

## Chapter 3. ADDITIONAL USE STANDARDS

### 3.1 Purpose and Intent

Certain uses may be constructed, continued, and/or expanded provided they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among building types so that different uses may be located in proximity to one another without adverse effects to either. Special regulation of these establishments is necessary to insure that these adverse effects will not contribute to a downgrading or blighting of surrounding residential districts or neighborhoods, unless otherwise determined by this Section.

Each use shall be permitted upon compliance with all conditions listed for the use in this chapter. Certain uses are classified as *Special Uses* and require a Special Use (SU) Permit and Town Council approval in accordance with Section 15.13.

### 3.2 Applicability

This Chapter specifies those requirements that must be met by uses in the Use Matrix (Section 2.3C) in districts where they are listed as Permitted with Additional Standards (PS) or Special Uses (SU).

### 3.3 Additional Standards by Use

#### A. Adult Establishments (MI\*) *\*Special Use (2.3C(5)a)*

Because of their very nature, adult establishments are recognized as having serious objectionable operational characteristics, particularly when they are located near a residential zoning district or certain existing land uses. The purpose of these additional standards shall be to permit the location of adult establishments within the industrial district of the town provided the proposed business adheres to the guidelines established herein.

1. **Location Standards:** No portion of a lot for an adult establishment may be located within a 1000-foot radius (determined by a straight line and not street distance) of the property line of any religious institution, elementary or secondary school, vocational or technical school, college or university, day care home or center, indoor or outdoor recreation center, cultural or community facility, group care facility, hospital, residential dwelling, family care home, live-work unit, manufactured home, housing service for the elderly, any establishment with an on premise ABC license, or any zoning district in which residential uses are permitted. Furthermore, no portion of the lot on which the adult establishment is located shall be situated within a 2000-foot radius of the property line of another adult establishment.
2. **General Standards:**
  - a. The owner/operator of the adult establishment must have a current, valid business license. Owner/operator and employees must make disclosure of criminal record and consent to a criminal records check. Persons with a record of sex offenses will be denied a business license or employment.
  - b. There shall be no more than one (1) adult establishment business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any adult establishment business.

- c. Hours of operation shall be permitted only from 12:00 noon until 2:00 am Monday through Saturday.
- d. If dancers are employed as a feature of the adult establishment, the performing areas for such dancers shall be separated from patrons.
- e. If viewing booths are provided, such booths are to be designed so that the viewing occupant is completely visible from a location on the premises that is open and available to the public.
- f. No printed material, video, photograph, written text, live show, or other visual presentation format shall be visible to the public from outside the walls of the establishment, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.

**B. Agribusiness (RR, GR, MI) (2.3C(6)a)**

Agribusiness uses not meeting exemption requirements for certain farmland as outlined in Section 1.5B must conform to the following additional standards:

- 1. Accessory buildings permitted under Section 4.6 and areas used for sales, storage, the keeping of materials or the care of animals shall not be located within a 200-foot radius of the footprint of any pre-existing adjacent residential dwelling (other than the owner's).
- 2. Accessory buildings permitted under Section 4.6 and areas used for storage or keeping of materials and/or animals shall have adequate means of ventilation and shall not create objectionable fumes, odor or dust to the surrounding area.

**C. Airport (RR\*, MI\*) \*Special Use (2.3C(8)a)**

- 1. Hangers or open storage areas shall be screened from off-site view by a Type-C buffer yard (Section 8.6B(3)).
- 2. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.
- 3. Hours of operation shall be permitted only from 6:00 am until 11:00 pm.

**D. Amusements, Indoor – 5,000 sf or Less (RR\*, GR\*, UR\*, RMX\*) \*Special Use (2.3C(5)b)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**E. Amusements, Indoor – 5,001 sf – 20,000 sf (RMX\*, NMX\*, TC\*) \*Special Use (2.3C(5)c)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**F. Amusements, Outdoor (RR\*, RMX, NMX, TC, HB, MI, TND) \*Special Use (2.3C(5)e)**

- 1. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.
- 2. Hours of operation shall be permitted only from 9:00 am until 11:00 pm.

- G. Animal Services (RR\*, NMX, TC, HB) \*Special Use (2.3C(3)a)**
1. Except where a requirement of Section 4.7 is more restrictive, an opaque wall or fence, six (6) feet in height and no closer than 10 feet to a property line shall otherwise be required for the outdoor exercise area.
  2. Hours of operation for the outdoor exercise area shall be permitted only from 7:00 am until 9:00 pm.
  3. No more than 30% of the gross floor area of the principal structure is permitted for use of boarding animals.
- H. Automated Teller Machines (ATMs) (RMX, TND) (2.3C(3)b)**
1. In addition to meeting the requirements of Chapter 12, signs shall be limited to a total of eight (8) square feet allocated to a maximum of two (2) permitted signs.
  2. Drive-thru ATMs are not permitted.
  3. Whether part of a principal building or standing alone as an accessory structure, ATMs shall be enclosed with materials and architectural design elements similar to that of the principal building. Exposed metal and/or plastic casing is not permitted.
- I. Banks, Credit Union, Financial Services (NMX) (2.3C(3)c)**
1. Only indoor transactions shall be permitted with no drive-thru windows or night drop boxes permitted.
- J. Bar / Tavern / Night Club (NMX, TC, TND) (2.3C(4)b)**
1. No customer-accessible entrance shall be located within a 500-foot radius of the property line of any religious institution, primary or secondary school, or rooming or boarding house.
- K. Bed and Breakfast Inns (RR, GR, UR, RMX, NMX, TND) (2.3C(2)a)**
1. To preserve the residential character of the surrounding area, all bed and breakfast inns must be designed as a House building type as identified in Section 5.10.
  2. In addition to meeting the requirements of Chapter 12, signs shall be limited to one (1) wall sign with a maximum sign area of four (4) square feet and one (1) non-illuminated monument sign with a maximum sign area of two (2) square feet.
- L. Business Support Services (NMX) (2.3C(3)d)**
1. Only indoor transactions shall be permitted with no drive-thru windows or night drop boxes permitted.
- M. Campground (OSP\*, RR\*, GR\*) \*Special Use (2.3C(7)a)**
- No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**N. Cemeteries (OSP, NMX, TC, HB) (2.3C(7)b)**

1. Private family cemeteries or cemeteries in the yards of religious institutions are considered accessory uses and exempt from these additional standards.
2. Cremation facilities (principal or accessory use) are not permitted except where permitted by right (Section 2.3C(3)h).
3. In addition to meeting the requirements of Section 4.7, decorative walls shall be limited to four (4) feet in height and shall be brick or stone.
4. In addition to meeting the requirements of Section 4.7, fences shall be limited to six (6) feet in height and shall be wood, wrought iron or cast aluminum.
5. All decorative walls and grave plots shall be set back from all street right-of-ways and adjacent properties a minimum of 10 ft.
6. Any internal road system shall be circuitous and at a minimum meet the design standards for alleys as specified in Section 17.4A(1).
7. A Type-A buffer (Section 8.6B(1)) shall be provided along any side or rear property line adjoining a residential district.

**O. Child/Adult Day Care Center (6 or more People) (RR, UR, RMX, NMX) (2.3C(3)f)**

1. In addition to meeting the requirements of Section 4.7, fencing enclosing any required recreation space shall be a minimum of four (4) feet in height and constructed with gates in such a manner that maximum safety to the person is ensured.
2. Day care centers shall be located on lots which provide ample outdoor play area. A fenced recreation area of a minimum of 2,250 square feet shall be provided in the rear or side yard. Required buffer yards may not be counted towards this requirement.
3. Hours of operation shall be permitted only from 6:00 am until 9:00 pm.

**P. Child/Adult Day Care Home (Fewer than 6 People) (RR, GR, UR, RMX, NMX, TC, TND) (2.3C(3)e)**

1. Rear yards shall be fenced or walled. In addition to meeting the requirements of Section 4.7, the minimum height for such walls or fences shall be six (6) feet.
2. All equipment shall be stored in the rear yard. Front yards shall not be used as playground areas.
3. Hours of operation shall be permitted only from 6:00 am until 9:00 pm.

**Q. Cremation Facilities (NMX\*) *\*Special Use (2.3C(3)h)***

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**R. Cultural or Community Facility (OSP\*, RR\*) *\*Special Use (2.3C(5)f)***

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**S. Drive-Thru Retail / Restaurants & Drive-Thru Services (NMX\*, HB, MI)  
\* Special Use (2.3C(4)c) & (2.3C(3)i)**

1. No drive-thru facility, defined as the footprint of associated vehicle accommodation lanes and canopies, shall be located within a 200-foot radius of the property line of any residential use (Section 2.3C(1)).
2. Drive-thru service windows, doors and similar building openings may be located and accessed only in the side or rear yards.
3. Drive-thru service windows, doors and similar building openings located and accessed in the side yard shall be limited to one (1) lane in the NMX district, and shall be screened from off-site view from a public right-of-way by a Type-A buffer (Section 8.6B(1)). In the HB and MI districts, drive-thru service windows, doors and similar building openings located and accessed in the side yard may be multi-lane, but shall be screened from off-site view from a public right-of-way by a Type-B buffer (Section 8.6B(2)).
4. In addition to meeting the requirements of Chapter 10, vehicle accommodation lanes for drive-thru uses shall be located outside of and physically separated from the right-of-way of any street. These lanes shall not interfere with the efficient internal circulation of the site, adjacent property, or adjacent street right-of-way.

**T. Dwelling – Single Family (RR) (2.3C(1)a)**

Unless exempted under Section 1.5B, the following additional standards shall apply:

1. Accessory buildings permitted under Section 4.6 and areas used for the storage of agricultural products or the care of animals shall not be located within a 200-foot radius of the footprint of any pre-existing adjacent residential dwelling (other than the owner's).
2. Accessory buildings permitted under Section 4.6 and areas used for the storage of agricultural products or the care of animals shall have adequate means of ventilation and shall not create objectionable fumes, odor or dust to the surrounding area.

**U. Dwelling-Secondary (RR, GR, UR, RMX, NMX, TC, TND) (2.3C(1)e)**

In order to have a secondary dwelling on a lot, the property owner must reside in one (1) of the dwelling units on the premises. In addition to meeting the accessory building requirements of Section 4.6, secondary dwelling units shall be designed to meet housing needs and shall comply with the following additional standards:

1. A secondary dwelling unit may only be an accessory use located on a lot with a single-family dwelling or duplex.
2. Not more than one (1) secondary dwelling unit may be permitted per lot.
3. A secondary dwelling unit may not exceed 800 square feet or the square footage of the primary dwelling unit, whichever is less.
4. An accessory building housing a secondary dwelling unit shall not exceed two (2) stories in height or the height of the principal building, whichever is less (*see Section 4.4*), and shall be located in the rear yard.
5. Secondary dwelling units within a principal building shall have a separate entrance accessible from the rear or side yard.

6. In addition to the parking requirements for the primary dwelling unit(s), a minimum of one (1) additional parking space shall be provided for the secondary dwelling unit.
7. Parking spaces for the secondary dwelling unit shall be located in the rear yard or side yard or may be located on-street in front of the principal building.

**V. Equipment Rental (TC, HB) (2.3C(3)j)**

1. No equipment for sale or rent may be displayed in any front yard, nor shall such displays be permitted to encroach on any required landscaping areas or buffer yards.
2. All vehicle display areas shall conform to the dimensional, design and landscaping standards set forth for parking areas in Chapters 8 and 10.
3. All equipment shall be stored within an enclosed building, opaque fence or wall and restricted to the rear yard.

**W. Family Care Home (RR, GR, UR, RMX, NMX, TC, MHD, TND) (2.3C(1)f)**

1. No portion of the lot for a family care home shall be located within a one-half (1/2) mile radius of the property line of another family care home.
2. Within 90 days of receipt of zoning compliance permit, applicant must provide proof of State licensure to the Administrator or else the zoning compliance permit will be revoked. With good cause, the Administrator may extend this term for an agreed upon amount of time.

**X. Gas Station with Convenience Store (NMX, TC, HB) (2.3C(4)d)**

1. Pumps, canopies, and associated service areas are prohibited in any front yard.
2. All canopies shall be set back a minimum of 10 feet from any adjoining public right-of-way or HB or MI zoned property and 20 feet from any adjoining OSP, RR, GR, UR, RMX, NMX or TC zoned property.
3. All vehicle storage areas shall be considered as parking lots and must comply with the provisions of Chapter 10. These areas shall also be enclosed by an opaque fence or wall that meets the requirements of Section 4.7 and restricted to the rear yard. No overnight vehicle storage shall be permitted in the NMX or TC Districts.
4. The outdoor service area of a car wash shall be restricted to the rear yard and screened from off-site view from a public right-of-way by a Type-A buffer yard (Section 8.6B(1)).
5. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.

**Y. Group Care Facility (More than 6 residents) (RR\*, NMX\*, TC\*) \* *Special Use* (2.3C(3)m)**

Group care facilities are classified as institutional buildings and should reflect the character and appearance of surrounding building types. In addition to meeting the design requirements of Section 5.6, the following additional standards apply:

1. The facility shall be screened from any residential use (Section 2.3C(1)) by a Type-B buffer yard (Section 8.6B(2)).
2. The total indoor common area heated square footage must equal or exceed 25 square feet per permitted resident excluding bathrooms, hallways and other similar areas unsuitable as leisure space.
3. Outdoor recreation space must be at least 500 square feet per person, 100 square feet of which shall be in a well-drained lawn area (as opposed to woodlands), and shall be located in rear or side yards and enclosed with a fence or wall that meets the standards of Section 4.7.
4. Total lot area shall exceed 750 square feet per resident permitted.
5. No portion of the lot for a group care facility shall be located within a one-half (1/2) mile radius of the property line of another group care facility.

**Z. Housing Service for the Elderly (GR, UR) (2.3C(1)h)**

Facilities that provide housing services for the elderly are classified as institutional buildings and should reflect the character and appearance of surrounding building types. In addition to meeting the design requirements of Section 5.6, the following additional standards apply:

1. All service areas shall be located in the rear yard and shall be screened from any residence or off-site view from a public street by a Type-B buffer yard (Section 8.6B(2)).
2. Any development shall front on a collector or arterial street, and the point of primary ingress and egress shall be provided directly onto the fronting collector or arterial.

**AA. Home Occupation (RR, GR, UR, RMX, NMX, TC, MHD, TND) (2.3C(1)g)**

A home occupation is permitted as accessory to any dwelling unit in accordance with the following requirements:

1. The home occupation must be clearly incidental to the residential use of the dwelling, may be conducted in a permitted accessory building and must not change the essential residential character of the dwelling and/or lot.
2. The home occupation shall employ no more than one (1) person who is not a resident of the dwelling.
3. Hours of operation shall be permitted only from 7:00 am until 9:00 pm.
4. There shall be no visible outside display of stock in trade which is sold on the premises.
5. There shall be no outdoor storage or visible evidence of equipment or materials used in the home occupation, excepting equipment or materials of a type and quantity that could reasonably be associated with the principal residential use.
6. Operation of the home occupation shall not be visible from any residence on an adjacent lot, nor off-site view from a public street.
7. Only non-commercial vehicles will be permitted in connection with the conduct of the home occupation.

8. The home occupation shall not utilize mechanical, electrical, or other equipment which produces noise, electrical or magnetic interference, vibration, heat, glare, or other nuisances outside the dwelling or accessory structure.
9. Permitted home occupations may include, but are not limited to: professional services, workshops, sewing, hair styling, music instruction or similar uses which do not draw clients to the dwelling on a regular basis.
10. Prohibited home occupations include, but are not limited to: vehicle repair, service or sales, animal services, theaters, massage, storage, manufacturing or fabrication.
11. In addition to meeting the requirements of Chapter 12, signs shall be limited to one (1) wall sign with a maximum sign area of two (2) square feet.

**BB. Live-Work Units (UR, RMX, NMX, TC, TND) (2.3C(1)i)**

Live-Work units are unique in that they provide both residential and non-residential space which must each be constructed to different building code standards including, but not limited to, matters of ingress and egress, accessibility by the disabled and fire-rated separation. In addition, the following standards shall be met:

1. The maximum total area of a Live-Work unit is 3,000 square feet
2. The maximum height of a Live-Work unit is three (3) stories.
3. The work area must occupy less than 50% of total unit.
4. The same tenant must occupy the work area and living area.
5. There shall be a maximum of five (5) non-resident worker/employees allowed in the Live-Work unit at any single time.

**CC. Manufactured Housing (RR, GR, MHD) (2.3C(1)j)**

1. Unless located in a mobile home park (Section 2.13A(3)b), manufactured housing shall meet the architectural standards of Section 5.7.
2. Unless located in a mobile home park (Section 2.13A(3)b), the minimum width (the width being the narrower of the two [2] overall dimensions) of the main body of the manufactured home shall be at least 22 feet for a distance extending along the length (the length being the longer of the two [2] overall dimensions) of at least 40 feet. In general terms, this only permits double-wide or multi-section manufactured housing.
3. Unless located in a mobile home park (Section 2.13A(3)b), a continuous, permanent brick, stone or stucco foundation, constructed in accordance with standards of the North Carolina Residential Building Code, shall be installed under the perimeter of the manufactured home. The foundation shall be unpierced except for required ventilation and access.
4. Unless located in a mobile home park (Section 2.13A(3)b), windows shall be set to the inside wall face.
5. Unless located in a mobile home park (Section 2.13A(3)b), a covered front porch or covered front stoop shall be provided at the entrance and should project from the primary façade a minimum of four (4) feet and be no less than four (4) feet in width.

6. The manufactured home shall front on a street such that the principal entrance is aligned to the street.
7. All towing apparatus, wheels, axles, and transporting lights shall be removed.
8. Manufactured homes may be used for residential purposes and home occupation uses only.
9. A manufactured home must bear a seal certifying that it was built to the standards adopted on July 1, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction.
10. In the RR and GR districts, the minimum lot width for manufactured homes shall be 100 feet.
11. In the RR and GR districts, the minimum lot size for manufactured homes shall be one (1) acre.

**DD. Manufacturing, Light (HB) (2.3C(6)d)**

1. All materials or equipment shall be stored within an enclosed building, or stored within an outdoor storage area enclosed by an opaque fence or wall that meets the requirements of Section 4.7 and is restricted to the rear yard.
2. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.

**EE. Manufacturing, Neighborhood (NMX, TC) (2.3C(6)e)**

1. All materials or equipment shall be stored within an enclosed building.
2. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.

**FF. Meeting Facilities (OSP\*, RR\*) \*Special Use (2.3C(5)g)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**GG. Mini-Warehouses (HB, MI) (2.3C(6)i)**

1. All areas shall be screened from any adjacent residence or off-site view from a public street by a Type-A buffer yard (Section 8.6B(1)).
2. Metal siding is prohibited. All exterior walls shall be brick, stone or decorative masonry.
3. No outdoor storage of goods or materials shall be permitted.

**HH. Neighborhood Retail/Restaurant – 2,000 sf or Less (RMX\*) \*Special Use (2.3C(4)e)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**II. Outdoor Animal Boarding /Equestrian Facilities (RR\*, MI\*) \*Special Use (2.3C(3)o)**

1. All open exercise, boarding, training and similar areas shall be enclosed by a perimeter fence or wall no less than four (4) feet in height and screened from any pre-existing adjacent residential dwelling (other than the owner's) by a Type-A buffer yard (Section 8.6B(1)).
2. No outdoor kennel and/or run shall be located within a 500-foot radius of the footprint of any adjacent residential dwelling (other than the owner's).
3. All accessory structures other than outdoor kennels and/or runs related to the care of animals shall not be located within a 200-foot radius of the footprint of any pre-existing adjacent residential dwelling (other than the owner's).

**JJ. Personal Services (RMX, NMX, TC, HB, MI, TND) (2.3C(3)p)**

1. Hours of operation shall be permitted only from 6:00 am until 11:00 pm.

**KK. Quarrying and Stone Cutting (MI\*) \*Special Use (2.3C(6)j)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**LL. Recreation Facilities, Indoor (RR, GR, UR) (2.3C(5)h)**

1. Indoor recreation facilities shall not be located within a 250-foot radius of the property line of any school or church.
2. Accessory restaurant or bar/tavern/nightclub uses are not permitted.
3. The front façade shall not be blocked and permit a clear view into the facility.

**MM. Research and Development (HB) (2.3C(6)k)**

1. All materials or equipment shall be stored within an enclosed building, or stored within an outdoor storage area enclosed by an opaque fence or wall that meets the requirements of Section 4.7 and is restricted to the rear yard.
2. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.

**NN. Transit, Road and Ground Passenger Services (TC, HB, MI) (2.3C(8)b)**

1. Outdoor storage areas shall be enclosed by an opaque fence or wall, restricted to the rear yard, and screened from off-site view from a public right-of-way with a Type-B buffer yard (Section 8.6B(2)). No outdoor storage is allowed in the TC District.
2. Temporary fleet vehicle storage areas shall conform to the dimensional, design and landscaping standards set forth for parking areas in Chapters 8 and 10.
3. Maintenance of fleet vehicles, related materials and equipment is restricted to the rear yard and shall be within an enclosed building or outdoor storage area enclosed by an opaque fence or wall.
4. All vehicles shall be operable and suitable for driving. Any vehicle not meeting this criterion shall be removed within seven (7) calendar days. Any visibly

damaged vehicle or vehicle with missing parts must be removed within three (3) calendar days.

5. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.

**OO. Rooming or Boarding House (RMX, NMX, TC, TND) (2.3C(2)c)**

1. All parking areas shall be screened from any residence or off-site view from a public street by a Type-B buffer yard (Section 8.6B(2)).
2. On-site staff supervision shall be provided at all times.
3. All guest rooms shall only be accessed from an interior hallway after passing through a supervised lobby area.
4. In addition to meeting the requirements of Chapter 12, signs shall be limited to one (1) wall sign with a maximum sign area of four (4) square feet.

**PP. Schools – Elementary & Secondary (RR\*, GR\*) \*Special Use (2.3C(7)g)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**QQ. Storage – Outdoor Storage Yard as a Principal Use (MI) (2.3C(6)l)**

1. Outdoor storage areas shall be enclosed by an opaque fence or wall, restricted to the rear yard, and screened from off-site view from a public right-of-way with a Type-B buffer yard (Section 8.6B(2)).

**RR. Storage - Warehouse, Indoor Storage (RR, TC, HB, MI) (2.3C(6)m)**

1. An indoor storage facility is limited to 5,000 square feet per floor in the TC and RR District.
2. Outdoor storage is not permitted.
3. In the RR District, all areas shall be screened from any pre-existing adjacent residence (other than the owner's) by a Type-A buffer yard (Section 8.6B(1)).

**SS. Sweepstakes Center (MI\*) (2.3C(4)l) \*Special Use**

1. Hours of operation shall be permitted only from 6:00 am until 11:00 pm.
2. A maximum of 20 machines/terminals/computers for sweepstakes operations are permitted per licensed location.
3. No portion of the lot for a sweepstakes center shall be located within a 500-foot radius of the property line of another sweepstakes center, existing residential dwelling unit, group care facility, day care center, religious institution or school.

**TT. Utilities – Class 3 (RR\*, HB\*) \*Special Use (2.3C(8)f)**

*No additional standards other than approval through a Special Use Permit process (Section 15.13).*

**UU. Vehicle / Heavy Equipment Sales (TC, HB, MI) (2.3C(4)m)**

1. No equipment for sale or rent may be displayed in any front yard, nor shall such displays be permitted to encroach on any required landscaping areas or buffer yards.

2. Vehicle display areas shall conform to the dimensional, design and landscaping standards set forth for parking areas in Chapters 8 and 10.
3. All vehicles shall be operable, suitable for driving and ready for sale. Any vehicle not meeting this criterion shall be removed within seven (7) calendar days. Any visibly damaged vehicle or vehicle with missing parts must be removed within three (3) calendar days.
4. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.

**VV. Vehicle Services –Maintenance /Repair/Body Work (TC, HB, MI)  
(2.3C(3)t)**

1. All vehicles, materials or equipment shall be stored within an enclosed building, or within an outdoor storage area enclosed by an opaque fence or wall that meets the requirements of Section 4.7 and restricted to the rear yard. Outdoor storage is not permitted within the TC District.
2. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.
3. No vehicle may be kept or used for parts for other vehicles.
4. No vehicle may be stored in an unrepaired state for more than thirty (30) calendar days.

**WW. Wholesaling and Distribution (HB\*, MI) \*Special Use (2.3C(6)n)**

1. All vehicle storage areas shall be enclosed by an opaque fence or wall, restricted to the rear yard, and screened from off-site view of a public right-of-way by a Type-A buffer yard (Section 8.6B(1)).
2. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.

**XX. Wireless Telecommunication Facility – Stealth/Camouflage (GR, UR, RMX, NMX, TC, HB, MI, MHD, TND) (2.3C(8)c)**

1. All antennas and related mechanical equipment placed on structures other than towers (a stealth/camouflage facility) shall be concealed. Antennas located on top of buildings or other structures shall not exceed 30% of the building height. In no event shall an antenna extend beyond the structure in any direction greater than 25 feet.
2. Stealth facilities, including antenna and supporting electrical and mechanical equipment, shall be designed to blend in with the existing structure or buildings with similar colors or other techniques as appropriate so as to make the antenna and related equipment as visually unobtrusive as possible.
3. No co-located antenna shall extend above the highest point of the tower.

**YY. Wireless Telecommunication Facility – Towers (RR\*, MI) \*Special Use  
(2.3C(8)d)**

In recognition of the Telecommunications Act of 1996, it is the intent of the Town of Knightdale to allow Wireless Telecommunication providers the opportunity to locate

towers and related facilities within its jurisdiction in order to provide an adequate level of service to its customers while protecting the health, safety, and welfare of the citizens of Knightdale. Wireless Telecommunication Facilities may be considered undesirable with other types of uses, most notably residential, therefore special regulations are necessary to ensure that any adverse affects to existing and future development are mitigated.

1. Radio, television or similar reception for adjoining properties shall not be disturbed or diminished.
2. No telecommunication tower shall exceed 200 feet in height.
3. Towers shall be sited to contain all on-site ice-fall or debris from tower failure. The minimum distance from the tower's base to the property line shall be equal to the tower's fall radius.
4. Towers must be set back from any residential district a minimum of 200 feet.
5. Towers shall be monopole construction.
6. Tower lighting shall not exceed the minimum standards established by the FAA in Advisory Circular No. 70/7460-1J dated November 29, 1995, and as may be amended from time to time. All towers that require lighting by the FAA shall utilize a dual system consisting of red lights for nighttime hours and high or medium intensity flashing white lights for daytime and twilight hours.
7. A property identification sign (Section 12.9F) shall be displayed in a visible location near the tower. The purpose of the sign is for use by law enforcement departments to contact the company operating the equipment in the event of an emergency. The sign shall contain a number to be assigned to the company and a telephone number for 24-hour emergency contact. No other signs shall be permitted on the facility.
8. The base of the tower along with any individual guy wires shall be enclosed by a commercial grade fence of a minimum of eight (8) feet in height.
9. A vegetative screen consisting of two (2) staggered rows of evergreen trees shall surround the perimeter of the property containing the base of the tower and related equipment. Evergreen vegetation shall be of sufficient density to serve the purpose of an opaque screen to keep the tower area itself from being visible from any public right-of-way or adjacent property.
10. If the tower equals or exceeds 100 feet in height, but is less than 150 feet in height, the tower shall be engineered and constructed to accommodate a minimum of two (2) telecommunication users. If the tower equals or exceeds 150 feet in height, but is less than 180 feet in height, the tower shall be engineered and constructed to accommodate a minimum of three (3) telecommunication users. If the tower equals or exceeds 180 feet in height, but is less than 200 feet in height, the tower shall be engineered and constructed to accommodate a minimum of four (4) telecommunication users. For each potential user there shall be a minimum of 600 square feet reserved on the approved plans for associated buildings and equipment, unless the applicant provides evidence that less space is necessary.
11. If the new tower is approved, the owner shall provide written authorization to the Administrator that the tower and its accessories may be shared by other telecommunication antenna(s). The owner shall record in the register of deeds'

office a letter of intent prior to the issuance of the building permit. This letter shall bind all subsequent owners of the approved tower.

12. If the town determines that the proposed tower will be situated in a location that will enhance the town's telecommunication system, the permit applicant shall agree to allow the town to, at fair market value, co-locate its telecommunication equipment prior to the issuance of the building permit.
13. The output power from the tower shall not exceed federally-approved levels for exposure to electronic magnetic force (EMF).
14. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness. The design of the tower and related structures shall to the extent possible use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.
15. The antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
16. No antenna shall extend above the highest point of the tower.
17. Evidence must be presented to the Administrator that the proposal complies with all applicable FAA and FCC regulations.
18. The Applicant and the owner of record of any proposed Wireless Telecommunications Facilities property site shall, at its cost and expense, be jointly required to execute and file with the Town a bond, or other form of security acceptable to the Town as to type of security and the form and manner of execution, in an amount of at least \$75,000.00 for a tower and with such sureties as are deemed sufficient by the Town to assure the faithful performance of the terms and requirements of the UDO and conditions of any Special Use Permit issued pursuant to this UDO. The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Special Use Permit.
19. Each calendar year, the antenna owner shall provide the town with a copy of any FCC and FAA license issued.
20. Any wireless telecommunication tower that ceases to be used for a period of at least 365 consecutive days shall be removed at the expense of the property owner or Special Use Permit holder within 30 days of notification by the Administrator. Failure to remove the tower within the specified 30 day period shall constitute a violation of this ordinance, subject to the provisions of Chapter 18.