	P													S	<u>P</u>	P	P			P						3339
Computer and Peripheral Equipment Manufacturing	P													S	<u>S</u>	P	P			P						3341
Communications Equipment Manufacturing	P													S	<u>S</u>	P	P			P						3342
Audio and Video Equipment Manufacturing	P													S	<u>S</u>	P	P			P						3343

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS	
Semiconductor and Other Electronic Component Manufacturing	P													S	<u>S</u>	P	P			P							3344
Navigational, Measuring, Electromedical, and Control Instruments Manufacturing	P													S	<u>P</u>	P	P			P							3345
Manufacturing and Reproducing Magnetic and Optical Media	P													S	<u>S</u>	P	P			P							3346
Electric Lighting Equipment Manufacturing	P													S	<u>P</u>	P	P			P							3351
Household Appliance Manufacturing	P													S	<u>S</u>	P	P			P							3352
Electrical Equipment Manufacturing	P													S	<u>S</u>	P	P			P							3353
Other Electrical Equipment and Component Manufacturing	P													S	<u>P</u>	P	P			P							3359
Motor Vehicle Manufacturing																	S	P			S						3361
Motor Vehicle Body and Trailer Manufacturing																	S	P			S						3362
Motor Vehicle Parts Manufacturing																	S	P			P						3363
Aerospace Product and Parts Manufacturing																	S	P			P						3364
Railroad Rolling Stock Manufacturing																	S	P			P						3365
Ship and Boat Building																	S	P			P						3366
Other Transportation Equipment Manufacturing																	S	P			P						3369
Household and Institutional Furniture and Kitchen Cabinet Manufacturing	P													S	<u>S</u>	P	P			P							3371
Office Furniture (including Fixtures) Manufacturing	P													S	<u>S</u>	P	P			P							3372

Permitted Uses	PD	R 20S	R 20	R 15	R 10	R7	R5	<u>R</u> <u>M</u> <u>F-</u> <u>L</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u>	<u>R</u> <u>M</u> <u>F-</u> <u>M</u> <u>H</u>	<u>R</u> <u>M</u> <u>F-</u> <u>H</u>	B 1	<u>C</u> <u>B</u>	B 2	<u>C</u> <u>S</u>	I 1	I 2	O & I	A R	A I	S C	R A	R F M U	<u>U</u> <u>M</u> <u>X</u> <u>Z</u>	Supp Regs	NAICS
Other Furniture Related Product Man.	P												S	<u>S</u>	P	P			P							3379
Medical Equipment and Supplies Manufacturing														<u>P</u>	P	P			P							3391
Other Miscellaneous Manufacturing	P												S	<u>P</u>	P	P			P							3399
<b>Intensive Manufacturing</b>																										
Animal Slaughtering and Processing																S										3116
Pulp, Paper, and Paperboard Mills																S										3221
Petroleum and Coal Products Manufacturing																S										3241
Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing																S										3253
Explosives Manufacturing																S										325920
All Other Miscellaneous Chemical Product and Preparation Manufacturing																S										325998
Cement Manufacturing																S										32731
Lime and Gypsum Product Manufacturing																S										3274
Alumina Refining and Primary Aluminum Production																S										331313
Secondary Smelting and Alloying of Aluminum																S										331314
Foundries																S										3315
Fuel Bulk Storage Facilities																S										
Electricity Generating Facilities																S										
Sanitary Landfill																S									72-13	562212
Mining & Quarrying (Low Intensity)															S	S									72-42	21

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Mining & Quarrying (High Intensity)																S									72-42	21

### Section 51.9: R-5 Moderate-High Residential District

**Intent:** The intent of the R-5 Moderate-High Residential District is to provide moderate to high density residential development on smaller lots with a compact and walkable development pattern. R-5 zoning allows a range of housing types and can be developed in conjunction with a non-residential district to create a mixed-use development pattern as well as serve as a transition between mixed-use or commercial development and low to moderate density residential development, such as R-7 and R-10 zoning.

#### **Dimensional Requirements:**

<u>Conventional Subdivision Lots</u>	
<u>Minimum Lot Size</u>	<u>5,000 sf detached single family</u> <u>7,500 sf duplex</u> <u>12,500 sf 3-unit attached single family</u> <u>17,500 sf 4-unit attached single family</u>
<u>Minimum Lot Width</u>	<u>50 ft.</u>
<u>Front Setback (minimum)</u>	<u>20 ft.</u>
<u>Rear Setback (minimum)</u>	<u>15 ft.</u>
<u>Side, Interior Setback (minimum)</u>	<u>7 ft.</u>
<u>Side, Street Setback (minimum)</u>	<u>10.5 ft.</u>
<u>Performance Subdivision Lots</u>	
<u>Maximum Density</u>	<u>8 units/acre</u>
<u>Perimeter Setbacks</u>	<u>20 ft.</u>
<u>Building Separation between detached single family</u>	<u>10 ft.</u>
<u>Building Separation between detached single family and duplex</u>	<u>20 ft.</u>
<u>Building Separation between 3+-unit attached and all other dwellings</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>35 ft.</u>



### Section 51.10: RMF-L Residential Multi-Family Low Density District

**Intent:** The RMF-L District is established for moderate density single family and low density multi-family development of varying types and designs. It functions as an alternative housing type near or in direct relationship to single-family detached housing.

#### **Dimensional Requirements:**

<u>Conventional Subdivision Lots</u>	
<u>Minimum Lot Size</u>	<u>5,000 sf detached single family</u> <u>7,500 sf duplex</u> <u>12,500 sf 3-unit attached single family</u> <u>17,500 sf 4-unit attached single family</u> <u>20,000 sf multi-family (5+ attached units)</u>
<u>Minimum Lot Width</u>	<u>50 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>100 ft. multi-family</u>
<u>Front Setback (minimum)</u>	<u>20 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>35 ft. multi-family</u>
<u>Rear Setback (minimum)</u>	<u>15 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>25 ft. multi-family</u>
<u>Side, Interior Setback (minimum)</u>	<u>5 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>20 ft. multi-family</u>
<u>Side, Street Setback (minimum)</u>	<u>10 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>30 ft. multi-family</u>
<u>Maximum Density</u>	<u>10 units/acre</u>
<u>Performance Subdivision Lots (no minimum lot sizes, allows clustering)</u>	
<u>Maximum Density</u>	<u>10 units/acre</u>
<u>Perimeter Setbacks</u>	<u>20 ft.</u>
<u>Building Separation between detached single family</u>	<u>10 ft.</u>
<u>Building Separation between detached single family and duplex</u>	<u>20 ft.</u>
<u>Building Separation between 3+-unit attached and all other dwellings</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>3 stories, with a maximum of 45 ft.*</u>

\* Heights over 35 ft. subject to additional setback of 4 additional feet.

### Section 51.11: RMF-M Residential Multi-Family Moderate Density District

**Intent:** The RMF-M District is established for moderate density single-family and multi-family development of varying types and designs. It functions as a transitional land use between intensive nonresidential uses or higher density residential areas and lower density residential areas. The district is designed to provide a reasonable range of choice, type, and location of housing units within the unincorporated county.

#### **Dimensional Requirements:**

<u>Conventional Subdivision Lots (specifies minimum lot sizes)</u>	
<u>Minimum Lot Size</u>	5,000 sf <u>detached single family</u> 7,500 sf <u>duplex</u> 12,500 sf <u>3-unit attached single family</u> 17,500 sf <u>4-unit attached single family</u> 20,000 sf <u>multi-family (5+ attached units)</u>
<u>Minimum Lot Width</u>	50 ft. <u>detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> 100 ft. <u>multi-family</u>
<u>Front Setback (minimum)</u>	20 ft. <u>detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> 35 ft. <u>multi-family</u>
<u>Rear Setback (minimum)</u>	15 ft. <u>detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> 25 ft. <u>multi-family</u>
<u>Side, Interior Setback (minimum)</u>	5 ft. <u>detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> 20 ft. <u>multi-family</u>
<u>Side, Street Setback (minimum)</u>	10 ft. <u>detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> 30 ft. <u>multi-family</u>
<u>Maximum Density</u>	<u>17 units/acre</u>
<u>Performance Subdivision Lots (no minimum lot sizes, allows clustering)</u>	
<u>Maximum Density</u>	<u>17 units/acre</u>
<u>Perimeter Setbacks</u>	<u>20 ft.</u>
<u>Building Separation between detached single family</u>	<u>10 ft.</u>
<u>Building Separation between detached single family and duplex</u>	<u>20 ft.</u>
<u>Building Separation between 3+-unit attached and all other dwellings</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>3 stories, with a maximum of 45 ft.*</u>

\* Heights over 35 ft. subject to additional setback of 4 additional feet.

## Section 51.12: RMF-MH Residential Multi-Family Medium-High Density District

**Intent:** The RMF-MH District is established for medium-high density residential development of varying types and designs, with emphasis on midrise structures. It functions as a transitional land use between intensive nonresidential uses and lower density residential areas. The district is designed to be located near suburban shopping centers and employment centers.

### Dimensional Requirements:

<u>Conventional Subdivision Lots</u>	
<u>Minimum Lot Size</u>	<u>4,000 sf detached single family</u> <u>7,500 sf duplex</u> <u>12,500 sf 3-unit attached single family</u> <u>17,500 sf 4-unit attached single family</u> <u>20,000 sf multi-family (5+ attached units)</u>
<u>Minimum Lot Width</u>	<u>40 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>90 ft. multi-family</u>
<u>Front Setback (minimum)</u>	<u>15 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>30 ft. multi-family</u>
<u>Rear Setback (minimum)</u>	<u>15 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>25 ft. multi-family</u>
<u>Side, Interior Setback (minimum)</u>	<u>5 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>20 ft. multi-family</u>
<u>Side, Street Setback (minimum)</u>	<u>10 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>30 ft. multi-family</u>
<u>Maximum Density</u>	<u>25 units/acre</u>
<u>Performance Subdivision Lots</u>	
<u>Maximum Density</u>	<u>25 units/acre</u>
<u>Perimeter Setbacks</u>	<u>20 ft.</u>
<u>Building Separation between detached single family</u>	<u>10 ft.</u>
<u>Building Separation between detached single family and duplex</u>	<u>20 ft.</u>
<u>Building Separation between 3+-unit attached and all other dwellings</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>3 stories, with a maximum of 45 ft.*</u>

\* Heights over 35 ft. subject to additional setback of 4 additional feet.

### Section 51.13: RMF-H Residential Multi-Family High Density District

The RMF-H district is established for high density residential development of varying types and designs, with emphasis on midrise and high-rise structures. This district is designed to be located in close proximity to major population centers, areas identified for targeted growth, employment centers, and destination nodes.

#### Dimensional Requirements:

<u>Conventional Subdivision Lots</u>	
<u>Minimum Lot Size</u>	<u>3,000 sf detached single family</u> <u>6,000 sf duplex</u> <u>9,000 sf 3-unit attached single family</u> <u>12,000 sf 4-unit attached single family</u> <u>15,000 sf multi-family (5+ attached units)</u>
<u>Minimum Lot Width</u>	<u>40 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>80 ft. multi-family</u>
<u>Front Setback (minimum)</u>	<u>15 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>30 ft. multi-family</u>
<u>Rear Setback (minimum)</u>	<u>15 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>25 ft. multi-family</u>
<u>Side, Interior Setback (minimum)</u>	<u>5 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>20 ft. multi-family</u>
<u>Side, Street Setback (minimum)</u>	<u>10 ft. detached single family</u> <u>duplexes, 3-unit &amp; 4 –unit attached</u> <u>30 ft. multi-family</u>
<u>Maximum Density</u>	<u>36 units/acre</u>
<u>Performance Subdivision Lots</u>	
<u>Maximum Density</u>	<u>36 units/acre</u>
<u>Perimeter Setbacks</u>	<u>20 ft.</u>
<u>Building Separation between detached single family</u>	<u>10 ft.</u>
<u>Building Separation between detached single family and duplex</u>	<u>20 ft.</u>
<u>Building Separation between 3+-unit attached and all other dwellings</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>3 stories, with a maximum of 45 ft.*</u>

\* Heights over 35 ft. subject to additional setback of 4 additional feet.

## Section 52.5: Community Business (CB) District

**Intent:** The intent of the Community Business district is to provide for the development, growth, and continued operation of businesses that serve surrounding single and multi-family residential neighborhoods with goods and services needed for a variety of daily and long-term purposes. Community Business districts should be designed in a format and scale that is accessible to both vehicles and pedestrians. Community Business should be located within New Hanover County at intersections and along streets that will allow multiple neighborhoods access to the district's businesses. Community Business zoning can serve as a buffer between higher density/intensity development and moderate or low density multi-family and single family neighborhoods.

### **Dimensional Requirements:**

<u>Lot &amp; Setback Requirements</u>	
<u>Minimum Lot Size</u>	<u>½ acre</u>
<u>Minimum Lot Width</u>	<u>80 ft.</u>
<u>Front Setback (minimum)</u>	<u>20 ft.</u>
<u>Rear Setback (minimum)</u>	<u>10 ft. generally</u> <u>25 ft. when abutting residential district</u>
<u>Interior Side Setback (minimum)</u>	<u>0 ft. generally</u> <u>20 ft. when abutting residential district</u>
<u>Corner Side Setback (minimum)</u>	<u>20 ft.</u>
<u>Structure Size (maximum)</u>	
<u>Height</u>	<u>3 stories, with a maximum of 45 ft.*</u>
<u>Floor Area per Development Site</u>	<u>100,000 ft<sup>2</sup></u>

\* Heights over 35 ft. subject to additional setbacks and bufferyards of 4 ft.

## Section 52.6: Commercial Services (CS) District

**Intent:** The Commercial Services district is established to accommodate a mixture of light manufacturing, wholesale, storage, commercial service and repair, and distributive business type uses. It functions as a support district to nearby intensive industrial and commercial uses. The district is designed to be act as a transitional land use between intensive industrial and commercial development and less intensive commercial, office, and institutional uses.

### **Dimensional Requirements:**

<b><u>Lot Requirements</u></b>	
<u>Lot area, minimum</u>	<u>7,500 ft<sup>2</sup></u>
<u>Lot width, minimum</u>	<u>65 ft.</u>
<u>Setbacks (minimum)—see Additional Yard Standards for building over 35 ft. in height</u>	
<u>Front</u>	<u>35 ft.</u>
<u>Side, street</u>	<u>25 ft. along highways &amp; major thoroughfares</u> <u>17.5 ft. along all other public highways or streets</u>
<u>Side, interior</u>	<u>7 ft. generally</u> <u>30 ft. when abutting residential district</u>
<u>Rear</u>	<u>15 ft. generally</u> <u>35 ft. when abutting residential district</u>
<b><u>Structure Size (maximum)</u></b>	
<u>Height</u>	<u>40 ft.*</u>

\* Heights over 35 ft. subject to additional setbacks and bufferyards of 4 ft.

### **District Specific Requirements:**

Lighting: All new construction where exterior site lighting is provided shall observe the following limitations as to height:

- A. Unrestricted lighting: 10 ft.
- B. Ninety-degree cutoff lighting: 15 ft.

In no case shall lighting for new construction be located or installed so as to shine directly onto residential premises.

## Section 54.2: Planned Development (PD) District

**54.2-1: Intent** - ~~The PD District is established to foster the mixing of various land uses under an integrated development plan that would otherwise not be possible under general district requirements. It is designed to promote economical and efficient patterns of land use which are sensitive to natural features and site amenities and which decrease automobile travel time and trip length; encourage trip consolidation and transit opportunities; foster bicycle and pedestrian movements; reduce energy consumption and demands; and encourage unified and compatible development between land uses for the benefit of all County residents. The PD District is intended to provide flexibility in permitting large-scale planned urban development within the constraints of the County's Land Use Plan, in situations where the owners of the property present a development plan which is found to be in the public interest and which provides necessary urban services and improvements required by this Ordinance and the County's Policies for Growth and Development. (8/1/11)~~

~~The PD District requires approval of a master land use plan whereby flexibility in building design, layout and siting, mixtures in housing types and land uses, usable open space, and the preservation of significant natural features is permitted.~~

The Planned Development district is established to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development under an integrated development plan that would otherwise not be possible under general district requirements. It is designed to:

1. Create new planned development districts for specialized purposes where tracts are suitable in location, area, and character for development on a unified basis;
2. Promote economical and efficient patterns of land use that are sensitive to natural features;
3. Reduce automotive traffic congestion by a reasonably close relationship between origins and destinations of persons living, working, or visiting in such development; and
4. Encourage unified developments consistent with the goals of the county's Comprehensive Plan and compatible with surrounding land uses.

### 54.2-2: District Regulations:

- (1) Minimum District Size: A contiguous gross land area of ~~one hundred (100)~~ 10 acres or more under common ownership or joint petition.
- (2) Maximum Building Height: The maximum building height for residential, commercial, and office and institutional structures shall be forty (40) feet; except that the maximum height for buildings located within the Urban Mixed Use, Community Mixed Use, or Employment Center place types as indicated on the County's Land Classification Map and fronting along a collector, minor arterial or principal arterial as indicated on the Wilmington Urban Area MPO functional classification map shall be eighty (80) feet. (10/5/95) (8/1/11) (9/6/16)
- (3) Building Setback and Separation: Residential B buildings located on the periphery of the PD District shall be setback a minimum of twenty (20) feet from the PD District boundary. Industrial uses must meet the setback requirements outlined for the I-1 district.

~~Commercial and office uses must meet the setback requirements outlined for the CB district.~~

- (4) All buildings shall be setback at least ten (10) feet from all pedestrian and bicycle paths and fifty (50) feet along US and NC numbered highways and major thoroughfares. No building shall encroach upon the right-of-way of a proposed thoroughfare as designated by the Wilmington Area Thoroughfare Plan or its equivalent adopted transportation planning document. In no case shall any part of a detached single family dwelling unit or its accessory structure be located closer than ten (10) feet to any part of any other detached single family dwelling or its accessory structure; and in no case shall any part of a multiple dwelling unit or its accessory structure be located closer than twenty (20) feet to any part of another dwelling unit, accessory structure, or non-residential buildings. (2/87) (11/05) (8/1/11)
- ~~(4) Fringe Use Area: To insure compatibility with adjoining land uses, a fringe use area, two hundred (200) feet in width, shall be established along the exterior property lines of the PD District where the exterior property lines of the PD District are adjacent to residential uses and/or platted residential lots. If the exterior property line of the PD district is not adjacent to residential uses and/or platted residential lots, then no fringe use area will be required. If a fringe use area is required, only residential uses or open space may be permitted within the first one hundred 100 feet of that fringe area. Rights-of-way, stormwater utilities, and active recreation areas may be permitted within the interior one hundred (100) feet of the fringe area. The maximum building height within the fringe use area shall be thirty five (35) feet. (8/1/11)~~
- ~~(A) Required setback = (Building Height) x (2.75) In no case shall the minimum setback be less than 25 feet. The part of the yard adjacent to the residential districts shall be used only for buffering and as specified in Section 62. (3/9/88)~~
- (5) Land Use Mixture: No more than thirty (30) percent of the PD District shall be used for light industrial, commercial, and office and institutional purposes.
- (6) Maximum Density: (1/2/90)
- (A) Allowable density shall be determined by the Site Capacity Standards for High Density Development as authorized in Section 72-43 of this Ordinance, except that land intended for commercial, office and institutional, and industrial uses shall also be subtracted from the gross site area. The residential density factor of the PD district shall be 4.25 dwelling units per acre if the PD shall be located within the Urban Mixed Use, Community Mixed Use, General Residential, or Employment Center place types. (10/5/95) (9/6/16)
- (B) Residential units shall not be allowed at a density greater than 2.5 units per acre in the AE and VE special flood hazard areas and CAMA Estuarine Areas of Environmental Concern. (2/16/87) (9/6/16)
- (C) If the PD District shall be located within the Employment Center, Urban Mixed Use, or Community Mixed Use place types, the residential density factor of the PD District may be increased by using the following "Density Bonus Chart". An increase in density from 4.25 to 10.2 dwelling units per acre requires a total score



of 75 points or more. An increase in density from 10.2 to 17 units per acre requires a total score of 165 points or more. (2/16/87) (10/5/95) (8/1/11) (9/6/16)

Density Bonus Chart	Density Points
Adjacent to a Minor or Principal Arterial Facility as indicated on the County's Thoroughfare Classification Plan and providing a public collector road plan and a public or private local street plan that include sidewalks and bicycle facilities to provide an efficient variety of choices for moving people around and through the proposed development	15
Within one mile by road of established businesses sufficient to support a total employment equal to 85% of the anticipated labor force (calculated at one worker per unit) of the PD district population.	15
<p>If the PD is located in a manner that satisfied at least two of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Within one road mile of a neighborhood convenience store offering basic grocery items and other items.</li> <li>2. Within two road miles of a community shopping center. A community shopping center is defined as a site with a common parking area, a grocery store, and at least two of the following types of retail establishments: drug store, hardware store, dry cleaners, variety retail, department store, discount store or restaurant.</li> <li>3. Within three miles of regional shopping center consisting of over 100,000 sq. ft. of retail space for sales and storage.</li> </ol>	15
At least 1/2 mile inland of coastal wetlands, estuarine waters, estuarine shorelines and public trust waters and preserves riparian buffers and incorporates LID techniques for stormwater controls.	25
All structures are located beyond the 100-year floodplain as designated on the County's Official Flood Insurance Maps.	20
Outside the County's most sensitive aquifer recharge area (Area No. 2) as shown on the Aquifer Sensitivity Map for New Hanover County.	15
Bus or shuttle transportation.	10
Solid waste transfer station.	30
Within one mile of a public park and recreation facility.	10
At least 5% of the total number of dwelling units in the PD District are designated and reserved on the Master Land Use Plan for either handicapped or households with income less than 60% of the median household income for New Hanover County.	20
Public access and public waterfront facilities provided, such as docks, piers, and boat ramps or shoreline parks and boardwalks	25

All residential units will meet LEED, Healthy Build Home, ICC700 Green Building Standards, or Green Globes designation.	20
Alternative energy systems supply at least 20% of the total non-renewable energy consumption for space and hot water heating. Alternative energy systems, for purposes of this Ordinance, are defined as constructed passive or active systems. Passive systems shall be evaluated using the solar load ratio method and active systems using the F-chart system. Points will not be awarded for this incentive unless the conditions for the above incentive concerning thermal standards are also met.	20
Recreational facilities other than tot lots and mini-parks. These recreational facilities may include, but are not limited to, tennis courts, golf courses, ball fields, basketball courts, and community recreation buildings or community gardens. Points will be awarded at a rate of one point for each \$5,000 of investment (not including land or design costs), up to a maximum of 20 points. Adequacy of design and improvements, and cost estimates will be evaluated by the County Parks Department.	20

- (7) The following minimum improvements and public services shall be provided in accordance with all standards set by the County or appropriate local or State agency:
- (A) Water supply and sewer facilities; (8/3/87) provided by the Cape Fear Public Utility Authority or an equivalent agency.
  - (B) Fire hydrant and water supply systems that meet the standards specified in the National Fire Protection Association Standard as amended.
  - (C) Repealed (8/1/11)
  - (D) Repealed (8/1/11)
  - (E) A drainage plan pursuant to Section 52-5 of the Subdivision Ordinance. (5/5/97) and the New Hanover County Stormwater Ordinance
  - (F) Repealed (8/1/11)
  - (G) Street lights, at the rate of one fixture per 500 linear feet or less of roadway
  - (H) Tot lots and/or mini-parks (adequacy of design and improvements to be evaluated by County Parks and Recreation Department), at the rate of one acre or more per 1,000 population and within 1 mile distance of residential areas to be served by them. Sidewalks or pedestrian trails shall establish a safe network for accessing these facilities. (8/1/11)
  - (I) Audible fire alarm systems connected directly to a central Dispatch System for all structures except single family and duplex residential. (8/1/11)
  - (J) Parking: Off-street parking shall be provided in accordance with Article VIII of this Ordinance, except that design of parking lots or shared parking facilities may be approved with minor dimensional deviations, when the TRC concurs and provided the number of required spaces is not reduced. (8/1/11)

- (K) Signs: Signs shall be in accordance with Article IX of this Ordinance. The developer shall be responsible for erecting and maintaining street name signs at all intersections within the PD District. Signs on public streets shall conform with existing Department of Transportation regulations.
- (L) Community Property Owner's Association: A Community Property Owner's Association shall be established in accordance with Sections 60.2 and 60.5 of the Zoning Ordinance. Rights-of-way platted for public use may not be altered to private rights-of-way by any action of a community property owner's association unless approved by the Technical Review Committee. (8/1/11)
- (M) Required Master Land Use Plan
1. A Master Land Use Plan and necessary documents shall be submitted along with the rezoning petition. The Master Land Use Plan shall consist of an overall land use plan showing existing and proposed development for the PD District as a whole.
  2. The Master Plan shall be prepared by a multi-disciplinary team consisting of qualified practitioners in architecture, planning, and engineering.
  3. Contents of the Master Land Use Plan shall include the following:
    - a. Scale not less than one (1) inch to four hundred (400) feet.
    - b. North Arrow
    - c. Vicinity or Location Map
    - d. Development name
    - e. Owner's name and address
    - f. Developer (if other than owner)
    - g. Names of design team
    - h. Date
    - i. Boundary line of the proposed PD District
    - j. Existing topographic information with two (2) foot contour intervals
    - k. All water courses, 100-year floodplains, mean high water lines and unique natural features
    - l. Tree inventory and location
    - m. Recreation areas and facilities
    - n. Street layout and traffic circulation pattern
    - o. Pedestrian and bicycle circulation systems
    - p. Residential areas with projected density and planned housing types, and acreage (Include a table)

- q. Commercial, industrial, and office and institutional areas with proposed land uses, estimated square footage, and acreage. (Include a table)
  - r. All adjoining land uses and zoning districts.
  - s. ~~Fringe use areas~~
  - t. School sites being reserved and recreational areas to be dedicated for public use, if applicable
  - u. Total gross acres
  - v. Total acres occupied by all street right-of-way and parking areas
  - w. High Density calculations as required in Section 72-43
4. The Master Land Use Plan shall be accompanied by the following:
- a. The names and addresses of each property owner within the proposed PD district.
  - b. A legal description of the proposed PD District
  - c. Community property owners association proposed covenants.
  - d. A drainage plan showing locations and acreage of drainage areas, sizes and specifications of drainage structures, and supporting calculations using Soil Conservation Service methods or other methods approved by the County Engineer for both pre-development and post-development conditions.
  - e. A utility plan showing existing and proposed utility systems, including sanitary sewers, water, electric, gas, television and telephone lines, fire hydrants, street lighting and trash collection areas.
  - f. A traffic impact analysis
  - g. A development phasing schedule including the sequence and approximate dates of each phase; and, proposed phasing of construction of public improvements, recreation, and common open space areas.
  - h. A statement of planning objectives including:
    - 1. Identification of appropriate County Land Use Policies achieved by the proposed PD District;
    - 2. An estimate of total residential population
    - 3. Other necessary information and evidence to support the creation of a PD District in the County.

(N) Thoroughfare Requirements - The development shall have direct access, as required in Section 61.3, to and from an existing major or minor arterial as

indicated in the Wilmington Area MPO Functional Classification Map. All interior drives shall be designed so as to provide adequate access for emergency service vehicles. (2/16/87) and future connectivity to adjoining undeveloped properties. (8/1/11)

- (O) Recognizing the County's need for adequate housing for the elderly population as stated in the Comprehensive Land Use Plan, the following district regulations shall apply in instances where at least twenty-five percent (25%) of the PD district number of units are included in a Continuing Care Retirement Facility as described and regulated under NCGS 58 Article 64:
- a. The maximum height for a continuing care retirement facility building shall be up to 55 feet.
  - b. The thoroughfare requirements in Section 54.2-2(7) (N) and Section 61.3 may be satisfied if a traffic study supports a finding by the Board of County Commissioners that the roadway providing access for the proposed PD development to and from an existing major or minor arterial will operate at an acceptable level of service (LOS), and will not cause the LOS to drop below Level C. (1/07/08) at build-out. 8/1/11) (9/6/16)

#### Section 54.4: Urban Mixed Use Zoning (UMXZ) District

**Intent:** The UMXZ district is established to meet the following five primary objectives in the areas of New Hanover County in proximity to the City of Wilmington and those intended for urban- or community-scale mixed use development:

1. To encourage the efficient mixed use development pattern envisioned in the comprehensive plan;
2. To result in quality design and a variety of built forms of lasting value that result in a pedestrian scale;
3. To provide a mix of housing options;
4. To promote and enhance transportation options, particularly those that are pedestrian-oriented, while reducing demand for automobile trips; and
5. To encourage a mix of uses to foster a sense of community.

The district regulations include design elements intended to enhance the urban form, increase neighborhood safety, and add flexibility for small lots. Integrated mix of uses on development sites and within individual buildings is encouraged. UMXZ zoning is intended to promote mixed-use developments on sites large enough to create a mix of uses within the existing suburban environment. Typically, these developments will include creative development and redevelopment solutions.

#### **Dimensional Requirements:**

<b><u>Size Requirements</u></b>	
<u>Minimum District Size</u>	<u>5 acres</u>
<b><u>Setbacks</u></b>	
<u>Minimum from single-family residential zoning districts</u>	<u>35 ft. for buildings ≤ 35 ft. in height</u> <u>45 ft. for buildings &gt; 35 ft. in height</u>
<u>Maximum from any street</u>	<u>10 ft.</u> <u>(front setbacks are not required along alleyways; TRC may waive strict adherence to requirement where an existing easement or significant natural feature exists)</u>
<b><u>Height (maximum)</u></b>	
<u>Along arterial streets</u>	<u>4 stories or 45 ft. by-right</u> <u>75 ft. with Additional Height Allowance special use permit</u>
<u>Along residential &amp; collector streets</u>	<u>2 stories or 35 ft.</u>
<u>Along arterial &amp; collector streets</u>	<u>5 stories or 55 ft. if structured parking is provided within project</u>
<b><u>Density (maximum dwelling units/acre)</u></b>	
<u>Single Family Residential</u>	<u>15</u>
<u>Multi-Family Residential</u>	<u>25</u>
<u>Vertically integrated mixed-use building</u>	<u>36</u>

### District Specific Requirements:

- (1) Review Process: Any UMXZ development shall be processed as a conditional district rezoning subject to a conceptual site plan review. In addition, a specific site plan shall be reviewed and approved by the technical review committee in accordance with all applicable standards.
  - (A) The following shall be included in the conceptual site plan:
    - i. Boundary survey and vicinity map showing total acreage, general location in relation to major streets, railroads, and/or waterways, the date and a north arrow on top.
    - ii. Conceptual plan showing the location of all major land uses and proposed maximum square footage for each use—may be a bubble format showing the general location and relative arrangement of different land uses.
    - iii. Maximum building heights.
    - iv. All external access points and conceptual internal traffic circulation plan.
    - v. Proposed buffer and landscaping areas.
  - (B) Minor modifications to approved conceptual site plans that have no material effect on the character of the approved development and comply with all applicable standards of this Ordinance may be approved by the Planning Director. Any other changes to approved conceptual site plans must be authorized by the Board of Commissioners. Changes in the following constitute minor modifications that may be approved by the Planning Director:
    - i. Modifications in building placement, provided the placement does not decrease the setbacks agreed to during the conditional rezoning process by more than 10 percent;
    - ii. Increases to building size and height not to exceed 10 percent;
    - iii. Increase to the impervious surfaces not to exceed 10 percent;
    - iv. Modifications to structure floor plans;
    - v. Modifications to the driveway locations as required by the North Carolina Department of Transportation; and
    - vi. Modifications to the proportion of use type not to exceed 10 percent.
- (2) Mix of Uses: All UMXZ projects shall include a mix of both residential and nonresidential uses.
- (3) Utility and Equipment Screening:
  - (A) HVAC equipment, air conditioning window units, and other electrical equipment, and fire escapes shall not be located on facades with street frontage. All such equipment shall be placed in the interior yards or inset into the roof pitch, or behind a parapet wall in the case of a flat roof, of the building and screened from the right-of-way.
  - (B) Through-wall mechanical units are permitted on any façade if they are incorporated into the design of the building, flush with the façade on which they are located, concealed by a vent cover, and have an internal drip system for condensation.

- (C) Utility meters, transformers, and fixed trash disposal receptacles that cannot be located out of sight shall be screened from the public right-of-way by plantings or opaque fencing.
- (D) The TRC may approve alterations to these standards in cases where they cannot be met due to design considerations of the structure and the intent of visual minimization of the feature is otherwise addressed.
- (4) Site Lighting: All site lighting shall be located, angled, shielded, and/or limited in intensity so as to cast no direct light upon adjacent properties, shall minimize off-site backlighting glare, and up-lighting. Light posts shall be no taller than 12 feet.
- (5) Parking and Driveway Requirements:
  - (A) Parking shall be provided in accordance with the requirements of Article VIII of this ordinance, shared parking may be allowed upon submittal of a parking study showing how parking as provided will be sufficient for permitted uses.
  - (B) Surface parking shall be located to the side or rear of buildings or in the interior of a block and shall be prohibited in front of buildings. Surface parking shall not be located along rights-of-way, except for alleys. The TRC may approve alterations to this standard in cases where locating parking to the side or rear is limited by existing site features, such as trees, or when this requirement is not consistent with the existing frontage pattern along the roadway.
  - (C) Surface parking lots visible from the public right-of-way shall be screened by permanent walls, shrubbery, or hedges at least 3 feet in height. If hedges or shrubbery are used, they shall be at 3 feet in height at the time of planting and shall be maintained at 3-5 ft. in height at all times.
  - (D) Parking shall be accessed via alleyways wherever possible.
  - (E) The design of all above-grade parking structures shall relate to the context of the area. Exterior walls of parking structures shall be designed with materials, colors, and architectural articulation in a manner that provides a visual compatibility with adjacent buildings and environment.
  - (F) Pervious pavement materials, vegetated bio-infiltration parking lot islands, or infiltration systems shall be used to minimize pollutant run-off from surface parking areas to the extent that soil permeability, depth to groundwater, or site constraints allow.
- (6) General Site Design: Each of the following components shall be included in UMXZ developments.
  - (A) Multi-modal Transportation Opportunities: Public transit, walking, bicycling, and/or water-oriented transit and the facilities necessary for such uses.
    - i. Pedestrian circulation shall be clearly defined with paving, materials, and/or landscaping and shall connect all uses. Sidewalks and crosswalks shall be provided within new developments as necessary.
    - ii. Bicycle and/or pedestrian connectivity to adjacent developments or existing or funded bicycle and pedestrian facilities.
    - iii. Where no sidewalks currently exist, sidewalks shall be installed within the right-of-way between the property line and the back of the curb. Sidewalk width shall be



- a minimum of 12 feet along arterial streets and 8 feet along residential/collector streets and may be reduced on internal private streets with TRC approval when context design constraints dictate or when project intensity and/or density indicate that 8 feet sidewalks will be sufficient to accommodate pedestrian traffic.
- iv. Sidewalks may be limited to a single side of rights-of-way or private streets or sidewalk width may be reduced when right-of-way or private street abut streams, ponds, or wetlands or when contextual design constraints dictate, as determined by the TRC.
  - v. An internal grid street pattern is required. Block faces within the grid pattern shall not exceed 400 ft. in length. The grid pattern may be supplemented with alleys. The TRC may waive strict adherence to the grid pattern when sites are constrained by topography, including wetlands, ponds, or other natural features, and where connections to arterial streets and connections and relationships to adjacent sites require flexibility.
- (B) Street Trees: Street tree plantings in below-grade planters or planting strips shall be included at the rate of 1 tree per 30 feet of frontage in all private rights-of-way and in public rights-of-way upon approval by NCDOT. The TRC may waive strict adherence to this requirement if an alley is utilized along all or portions of the street frontage.
- (C) Buffers and Streetyards: All development within the UMXZ district may be exempted from required buffers and stretyard requirements, as approved by the technical review committee when contextual design constraints dictate or when other design and/or landscaping features of the development serve to meet the needs of buffering and/or stretyard requirements. A minimum buffer of at least 20 feet in width is required adjacent to single-family residential zoning districts.
- (D) Trash Containment Screening: All developments with the UMXZ are subject to the following screening requirements.
- i. Trash containment areas shall be located within a building where possible.
  - ii. If trash containment, including areas for holding recycling, cannot be accommodated within a building, it shall be placed on the rear or side of the building and shall be completely enclosed and screened from view of public rights-of-way with an opaque fence or wall and/or plant materials, as approved by the technical review committee. The enclosure shall be at least 1 foot taller than the highest point of the trash receptacle. Chain link and exposed concrete blocks are prohibited.
- (E) Fences and Walls: Open wire fencing, including chain link, hurricane fencing, and barbed wire, is prohibited. Within front yards, fence heights may not exceed 4 feet.
- (7) Building Design: All new construction in the UMXZ district shall comply with the following design standards, where applicable.
- (A) Building Entrances: Primary entrances should be clearly distinctive from other entrances. Primary building entrances shall be oriented toward sidewalks along primary street frontages.
  - (B) Massing and Scale: Large expanses of flat, unadorned walls are prohibited. Façades shall incorporate architectural details, particularly at the pedestrian level. Building

façades along rights-of-way shall incorporate periodic transitions across the façade. Building façades exceeding 30 ft. in width along rights-of-way shall be divided into distinct areas utilizing methods including, but not limited to, façade offsets, pilasters, change in materials, or fenestration (window arrangement). Transitions shall be no further apart than 2/3 of the height of the façade.

- (C) Street-Level Façades: New buildings shall front onto sidewalks to reinforce pedestrian activity along streets and pedestrian ways. Exterior burglar bars, fixed “riot shutters,” or similar security devices shall not be visible from the public right-of-way.
- (D) Exterior Building Materials: Exterior building materials for all new nonresidential or multifamily structures shall be of quality finish materials. Structural metal panels or unparged or non-architectural, non-decorative concrete block shall be prohibited on façades visible from the public right-of-way.

## Section 60: Development Plans

### **Section 60.6: Lighting**

All site lighting for non-residential or multi-family uses shall be located and directed so as not to shine or reflect directly onto any adjacent residential zoning districts and/or uses.

## Section 63: Additional Restrictions Imposed on Uses Permitted by Right

### **Section 63.2: Accessory Building/Use**

63.2-3: Detached accessory dwelling units shall be allowed in districts where permitted by right, subject to the following requirements:

- (1) Only one accessory apartment shall be permitted by right.
- (2) Area sufficient for two off-street parking spaces shall be required.
- (3) Proof of adequate water and sewer capacity from the appropriate provider (CFPUA, etc.) shall be provided if accessory units are not included in subdivision approvals.
- (4) In the RMF districts, accessory apartments shall only be allowed when constructed in connection with any single family detached development allowed within the district.
- (5) For detached accessory units,
  - a. In conventional subdivisions, the subject lot must exceed the minimum lot area of the applicable zoning district by at least 50% or 5,000 square feet, whichever is less;
  - b. In performance subdivisions, accessory units shall be considered a dwelling unit for density requirements, and new accessory units may not increase density beyond the maximum allowed in the applicable zoning district.
  - c. The entire accessory unit shall not exceed 35% of the gross total enclosed heated square footage of the existing single-family dwelling or 1,200 feet, whichever is less.
  - d. The side setbacks for the detached unit shall be no less than required for the principal structure and a minimum of 5 ft.
  - e. Rear setbacks for the detached unit shall be a minimum of 5 ft.
  - f. The detached unit shall be located completely behind the plane of the rear façade of the principal structure unless constructed over a detached garage.

### **Section 63.4: Residential Uses**

#### **Section 63.4-4: Single Family Dwelling-Attached**

In the R-5 District, attached single family dwellings shall be limited to 3-unit and 4-unit structures, excepting row or townhouses.

#### **Section 63.5-1: Telecommunication Facilities, Cellular and Related Towers**

~~These facilities may be located by right in the I-1 and I-2 Districts and by special use permit in all other zoning districts. In addition, these facilities shall be subject to the following:~~

#### **Section 63.10: Electronic Gaming Operation (Sweepstakes)**

Electronic Gaming Operations shall be permitted by right as an accessory use to other commercial operations permitted by right in the B-1, B-2, I-1 or I-2 Zoning Districts when the following standards are applied:

1. The operation is located within the same structure or unit as the principal use.

2. The maximum number of machines/terminals/computers per business unit is two (2) devices.
3. For situations in which there are multi-unit or multi-tenant commercial buildings and more than one unit wishes to include gaming operations, a special use permit meeting the standards of Section 72-40 is required. In no case can the cumulative total number of machines for a business center, multi-unit or multi-tenant building exceed ten (10).
4. Off-Street Parking shall include one additional space per machine over and above the normal parking standards for the uses, and all parking must comply with all other provisions of Section VIII of the Zoning Ordinance.
5. All legally operating gaming operations made non-conforming by adoption of this section shall be removed or brought into compliance with these provisions within 60 months of the date of adoption of this section. (5/3/10)

In the CB and CS districts, Electronic Gaming Operations are allowed as a primary use and are subject to the standards listed for accessory operations above. In addition, the standards outlined in Section 72-40 for operations allowed with a special use permit shall also apply to primary operations permitted by-right.

**Section 63.13: Retail Uses in the Community Business (CB) District**

The maximum footprint of retail structures in the Community Business (CB) District shall be 60,000 square feet.

**Section 63.14: Restrictions on Outside Storage, Displays, and Activities**

- A. In the CB district, the following restrictions apply:
  - a. No more than ten (10) automotive vehicles may be displayed on an automobile renting and leasing lot.
  - b. Outside storage areas are not allowed.
  - c. All work associated with contractor operations shall be conducted entirely within enclosed structures.
- B. In the CS district, outside storage areas must be screened in accordance with Section 62.1-4(3) of this ordinance.
- C. In the R-5 and RMF districts, utilities must be screened in accordance with Section 62.1-4(3) of this ordinance, except that screening may be reduced if it completely screens the utility from view of the public right-of-way or adjacent property.

**Section 63.15: Automobile Service Station**

- A. In the CB district, the following additional restrictions apply:
  - a. Automobile towing operations are not allowed.
  - b. All repair work or lubrication shall be conducted within the principal building. All permanent storage of materials, merchandise, or repair and servicing equipment shall be contained within the principal building.
  - c. No operator shall permit the storage of motor vehicles for a period in excess of 24 hours unless the vehicles are enclosed in the principal building.

- d. Service or customer vehicles shall be parked on the premises in a manner than will not create traffic hazards or interfere with the vehicular maneuvering area necessary to enter or exit the site.
- e. The premises shall not be used for the sale of vehicles.
- f. No outdoor work shall be performed except in areas designated for such activity on an approved site plan.
- g. Outdoor work areas shall be fenced, walled, or screened to minimize on-site and off-site noise, glare, odor, or other impacts.
- h. Additional buffering and screening may be required where such use is located in close proximity to residential or retail commercial uses.

### **Section 63.16: Churches**

- A. In the R-5 and RMF districts, the following additional restrictions apply:
  - a. Religious institutions up to 1,000 of fewer seats are allowed as long as
    - i. Structures are limited to a sanctuary or similar main gatherin facility that may also include individual rooms for administration, dining halls, and classrooms. Accessory structures for maintenance and storage purposes are permitted.
    - ii. Signs shall not be internally illuminated.
  - b. The following uses are prohibited without a special use permit:
    - i. Outdoor recreational facilities, except those associated with child care provided as part of the principal use. Such facilities shall be restricted to “tot lots” or similar play areas.
    - ii. Schools associated with the institution.
    - iii. Indoor recreation facilities such as basketball courts or similar facilities.
    - iv. Religious institutions with more than 1,000 seats, provided that such facilities shall only be allowed if direct access from a collector street or minor or major thoroughfare is provided.
  - c. Primary vehicular access to the use shall not be provided by way of a local residential street.
  - d. When a religious institution and any associated buildings, outdoor recreational facilities or off-street parking areas abut a single-family residential district or use, a buffer shall be provided along the side and rear yards.
- B. In the CB and CS districts, the following additional restrictions apply:
  - a. Religious institutions are permitted with no seat limitations if located on a local street or minor or major thoroughfare.
  - b. Primary vehicular access to the use shall not be provided by way of a local residential street.
  - c. When a religious institution and any associated buildings, outdoor recreational facilities or off-street parking areas abut a single-family residential district or use, a buffer shall be provided along the side and rear yards.

### **Section 63.17: Commercial Parking Lots**

- A. If outdoor, a 3-foot high buffer with a minimum depth of 10 feet shall be provided in the front yard to screen parking areas from the road.
- B. Access shall be prohibited through residential areas.
- C. Six percent of the gross parcel area shall be landscaped to the following standards:
  - a. Landscaped areas shall be evenly located around the perimeter of the parcel.
  - b. One tree and six shrubs shall be planted for every 15 parking spaces.
  - c. 50% of trees shall be of a shade/canopy variety.

### **Section 63.18: Dwelling Unit Contained within Principal Unit**

When permitted by-right in a zoning district, the following additional restrictions apply:

- A. The residential unit may be occupied solely by the person engaged in the principal use or a full-time employee, and their family members residing with them;
- B. The site shall provide an area of open space unobstructed by any buildings, parking or structures equal to the floor area of the residential unit; said open space shall be in addition to any required yards or buffers and be located on the same lot as the principal use;
- C. The amount of floor area for the residential unit shall be no more than 50% of the total floor area of the principal use;
- D. The residential unit shall be located totally above the ground floor or totally to the rear of the principal use so as not to interrupt the commercial frontage; and
- E. In addition to the required off-street parking for the principal use, 2 off-street parking spaces shall be provided for the residential unit.

### **Section 63.19: Kennels**

Kennels permitted by-right in the CB and CS districts may only be allowed for commercial boarders and breeders, including “doggy daycare” uses and shall comply with the following requirements:

- A. All pens shall be enclosed
- B. The kennel facility shall be no closer than 100 ft. to any residentially zoned or used lot.
- C. Limited outdoor exercise runs or facilities shall be permitted so long as their hours of use are restricted to the hours between 8 am and 5 pm.
- D. The facility must be air conditioned.
- E. Exercise runs or facilities shall be a minimum of 4 ft. by 10 ft.
- F. The facility shall maintain a minimum total of 25 square feet of kennel area per animal. This area may be comprised of cage area, runs, or exercise facilities.
- G. Any outdoor area used for animal containment or exercise shall be maintained by removing animal waste on a regular basis for proper disposal as outdoor solid waste and shall be separated by a vegetative buffer of not less than 50 ft. from any stream, delineated wetland, or other surface water features including wet detention ponds. In lieu of meeting these setback requirements, this provision can be met by implementing an approved stormwater control plan designed to maximize fecal die-off.

- H. Any runoff, wash down water, or waste from any animal pen, kennel, containment, or exercise area shall be collected and disposed of in the sanitary sewer after straining of solids and hair and shall not be allowed to enter the stormwater drainage or surface waters. Strained solids and hair shall be properly disposed of as solid waste.

**Section 63.20: Warehousing & Wholesaling**

In the CS district, warehousing, wholesaling, and/or other storage of live animals, explosives, and flammable gases or liquids is prohibited.

**Section 63.21: Artisan Manufacturing**

Artisan food and beverage producers, including breweries, in the CB district, shall meet the following requirements:

- A. One or more accessory uses, such as tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other incidental use open and accessible to the public shall be included.
- B. Required parking shall be calculated based on the square footage proposed for each use.
- C. Storage of materials, including silos, products for distribution, and other items requiring long-term storage shall be allowed in areas behind a building, within service alleys, in enclosed building, or otherwise screened from the public right-of-way, pedestrian way, and adjacent residential properties.
- D. Off-site distribution via tractor trailer is only permitted if the truck traffic is limited to streets classified as arterials on the Wilmington Metropolitan Planning Organization Functional Classification Map.