

ARTICLE VI. TABLE OF PERMITTED AND SPECIAL USES

Section 6.1 **General**

The Table of Permitted and Special Uses which follows in Section 6.5 contains a listing of uses which may be permitted in one or more of the various Zoning Districts established by this Ordinance.

Section 6.2 **Entries**

The District or Districts in which a particular listed use may be permitted is indicated by an "X" or "S" in the District column(s) opposite the listed use.

Section 6.3 **Meaning of Entries**

The meanings of the entries in the Table are as follows:

1. "X" indicates the use is permitted by right and a Zoning Compliance Certificate may be obtained.
2. "S" indicates the use requires approval of a Special Use Permit in accordance with the procedures of Section 15.9.

The column on the far right labeled "SR" (Special Requirements) means that there are special additional performance requirements that the use must comply with in its development. These requirements are contained in Section 6.5, "Special Requirements to the Table of Permitted and Conditional Uses". For any use subject to a Special Use Permit, the Special Requirement shall represent the minimum conditions for issuance of a Special Use Permit.

3. The listing of a use in the Table of Permitted and Conditional Uses in no way relieves that use of having to meet all local, State, and Federal laws pertaining to the establishment and operation of that use.

Section 6.4 **Table of Permitted and Special Uses (See Table)**

Section 6.5 **Special Requirements to the Table of Permitted and Special Uses**

The Table of Permitted and Special Uses of Article VI contains a column on the far right labeled "SR" for Special Requirements. In any case where a use listed in the Table of Permitted and Special Uses has a number in the SR column opposite the use, the use must comply with the additional Special Requirements contained in this Section corresponding to the Special Requirements number. For example, the use Mobile Home Park has the number 5 in the "SR" column opposite the use, therefore, the development of a Mobile Home Park must meet the Special Requirements for SR 5 Mobile Home Park of this Section.

SR 1. Bed and Breakfast Inns

In the Residential and OI Districts:

1. The maximum number of guest bedrooms shall be 6.
2. The inn shall be operated by a resident manager.
3. The use shall be located in a structure which was originally constructed as a dwelling.
4. The use shall contain only 1 kitchen.
5. The use of such a facility by any one patron shall be limited to no more than 15 days per 60-day period.

SR 2. Family Care Home and Family Day Care Home

A family care home with 5 or fewer persons or a family day care home with 5 or fewer persons may be operated as an accessory use to a principal dwelling. Provided, however, no family care home may be located within one-half mile radius of any other family care home as defined by North Carolina General Statute 168-21. Nor shall any family day care home be located within a one mile radius of any other family day care home.

SR 3. Group Residential District (GRD): Multi-Family Housing

For the purposes of this Special Requirement, multi-family housing shall be defined as a multiple unit building with units vertically or horizontally arranged. Units may be for rental (apartments) or for sale in condominium ownership.

In approving a Special Use Permit for a multi-family housing development, the City Council may modify any standard or requirement of this Section where in the Council's opinion equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purposes of this Ordinance. In approving a modification the Council may prescribe such reasonable and appropriate conditions and safeguards as will in its opinion assure performance and the maintenance of the purposes of this Ordinance.

1. Definitions:
 - a. Apartment. Any dwelling which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of 2 or more families living independently of each other in dwelling units.
 - b. Condominium. A form of property ownership whereby the owner gains ownership of an interior space within a building. The building structure, the land

under the building, and all surrounding land on the property is generally owned by all the inhabitants of the building or property in common ownership.

2. General Requirements:

- a. The maximum impervious surface coverage area is 50%.
- b. All streets within the interior of the development shall be private as defined in this Section.
- c. A Traffic Impact Analysis (TIA) will be required for all multi-family housing developments that are larger than 50 units.
- d. All utilities within the development shall be located underground.
- e. All outdoor lighting should be arranged to reflect away from adjoining property owners. Lighting plans shall be reviewed and endorsed by the local electric utility provider.

3. Dimensional Requirements:

- a. The maximum density within the multi-family housing district is 12 units per acre.
- b. A 50 foot setback is required from the thoroughfare and shall be landscaped per the requirements of this Section.
- c. The front yard setback for interior streets is 15 feet as measured from the edge of the street or curb.
- d. The front yard setback for single structure multi-family units, such as duplexes, triplexes, etc. along an existing public right-of-way is 35 feet. If a single structure multi-family development is infill development, the newly constructed structure must conform to the same front setback as existing structures located on either side of the property.
- e. The side and rear yard setback is 20 feet as measured from adjoining property lines.
- f. The maximum building height is 35 feet or 3 stories.
- g. The maximum building length is 150 feet.
- h. To determine building separation (or position of an individual building or series of attached units), an isosceles triangle (yard space triangle) shall be drawn from each building façade. The base of the triangle shall be a line connecting the

extreme ends of the façade (ignoring one-story storage rooms and other one-story protrusions of 100 square feet or less, exterior stairways, and decks), and its altitude shall be the length of the base line multiplied by a factor related to the height of the building as shown below:

| <u>Number of Stories</u> | <u>Altitude Factor</u> |
|--------------------------|------------------------|
| 1 | 0.4 |
| 2 | 0.5 |
| 3 | 0.6 |

The isosceles triangle thus established shall not:

1. overlap any portion of any other building, or
2. extend across the property lines of the development.

Regardless of the regulations above, a minimum distance of 20 feet must separate buildings within a development. This minimum separation requirement is increased to 25 feet between buildings whose yard space triangles overlap each other. Furthermore, buildings shall not be arranged in straight rows oriented in such a way as to resemble rows of barracks.

The isosceles triangle (yard space triangle) requirements are not applicable to single structure multi-family units of one story on a single parcel of developable land.

4. Streets, Parking, and Walkways:

- a. All parking areas must be constructed with curb and gutter.
- b. The minimum street width shall be 24 feet as measured from face of curb or edge of pavement.
- c. Sidewalks shall be located on one side of the street for streets that are 24 feet in width. Sidewalks are required on both sides of the street for streets that are wider than 24 feet. The sidewalk must be 5 feet wide.
- d. A minimum of a 2 foot grass strip should be located between the curb and the sidewalk for utility placement.
- e. Street stub outs to adjoining property shall be provided wherever feasible.
- f. The interior streets and off-street parking areas must be maintained by a private association.

- g. The off-street parking area must be paved. The City encourages pervious paving materials.
- h. Walkways must connect the off-street parking area to building units as well as to the sidewalk along the public street.
- i. Off-street spaces shall be provided in accordance to the following schedule:

| | |
|---------------------|--------------------------------|
| 1 Bedroom Units | 1.8 spaces per unit |
| 2 Bedroom Units | 2.0 spaces per unit |
| 3 Bedroom Units | 2.4 spaces per unit |
| Additional Bedrooms | 0.5 spaces per additional unit |
- j. Dimensional requirements for off-street parking spaces shall be in accordance with Section 8.11 of the Zoning Ordinance.
- k. No off-street parking area should be located within 50 feet of the thoroughfare.
- l. No more than 10 parking spaces can be in a continuous row without being separated by a landscaped island as defined in this Section.
- m. No off-street parking area should be located within the side and rear yard setbacks or buffer areas.
- n. Developments along a thoroughfare that are 100 units or less shall have at least 1 access point to the thoroughfare. Developments along a thoroughfare that are more than one 100 units shall have at least 2 access points to the thoroughfare.
- o. Walkways shall be constructed to provide links between residential buildings, off-street parking areas, mail kiosks, solid waste disposal, and adjoining sidewalks and greenways.
- p. A double driveway is required for developments that are along the thoroughfare. The entire entranceway shall be no more than 80 feet wide. The entranceway shall include a minimum 110 square feet landscaped median consisting of grass, mulch, and shrubs. A monument sign may also be located in this landscaped area as per this Section. For developments of 20 or more units, three traffic lanes must be provided at the entrance: 1 for entry and 2 for exits.

5. Design Standards:

- a. All developments shall provide a detailed design elevation for review.
- b. To provide for variation and distinction of each individual unit, the following standards are required:

1. Building designs and/or color schemes that create variety and do not look monotonous if replicated throughout the development.
 2. Windows and/or projecting wall surfaces to break up larger wall surfaces.
 3. A minimum of 2 types of high quality building materials for each building on the front, side, and rear elevations.
 - c. Front porches and/or balconies are encouraged for all units that abut an outside wall of the building.
 - d. All rooftop equipment shall be screened from view of the street.
 - e. The façades of accessory structures should be similar to the primary structure.
6. Open Space Standards:

Dedicated open space shall be provided based on the following schedule:

- a. Developments of less than 100 units – minimum 10% of the development excluding required setbacks and buffers.
 - b. Developments of more than 100 units – minimum 1 acre for each 100 units excluding required setbacks and buffers.
 - c. The open space should be dedicated to a private association.
 - d. In any case where the City Council agrees to accept open space from the developer, the dedication shall count to serve this open space requirement assuming it meets the minimum requirements from paragraphs 1 and 2 above.
7. Landscaping Standards:

Thoroughfare Planting Yard

- a. A berm is required along the entire yard that fronts the thoroughfare. The berm must be a minimum of 3 feet high.
- b. The yard shall contain 3 canopy trees and 7 understory trees per 100 linear feet of planting yard. The yard shall also contain 25 shrubs per 100 linear feet of planting yard. The terms canopy tree, understory tree, and shrub are defined in Section 10.2. The city's Recommended Tree Species List for Planting is found in Section 10.13.
- c. Any area in the thoroughfare yard not planted with trees or shrubs should be grassed or mulched.

Interior Street Planting Yard

- a. One canopy tree shall be planted every 50 feet along the interior streets.

Buffer Yard from Adjoining Property

See Section 10.5 (Multi-Family and Single-Family Attached Residential Uses) and below:

Protection of existing trees that are proven to be healthy and appropriate for screening is mandatory in required buffer strips and is to be used as credit toward a portion of the buffer required by this Section.

Landscaped islands in off-street parking areas shall have an unobstructed width dimension of not less than 7½ feet and shall not be less than 110 square feet in area. Each landscaped island shall be protected by curbing or parking barriers and contain at least 1 canopy tree.

Alternative Screening Methods as defined under Section 10.6 may be used if it is determined by the Zoning Administrator that the application of the landscaping standards in this Ordinance are inappropriate or ineffective.

8. Solid Waste Facilities:

The developer shall install solid waste storage facilities consisting of a minimum 10 foot by 20 foot concrete pad with vehicle apron and a minimum 6 foot high opaque fence on the sides and rear of the facility with a gated front. 2 bollards are also required to protect the fence. The facility shall not be in any required front setback from the thoroughfare or in any side or rear yard setback or buffer from adjoining property.

9. Mail Kiosks:

Mail kiosks shall not be located in any front setback from the thoroughfare or any side or rear setback from adjoining property. The Postmaster shall have the authority to review and alter the placement of any kiosk to suit the needs of the United States Post Office.

10. Sign Standards:

One monument-type ground sign shall be provided for each entranceway from a thoroughfare. The maximum height shall be 6 feet above ground level (prior to any berm construction). The maximum copy area shall be 32 square feet. Signs may be located in the front planting yard.

11. Stormwater Standards:

Requirements for control of stormwater runoff are found in Archdale's Stormwater Ordinance.

SR 4. Home Occupation, Customary

1. Customary home occupations such as dressmaking, cooking and baking, hairdressing, music instruction, and the practice of such professions as insurance and accounting may be permitted in the Zoning Districts indicated. The City Council shall decide whether other occupations not listed are within the spirit of this category of uses.
2. Only 1 person other than those residing in the home shall be engaged in the occupation.
3. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
4. There shall be no changes in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation except 1 non-illuminated sign not exceeding 4 square feet.
5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or which causes fluctuations in line voltage off the premises.

SR 5. Mobile Home Parks

The purpose of these mobile home park regulations is to provide an acceptable environment for what are in fact small communities of mobile homes and to establish minimum requirements for issuance of Special Use Permits for mobile home parks.

1. Location of Mobile Homes: After June 16, 1977 it shall be unlawful for any person to locate a mobile home on any lot within the zoning jurisdiction of the City of Archdale except in a mobile home park that has received Special Use approval of the

City Council. If a park does not comply with all regulations of this district, individual mobile homes cannot be replaced nor can the park expand in size. However, if the entire park is brought up to standards as prescribed in this Section, existing mobile homes can be replaced and the park can expand. After June 16, 1977 mobile homes on individual lots cannot be replaced or structurally expanded, although normal maintenance will be permitted if necessary to maintain a safe and healthy dwelling unit.

2. Temporary Mobile Structures: Although it is the intent of the City of Archdale to restrict mobile homes to mobile home parks, there are specific situations where they may be allowed as temporary facilities:
 - a. A mobile structure may be used temporary office quarters, but under no circumstances shall mobile structures be used for human habitation.
 - b. Where public schools are permitted, modular units approved by the N.C. Department of Insurance may be located on school property to be used as temporary classrooms.

Temporary use permits may be issued initially for 12 months, but may be renewed for successive six-month periods as long as the specific conditions described in 1 and 2 above continue to exist. Temporary Use permits shall be issued by the Zoning Administration officer.

3. Facilities Required on Mobile Homes: Every mobile home (except those units referenced in 2a and 2b above) located either in a mobile home park or on an individual lot that existed prior to or after adoption of this Zoning Ordinance within the zoning jurisdiction of the City of Archdale shall have the following facilities:
 - a. Every mobile home shall be underpinned with a material of a permanent nature such as masonry, but does not include wood framing.
 - b. Every mobile home shall be tied down to a concrete foundation or footing to resist overturning in the events of high winds. All such tie downs shall be in accordance with the State of North Carolina Regulations for Mobile Homes.
4. Special Use Permit for Mobile Home Parks Required: It shall be unlawful for any person to construct or use any lot or other parcel of land within the jurisdiction of the City of Archdale for a mobile home park until application has been made and a Special Use Permit therefore has been issued by the City Council. The City Council shall, prior to issuing a Special Use Permit, determine if all requirements of this Ordinance can be complied with. No on-site improvement may be made until after a permit has been granted by the City Council. A Special Use Permit for a mobile home park may be revoked by the City Council upon finding of fact that a violation of the requirements of this Ordinance exists, provided, however, the owner, lessee, or other responsible person is notified in writing of such violation and 5 days from the date of receipt of such written notice have expired, it shall be unlawful for any

person, firm, or corporation to continue such mobile home park or mobile home lot after a Special Use Permit therefore, as required herein, has been revoked by the City Council.

5. Conflict with Health Department Regulations: In the event the State or County Health Department has adopted regulations governing mobile homes or mobile home parks, the requirements of this Ordinance or the requirements of the State or County Health Department, whichever is more stringent, shall govern.
6. Utilities Required:
 - a. Water – An adequate and safe supply of water shall be readily available at the mobile home park site. This requirement shall be deemed to have been met: (1) when an approved connection is made to the municipal water system, or (2) when an independent water supply capable of furnishing 300 gallons of water per day per available mobile home space and which has been approved by the County Health Department as a safe supply of drinking water is available on the mobile home park or mobile home site;
 - b. Sewer – Each mobile home park shall be required to have a connection with a municipally approved sanitary sewer system in the manner as required or, if located beyond the municipal service area, a sanitary sewer system approved by the County Health Department. Any extension of the municipal sanitary sewer system required to comply with this requirement shall be made in accordance with the utility extension ordinance or policies of the City of Archdale then in effect. No waste water from washing machines or similar sources shall be discharged on the ground or in streams; and
 - c. Electricity – Each mobile home so parked in accordance with this Ordinance must have an individual metered connection to an electric supply and must have an approved fuse disconnect box at the metered location.
7. Site Requirements: Site requirements for all mobile home parks shall be as follows:
 - a. The minimum lot size, tract, or parcel of land to be used for a mobile home park shall not be less than 2 acres in size, and shall contain at least 5 mobile homes spaced as defined in this Section. In no event shall there be more than 8 mobile homes per acre.
 - b. The minimum lot size for each mobile home space shall be 5,000 square feet.
 - c. No mobile home shall be located closer than 30 feet to any public street or exterior boundary line of the mobile home park.
 - d. Each mobile home space shall have at least 2 automobile parking spaces.

- e. Ingress and egress to the mobile home park shall be made accessible only through driveways or openings as approved by the Director of Public Works or the North Carolina Department of Transportation. Interior streets shall be graded to a width of 33 feet and finished grade, cross-section, and profile shall be approved by the City. All interior streets shall have a width of 21 feet if no parking is permitted; or 33 feet if parking is permitted on one side of the street; or 41 feet if parking is permitted on both sides of interior streets.
 - f. No mobile home shall be located closer than 20 feet to the nearest other mobile home or structure.
 - g. Cul-de-sacs shall be provided with a turnaround for emergency service and vehicles having 40 foot radius. All interior streets shall be retained as private streets on mobile home park property.
 - h. Mobile home parks shall be located on ground that is not susceptible to flooding and graded so as to prevent any water from ponding or accumulating on the premises. Where storm drainage pipes are located in adjacent streets, underground drainage facilities with connections to the storm drainage system shall be provided for the mobile home park. Topographic information and Flood Insurance Rate Map (FIRM) elevations shall be utilized to determine areas susceptible to flooding.
8. Facilities Required: Each mobile home park shall provide minimum facilities for occupants as follows:
- a. Plumbing Installations: All plumbing installations shall conform to any and all applicable city and state building codes. Furthermore, each mobile home shall be required to make separate connection with sanitary sewer facilities or Health-Department approved septic tanks immediately upon occupying a mobile home site. A minimum of 4 inch connections shall be required and shall have approved fittings to insure a water-tight connection and means for capping or closing such connection when it is not in use.
 - b. Garbage and Trash Containers: At least 1 covered garbage and trash container shall be provided for each mobile home. Containers shall be placed on racks which are approved by the County Health Department and such racks shall be located within the mobile home park at a point which is readily accessible for collections and screened from public view. In lieu of requiring individual garbage and trash containers for each mobile home, other approved garbage and trash disposal facilities may be provided with the approval of the County Public Health Department.
 - c. Front Porches: Each mobile home must be provided, at the front entrance, with a minimum of a 10 feet by 10 feet approved porch constructed in accordance with building code requirements.

SR 6. Planned Unit Development (PUD)

In approving a Planned Unit Development, the City Council may modify any standard or requirement of this Section where in the Council's opinion equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purposes of this Ordinance. In approving a modification the Council may prescribe such reasonable and appropriate conditions and safeguards as will in its opinion assure performance and the maintenance of the purposes of this Ordinance.

1. PUD's shall be permitted only when requested as a Conditional Use and accompanied by a rezoning request to one of the following Districts:

- a. Conditional Use Planned Unit Development Residential (CU-PDR)

The Conditional Use Planned Unit Development Residential District (CU-PDR) is intended to accommodate a variety of housing types developed on large tracts in accordance with a Unified Development Plan.

- b. Conditional Use Planned Unit Development Mixed Residential District (CU-PDMR)

The Conditional Use Planned Unit Development Mixed Residential District (CU-PDMR) is intended to accommodate a variety of residential housing types developed on large tracts in accordance with a Unified Development Plan. This District also accommodates neighborhood business and office uses which primarily serve nearby residents.

- c. Conditional Use Planned Unit Development Mixed Commercial (CU-PDMC)

The Conditional Use Planned Unit Development Mixed Commercial District (CU-PDMC) is intended to accommodate residential, commercial, and light industrial uses developed on large tracts in accordance with a Unified Development Plan.

2. Application for a PUD shall be approved only if the following findings are made:

- a. that application of Planned Unit Development requirements to the property will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;
- b. that application of Planned Unit Development requirements to the property will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;

- c. that application of Planned Unit Development requirements to the property will produce a development functioning as a cohesive, unified project; and
 - d. that application of Planned Unit Development requirements to the property will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the City.
3. An approved PUD Conditional Use Permit and the approved verified Development Plan shall govern all uses and development activities in a PUD.
4. Except as otherwise provided by this SR, a PUD shall be subject to all the applicable standards, procedures, and regulations of the other parts of this Ordinance.
5. Minimum Size and Uses Allowed:
 - a. Conditional Use Planned Unit Development Residential (CU-PDR)
 1. A CU-PDR District shall contain at least 5 contiguous acres under unified ownership or control.
 2. Uses Allowed: A CU-PDR District allows all uses permitted in all Residential Districts.
 - b. Conditional Use Planned Unit Development Mixed Residential District (CU-PDMR)
 1. A CU-PDMR shall contain at least 15 contiguous acres under unified ownership or control.
 2. Uses Allowed: A CU-PDMR District allows all uses permitted in Residential Districts, in the Neighborhood Business District (B-2), or in the Office and Institutional District (OI).
 3. Limitation in Uses: In a CU-PDMR District, OI and B-2 uses shall not exceed 30% of the total land area and at no time shall the cumulative amount of land development for OI and/or B-2 purposes exceed the cumulative amount of land development for residential purposes.
 - c. Conditional Use Planned Unit Development Mixed Commercial (CU-PDMC)
 1. A CU-PDMC District shall contain at least 15 contiguous acres under unified ownership or control.
 2. Uses Allowed: A CU-PDMC District allows all permitted uses except those uses which are only allowed in the Heavy Manufacturing District (M-1).

3. Limitations on Uses: In a CU-PDMC District, residential uses shall not exceed 30% of the total land area and at no time shall the cumulative amount of land development for residential purposes exceed the cumulative amount of land development for commercial purposes.
6. Development Standards: Development in a PUD shall be exempt from the minimum required lot width, front yard, side yard, and rear yard requirements of the Schedule of District Regulations and from Section 3.2 and 3.3 relating to relationship of buildings to lots and access to streets provided that the following development standards are followed. The overall residential density limitation and residential building types of the corresponding principal district shall apply in a PUD provided that a density bonus which may involve a different residential development type may be permitted during the PUD approval process as provided for herein.
 - a. Lot Size: The exemption from the Schedule of District Regulation provisions shall not apply in the following situations:

No lot for a single-family detached dwelling shall be less than the minimum lot size for a single-family dwelling in the zoning district in which the PUD is located. Where the zoning district permits attached and multi-family developments, such uses are permitted subject to the Special Requirements for such developments.
 - b. Vehicle Access:
 1. Local streets shall be located and designed so that they do not encourage through access by traffic with origins and destinations outside of the development.
 - c. Pedestrian Access: PUD's shall be designed and developed and uses so arranged to promote pedestrian access within the development.
 1. Areas between structures shall be covered by easements where necessary for pedestrian access and to provide for maintenance and utility service.
 - d. Non-Residential Areas: Non-Residential areas in PUD's shall be designed and located to principally serve the residents of the PUD and the immediate surrounding area.
 - e. Boundary Treatment: The scale and setbacks of development in a PUD within 150 feet of the perimeter of the PUD shall be in harmony with development on adjacent lands.
 - f. Environmentally Sensitive Areas: One of the principal purposes of the PUD procedure is to protect environmentally sensitive areas through the use of

innovative arrangement of buildings and spaces. It is the intent of the PUD process that significant consideration in planning and design of PUD's shall be given to the following elements such as but not limited to:

1. Floodway and floodway fringe areas
2. Steep slopes and knolls
3. Wetlands
4. Water supply watersheds and recharge areas
5. Rock outcrops
6. Soil erosion and stormwater management
7. Tree and foliage preservation
8. Habitat for threatened or endangered species
9. Areas of historical, archaeological, or architectural significance
10. Useable open space; recreation area

In any case where the City Council finds in its opinion that the PUD provides for significant protection or enhancement of any one or more of the above elements, or a similar element as determined by the City Council, the Council may award a bonus of up to 10% increase in residential dwelling units for a PUD and may permit such additional dwelling units to be of a development type not otherwise permitted in the PUD. The determination by the City Council of the significant protection or enhancement of a particular element shall be based upon a comparison between the type of development that could be placed on the property under the current zoning and other regulations and the proposed development scheme for the PUD.

- g. Unified Development Plan: The application for a PUD Conditional Use Permit as part of a Conditional Use rezoning shall be accompanied by a Unified Development Plan in the form of a site specific development plan.
 - h. Phased Development: A PUD may be developed in phases in the same manner as a subdivision and subject to the phasing requirements for subdivisions.
7. Commercial Areas:
 - a. Permitted uses in a PUD are restricted to those permitted in the Primary and Secondary zoning districts in which the project is located.

- b. The property included in the project shall, along its exterior boundary, meet the front, rear, and side yard requirements of the zoning district in which the project is located.
- c. PUD's may consist of one or more parcels of land and may be subdivided for the purpose of the project. The following requirements shall be met concerning the interior arrangement of the cluster project.
- d. Overall parking requirements for the project shall be met. However, all or part of the parking requirement for a use may be located on another parcel in the project.
- e. Overall watershed impervious surface area requirements for the project shall be met. However, impervious surface area requirements may be transferred from one parcel to another in the same PUD district.
- f. Sign provisions shall not be exceeded, but may be transferred provided that district requirements are not exceeded.
- g. In any case where buildings are to be constructed closer to an internal property line than permitted by the zoning district, in any case where parking, impervious surface, or signs are to be transferred, or in any case of other shared facilities between separate parcels in a PUD that are needed to support the project, such as common drives and entrances and exits, a recorded perpetually binding agreement between all the property owners involved in the project shall acknowledge such common facilities.

SR 7. Amusement, indoor commercial

- 1. The facility shall be designed to absorb sound to the maximum extent feasible.

SR 8. Amusement or Water Parks; Batting Cages; Go-Cart Tracks; Golf Driving Ranges; Miniature Golf Facilities

- 1. Minimum lot size for all development except miniature golf facilities shall be 2 acres.
- 2. No principal buildings or structures shall be located within 50 feet of any property line.
- 3. Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of park activities.
- 4. No amusement equipment, machinery, or mechanical device of any kind may be operated within 200 feet of any residentially zoned property.

SR 9. Associations and Organizations; Social and Fraternal

In the Residential Districts:

1. A minimum of 1 acre shall be required to establish any one of the above uses.
2. All structures including secondary and accessory structures shall be located a minimum of 50 feet from any street line and property lines.
3. Any use listed above located in a Residential District on a site greater than 3 acres shall have frontage on a collector or thoroughfare street.
4. Existing uses as described above which do not meet the 1 acre minimum requirement of "1" above at the time of the adoption of that provision may expand or be reconstructed provided such expansion or reconstruction meets the minimum dimensional requirements of the district in which located.

SR 10. Dance Halls, Including Nightclubs

1. All principal buildings shall be setback at least 50 feet from any residential zoning line.
2. No part of any parking space shall be located within 20 feet of any residential zoning line.

SR 11. Golf Course, Including Pro Shop; Recreation Facilities, Private; Saddle Clubs, etc.

There shall be a 50 foot minimum setback between clubhouses, swimming pools, lighted tennis courts, athletic fields, and other activity areas and adjacent residentially zoned property.

SR 12. Swim and Tennis Clubs

1. In any residential district the minimum area shall be 1 acre.
2. There shall be a 50 foot minimum setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned property.
3. Outdoor swimming pools, as herein defined, shall be enclosed by a barrier with a minimum height of 4 feet, with all gates provided being self-closing and all vertical or horizontal openings being no more than 4 inches, which would deter and/or prevent the accidental or unauthorized use of said swimming pool. Fences which enclose the rear yard of the property and meet the above requirements shall be an approvable barrier if they totally secure the area around the swimming pool structure.

SR 13. Cemeteries

1. A minimum of 3 contiguous acres shall be required to establish a cemetery or mausoleum not located on the same tract of land as a church. This minimum area shall not apply to a family cemetery or mausoleum.
2. All buildings and burial sites shall be setback a minimum of 20 feet from all property and public street lines.
3. Such facilities shall be organized as Perpetual Care facilities in accordance with state regulations.

SR14. Day Care Centers (6 or more)

An adult or child day care center with 6 or more attendees shall be operated as a principal use and subject to the following development standard:

1. Centers in a Residential District on a site greater than 3 acres shall have frontage on a collector or thoroughfare street.

SR 15. Nursing Convalescent Homes; Congregate Care and Group Care; Orphanages

In any residential or OI District:

1. A minimum of 1 acre shall be required to establish any one of the above uses.
2. All structures including secondary and accessory structures shall be located a minimum of 50 feet from any street line and 20 feet from any other property line.
3. Any use listed above located in a Residential District on a site greater than 3 acres shall have frontage on a collector or thoroughfare street.
4. Existing uses as described above which do not meet the 1 acre minimum requirement of "1" above at the time of the adoption of that provision may expand or be reconstructed provided such expansion or reconstruction meets the minimum dimensional requirements of the district in which located.

SR 16. Animal Kennels

1. Minimum lot size shall be as follows:

| | |
|------------------|---------|
| 1 to 10 animals | 1 acre |
| 11 to 20 animals | 2 acres |
| 21 to 30 animals | 3 acres |

For each additional acre beyond 3 acres, an additional 10 animals may be permitted. The minimum lot size requirements may be waived if a kennel is constructed to entirely enclose all kennel facilities so as to adequately protect all animals from weather extremes and to protect adjacent residences from noise, odors, and other objectionable characteristics, provided all building setback requirements are in accordance with Subsection 2 below.

2. All structures shall have minimum front, side, and rear yards of 150 feet. There shall be a separation of at least 500 feet between residences on adjoining tracts and any building used for kennel operation.
3. Sewage disposal system and sanitation control methods as approved by the County Board of Health shall be required for all kennels. (This provision shall include, but shall not be limited to, the sanitary removal or disposal of solid waste, carcasses, or any other items deemed necessary for removal or disposal because of unsafe or unsanitary conditions by the Health Department).

SR 17. Automobile Rental or Leasing; Automobile Sales (New and Used); Farm Machinery Sales and Service; Mobile Home Sales and Service; Motorcycle Sales and Service; Recreational Vehicle Sales and Service; Boat Sales, Repair

1. Sales facilities shall be in a permanent site built structure. Buildings shall consist of at least 80% of the following materials: utility brick, standard brick, stucco, synthetic, colored split faced block, glass, stone, tile, or other similar high quality materials.
2. All sales and parking lots shall be paved.
3. All lighting shall be directed away from adjoining residential properties.
4. Vehicles for sale shall be set back from public streets and adjoining property lines a minimum of one-half ($\frac{1}{2}$) the minimum required building setback.

SR 18. Automobile Storage; Automobile Towing & Storage; Automobile Wrecking or Junk Yards; Salvage Yards, Scrap Processing; Refuse and Raw Material Hauling

1. Any area covered by 600 square feet or more of scrap material or seven 7 or more junk vehicles shall qualify as a use of this type.
2. A minimum of 10 acres is required for such facilities.
3. A solid fence or wall not less than 8 feet in height shall be placed and maintained around all setback boundaries; an open space setback of at least 10 feet shall be maintained around the enclosure; such area shall not be used for storage and shall be grassed and maintained in natural vegetation.

4. Weeds and grasses shall be controlled within the facility.
5. The height of items inside the facility shall not exceed the height of the barrier fence.
6. Items shall not be stored closer than five 500 feet to any adjoining residentially zoned property.
7. Stormwater runoff and erosion control measures shall be installed around the site in accordance with state standards.
8. All unmounted tires (200 maximum) shall be stored in an enclosed building to prevent the accumulation of stormwater within the well of the tire.
9. The owner understands that he/she will be financially responsible for any contamination of the site and/or its environs.

SR 19. Recreational Vehicle Parks or Campsites

Such uses shall comply with the following standards:

1. Yard Requirements: The following yard requirements are hereby established:
 - a. Exterior: Along any public street or public right-of-way, a setback of at least 40 feet from the edge of the public right-of-way shall be maintained.
 - b. Distance between trailers: A distance of at least 10 feet shall be maintained between trailers and/or structures. Any accessory structures such as attached awnings, carports, or individual storage facilities, shall, for the purpose of this requirement, be considered a part of the trailer.
2. Open Space: A recreational area of not less than 10% of the gross site area or 2,500 square feet, whichever is greater, shall be maintained in a central and convenient location to all trailer spaces.
3. Lot Area: The lot for the park shall be a minimum of 2 acres.
4. Density: The density shall not exceed 25 trailer spaces per acre of gross area.
5. Parking: Adequate off-street parking and maneuvering space shall be provided on site. The use of any public street, sidewalk, or right-of-way or any other private grounds not a part of the travel trailer parking area for the parking or maneuvering of vehicles is prohibited.
6. Streets: All internal roadways shall be stabilized and of adequate width to accommodate the volume and type of anticipated traffic, and in any event, shall comply with the following minimum requirements:

- a. Internal one-way roadway and roadways on which parking is prohibited shall not extend for more than 500 feet in total length, serve less than 25 trailer spaces, and be at least 11 feet in width.
 - b. Internal one-way roadway and roadways on which parking is permitted on 1 side and two-way roadways which do not allow parking shall be at least 24 feet in width.
 - c. Internal two-way roadways which permit parking on 1 side only shall be at least 27 feet in width.
 - d. Internal two-way roadways which permit parking on both sides shall be at least 34 feet in width.
7. Water: Each travel trailer parking area shall be connected to an approved water supply system, which provides an accessible, adequate, safe, and potable supply of water.
 8. Sewer: An adequate and safe sewer system shall be provided in all travel trailer-parking areas. Such system shall either be a municipal system or a system approved by the appropriate County or State agency vested with the authority to approve sewage disposal systems.
 9. Screening: An opaque screening device at least 6 feet high shall be provided where the use adjoins residentially zoned property.
 10. Service Building: A central service building containing all necessary toilets, bathhouses, and other plumbing fixtures specified in the most current edition of the North Carolina State Plumbing Code, as amended, shall be provided in all travel trailer parking areas. Service building shall be conveniently located within a radius of 300 feet to spaces which it serves.
 11. Trash: The storage, collection, and disposal of trash and refuse in the travel trailer parking area shall comply with all applicable regulations.
 12. Time of Stay: Neither any person nor any mobile unit shall occupy a trailer space or the travel trailer parking area for a period in excess of 30 days. A register of all occupants, the space occupied, and the time of arrival and departure shall be maintained.

**SR 20. Service Stations (includes the screened storage of inoperable vehicles);
Automobile Washing Facilities**

1. Outdoor storage of not more than 5 inoperable vehicles associated with the above uses shall be completely screened by an opaque screening device at least 6 feet in height.
2. Uses subject to this note shall be developed in such a manner as to prevent dust and tracking of mud and debris onto adjoining streets.

SR 21. Taxi Terminals

All storage, repair, and service facilities shall be in a completely enclosed building.

SR 22. Builders Supply Dealers

1. All outside storage shall be completely screened from view from all streets and adjacent residentially zoned property.
2. Security fencing, a minimum of 6 feet in height, shall be provided around all outside storage areas.
3. All storage areas shall be maintained in a manner so as to prevent dust from adversely impacting adjacent properties.
4. Uses subject to this note shall be developed in such a manner as to prevent dust and tracking of mud and debris onto adjoining streets.

SR 23. Airports or Air Transportation Facilities

1. The minimum area shall be 50 acres for Basic Utility Stage 1 airport with a 2,000 foot runway.
2. Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum 6 feet in height.

SR 24. Ammunition, Small Arms

1. No such facility shall locate within a 500 foot radius of any residentially zoned property.
2. Security fencing shall be provided along the entire boundary of such a facility.
3. The facility and its operation shall observe all Fire Prevention and Protection requirements.

SR 25. Asphalt Plant

1. Any asphalt plant operations shall be located at least 50 feet from any property line.
2. Security fencing, a minimum of 6 feet in height, shall be provided around the perimeter of the operation.
3. Rehabilitation:
 - a. Within 1 year after the cessation of production, all equipment and stockpiles incidental to such operation shall be dismantled and removed by and at the expense of the owner.
 - b. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainageways, nor to appreciably increase the humidity of any natural water course, or to occlude any existing drainage course.
4. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
5. Access:
 - a. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.
 - b. Access roads shall be located no closer than 15 feet to any property line other than a railroad right-of-way line.
 - c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

SR 26. Landfill, Building Debris, Private

1. Setback: There shall be 50 foot minimum distance from any property line.
2. Use Separation: There shall be a 300 foot minimum separation from any residence.
3. Access: Access to the landfill shall be controlled with gates, chains, fences, ditches, and/or trees to prevent unregulated dumping.
4. Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

5. Operation: No filling is permitted in any flood hazard area. No filling is permitted in minor drainageways unless the drainage has been piped in accordance with approved plans. No filling is permitted in utility easements.
6. Signs: An information board sign shall be posted and maintained at the entrance, listing the name and phone number of the current operator, the types of material accepted, and the hours of operation.

SR 27. Landfill, Sanitary, Private

1. An operations and rehabilitation plan shall be submitted for approval prior to permitting.
2. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.
3. Equivalent sound levels at the boundaries of the fill site shall not exceed the following standards:

between 7:00am and 7:00pm – 60 DBA
between 7:00pm and 7:00am – 55 DBA
4. The Rehabilitation Plan shall be referred to the Soil and Water Conservation District for review and recommendation, in particular regarding the landscape material specified, the planting and maintenance proposed to insure continuous growth and development, and the acceptability of the proposals for the handling of lakes, ponds, etc.
5. The permanent roads, defined as those to be used in excess of 1 year, within the fill site shall be surfaced with a dust free material, such as soil cement, bituminous concrete, or Portland Cement concrete.
6. Roads other than permanent roads shall be treated with dust inhibitors, to be specified in the Operations Plan, which will reduce to a minimum the generation of dust from the road surfaces as a result of wind or vehicular action. Properly operated water wagons are an acceptable means of dust inhibition.
7. Where the proposed fill shall take place within 300 feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land, a security fence at least 6 feet high shall be installed.
8. The operations plan and the rehabilitation plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consistent with good practices and so that rehabilitation proceeds in concert with filling.

SR 28. Mining and Quarrying

1. Setback:
 - a. The edges of any pit where a mining operation is taking place, any equipment used in the processing of rock and gravel, any asphalt plant, or other industrial use operated in conjunction with the mine or quarry shall be located at least 50 feet from any property line.
 - b. Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.
2. Security fencing, a minimum of 6 feet in height, shall be provided around the perimeter of both existing and abandoned operations.
3. Rehabilitation:
 - a. Within 1 year after the cessation of production at all mining operations, all equipment and stock piles incidental to such operation shall be dismantled and removed by and at the expense of the owner.
 - b. Except in a case where redevelopment for another permitted use is in progress on the site of an abandoned extraction operation, all excavations shall be graded to reduce the surface to gently rolling topography in substantial conformity to the land area immediately surrounding, and shall be planted with a cover of sod, trees, shrubs, legumes, or grasses which will minimize erosion due to wind or rainfall.
 - c. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties of public ways, nor to appreciably increase the humidity of any natural water course, or to occlude any existing drainage course.
4. All operations involving blasting discernable beyond the external property line of a quarry shall only be conducted between the hours of 7:00am and 6:00pm.
5. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
6. Access:
 - a. Access roads leading to any part of the operation shall be constructed with gravel or asphalt stone surface and maintained in a dust-free manner.

- b. Access roads shall be located no closer than 15 feet to any property line other than a railroad right-of-way line.
- c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

SR 29. Petroleum and Related Products (Wholesale or Manufacturing)

- 1. Setback:
 - a. Storage tanks protected by either an attached extinguishing system approved by the Fire Marshal or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or height of the tank, except that such distance need not exceed 120 feet.
 - b. Storage tanks not equipped as indicated in “a” above shall not be located closer to an exterior property line than a distance equal to one and one-half (1½) times the greater dimension of either the diameter or height of the tank, except that such distance need not exceed 175 feet.
- 2. Above ground storage tanks and loading facilities shall be located a minimum of 500 feet from any existing residence or residentially zoned property.
- 3. Gravel or paved roadways shall be provided to all storage tanks.
- 4. Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of such facilities.
- 5. Dikes:
 - a. Tanks or groups of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainageways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area.
 - b. Dikes or retaining walls shall be of earth, steel, concrete, or solid masonry designed and constructed to be liquid-tight and to withstand a full hydraulic head. Earthen dikes 3 feet or more in height shall have a flat section at the top not less than 2 feet in width. The slope shall be consistent with the angle or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than 6 feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, drums, or barrels shall be permitted within the diked area.

- c. Where provision is made for draining rainwater from diked areas, such drains shall normally be kept closed and shall be designed so that when in use they will not permit flammable liquids to enter natural watercourses, public sewers, or public drains. Where pumps control drainage from the diked area, they shall not be self-starting.
6. Tank Maintenance:
 - a. All storage tanks shall be maintained in a leak-proof condition with an adequately painted, rust-free exterior surface.
 - b. A firm substratum shall be constructed under each storage area to eliminate differential subsidence and to prevent the product from seeping.
7. All storage facilities shall comply with the latest edition of the “Flammable and Combustible Liquids Code, NEPA 30” of the National Fire Protection Association.

SR 30. Pottery and Related Products

All outside display areas shall be setback from public streets and adjoining property lines ½ the minimum required building setback.

SR 31. Water Treatment Plants, Non-Governmental Public; Sewage Treatment Plants, Non-Governmental Public

In all Residential Districts such plants shall meet the following standards:

1. No use shall be made of the site that is not directly related to the operation of the plant.
2. All buildings shall meet the minimum yard setbacks for the district in which located or 20 feet, whichever is greater.
3. Screening shall be provided adjoining residential property lines with a 6 feet high, opaque screen.
4. All structures shall be enclosed by a chain link fence at least 8 feet in height.

SR 32. Wireless Telecommunication Towers and Facilities

A site plan shall be submitted containing the name of the tower owner, property owner, scale, north arrow, latitude/longitude coordinates, and existing site conditions including contours, any unique natural or man-made features such as vegetation and ground cover, exact boundary lines of the property containing the proposed tower construction, fall radius and any associated guide wires, description of adjacent land use, and all property owners(s) and their addresses. A front

and side elevation profile, drawn to scale, of all existing and proposed towers and their antennas to be located on the property is also required.

Wireless telecommunication towers and facilities located on property owned by the City of Archdale shall not be subject to a Special Use Permit nor to the standards of this Special Requirement.

1. Towers shall have a setback of 1 foot for each 1 foot in height of tower, plus 25 feet from all property lines and rights-of-way as measured from ground level.
2. Towers shall not be located within a one-half (1/2) mile radius of any other wireless telecommunication tower, unless concealed in a church steeple, farm silo, or other architecturally designed encasement. Furthermore, towers located beyond a one-half (1/2) mile radius and not exceeding 3 mile radius from any other wireless telecommunication tower shall not be permitted, unless the applicant can prove that co-location is not a viable option and no stealth location is possible.
3. Towers shall be no closer than 500 feet from any existing residential dwelling, excluding any dwellings located on the same parcel of land as the tower.
4. Towers shall not exceed 350 feet in height as measured from ground level.
5. Towers with a height greater than 150 feet shall be constructed to permit the capability for the co-location of additional provider antennas as follows:
 - 151 feet to 200 feet – two additional antennas
 - 201 feet to 250 feet – three additional antennas
 - 251 feet to 300 feet – four additional antennas
 - 301 feet to 350 feet – five additional antennas
6. The applicant shall be required to provide written documentation showing that no proposed tower lies within a 30 foot to 1 foot run to rise ratio from the nearest point of the nearest runway of a private airstrip or airport registered with the Federal Aviation Administration (FAA).
7. No business signs, billboards, or other advertising shall be installed on a tower, nor shall any tower be painted or have a color considered obnoxious or offensive.
8. No offices or outdoor storage of equipment or materials are permitted on tower sites located in a residential district.
9. Accessory or component buildings shall be setback 50 feet from all property lines and rights-of-way.
10. All structures shall be enclosed by a chain link fence at least 8 feet in height and screened with a 6 foot high, opaque screening.

11. The applicant shall be required to provide written documentation stating that the tower is in compliance with all applicable Federal and State regulations.
12. Notice shall be provided to the Zoning Administrator when any telecommunication tower is placed out of service. Towers not used for a period of 6 months or more shall be removed by the owner within 120 days of receipt of notification to that effect. The applicant shall also provide the City with written documentation substantiating that the applicant has and will sustain the financial ability to disassemble and remove the tower, once no longer in operation.
13. Additional provider antennas and equipment shelters associated with an approved telecommunication tower site are permitted, provided said changes do not increase the setback requirement beyond the allowable limit according to tower height.
14. Tower lighting shall not exceed the minimum for obstruction lighting as administered by the Federal Aviation Administration (FAA).
15. All permits for the construction of a wireless telecommunication tower are issued in reliance upon a presumption that the tower will in fact conform to the plans which are submitted as the basis for the permit. Once constructed, the tower must continue to be maintained in compliance with the provisions of this Ordinance.
16. The applicant shall be required to notify all property owners within a one-half (½) mile radius of a proposed tower with a height greater than 250 feet. The notice shall be by certified mail and shall include tower height and design type and date, time, and location of proposed meeting.
17. The applicant shall be required to provide written documentation stating that it is not viable to co-locate on existing facilities within the coverage area. Facilities includes other towers, elevated tanks, electrical transmission lines, or other structures.
18. The applicant shall provide the City with proof of liability insurance which protects against losses due to personal injury or property damage resulting from the construction or collapse of the tower, antenna, or accessory equipment. Such proof shall be supplied to the City by the applicant at the time of application.
19. The applicant shall provide to the Zoning Administrator an inventory of its existing antennas and towers that are either within the jurisdiction of the City or within 3 miles of the border thereof, including specific information about the location, height, and design type of each tower and antenna. The applicant shall also provide an inventory of potential future tower sites within the jurisdiction of the City. The Zoning Administrator may share such information with other applicants; however, that by sharing this information, it is not in any way representing or warranting that such sites are available or suitable.

SR 33. Adult Oriented Business

1. No such business shall locate within 1,000 feet of any other Adult Oriented Business as measured in a straight line from property line to property line.
2. No Adult Oriented Business shall be located within 1,000 feet of a church, public or private elementary or secondary school, library, child day care or nursery school, public park, residentially zoned or residentially used property, or any establishment with an on-premise ABC license, as measured in a straight line from property line to property line.
3. The gross floor area of any Adult Oriented Business shall not exceed 3,000 square feet and all business related activity shall be conducted in a building.
4. Except for an adult motel, no Adult Oriented Business may have sleeping quarters.
5. There shall not be more than 1 Adult Oriented 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 Oriented Business.
6. Except for signs, as may be permitted by Article IX of this Ordinance, no printed material, slide, video, photograph, written text, live show, or other visual presentation format shall be visible 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.
7. No enclosed or underground parking shall be permitted.

SR 34. Temporary Events and Structures

The Zoning Administrator may issue a permit for temporary events and structures provided he/she makes the following affirmative determinations:

1. The duration of the event will be for 14 days or less.
2. The location for the event has not had more than 2 temporary events in the past 12 months and no events in the past 30 days.
3. The owner of the property, or his/her agent, has authorized in writing for the event to be held on the property.
4. The application for the permit is made at least 5 working days prior to the event.
5. That ample off-street parking is available.

6. That arrangements are made for suitable garbage disposal and site clean-up.
7. That activities within 1,000 feet of residences not on the site are to be conducted in such a manner as to not create noise that will disturb the occupants of residences.

SR 35. Restaurants (with Drive-Thru) and Restaurants (no Drive-Thru)

1. Amplified sound shall not be detectable on adjoining property zoned residential.
2. Provisions for lighting, traffic circulation, buffering, and noise mitigation shall be presented to review with the Special Use Permit application.
3. Any restaurant permitting on premises consumption of alcoholic beverages shall meet the following additional requirements:
 - a. The main entrance shall be oriented away from any adjoining residentially zoned property.
 - b. Parking and parking circulation areas shall be no closer than 20 feet to the property line of any adjoining residentially zoned property.
 - c. A 6 foot opaque fence shall be erected at the property line of adjacent residentially-zoned property.

SR 36. Hotels and Motels

1. The lot or parcel shall have direct access to a major or minor thoroughfare.
2. Where the property line of the hotel or motel is adjacent to property in a residential zoning district or a residential use, all hotel and motel buildings shall be located at least 50 feet within the property line of the hotel or motel. Buffer strips as defined in Section 10.5 shall be provided along the property line abutting the residential zoning district or residential use.
3. The isosceles triangle (yard space triangle) method shall be implemented as per Article VII(1). At no point shall any part of the hotel or motel building be less than 50 feet from the property line of the hotel or motel.
4. Any accessory commercial activities such as restaurants and any outdoor recreational activities such as swimming pools shall not be located along the side of the property adjacent to a residential zoning district or residential use.

SR 37. Traditional Neighborhood Development District (TND)

The Traditional Neighborhood Development District (TND) is provided for the development of new neighborhoods and the extension or revitalization of existing neighborhoods. These

developments shall be structured around an interconnecting network of pedestrian oriented streets and other public spaces. TND's shall offer a mixture of housing types and prices, prominently sited civic or community buildings, and stores/offices/workplaces to provide a balanced mixed-use development. Religious institutions and primary schools are highly encouraged. A TND must have a recognizable center and clearly defined edges. All TND development requests must be accompanied by a Master Plan and must contain all of the requirements and standards as defined in this Section.

The requirements and standards of the Zoning Ordinance shall apply to all TND's except as where otherwise provided. Where requirements and standards of this Section conflict with other requirements of the Zoning Ordinance, the requirements and standards of SR 37 shall apply.

All TND rezoning requests must be supplemented by a Master Plan and shall be reviewed and acted upon by the Planning and Zoning Board and City Council.

The Planning and Zoning Board and City Council may modify any standard or requirement of this Section where in the bodies' opinion equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purposes of this Ordinance. In approving a modification the Planning and Zoning Board and City Council may prescribe such reasonable and appropriate conditions and safeguards as will in its opinion assure performance and the maintenance of the purposes of this Ordinance.

Design Standards:

1. Neighborhood Size

- a. There is no set standard size of a TND; generally a TND is ¼ mile from center to edge.
- b. Similar land uses should generally face each other across each street. Dissimilar uses should generally abut at rear lot lines.
- c. Corner lots which front on streets of dissimilar uses shall generally observe the setback established for each fronting street.
- d. All lots share frontage with a street or square.
- e. All buildings, except accessory structures, shall have their main entrance opening onto a street or square.

2. Streets

- a. All streets are to be public and provide access to all tracts and lots.
- b. Alleys are also required to be public.

- c. Major and minor thoroughfares are prohibited from penetrating the TND.
- d. Streets should terminate with other streets within the development and with streets outside the development whenever possible. Alleys should terminate with streets and should not terminate with other alleys.
- e. No block shall be longer than 800 feet in length.
- f. Blocks that are larger than 500 feet in length should construct an alleyway at the midpoint of the block for vehicular access.
- g. Alleys are required for all residential development areas.
- h. A continuous network of rear alleys is recommended for all lots.
- i. Streets are to be organized on a hierarchy based on function, size, capacity, and speed. Streets and right-of-ways are therefore expected to differ in dimension. The proposed hierarchy of streets shall be indicated and separately detailed on the Master Plan. Long uninterrupted segments of streets should be avoided to prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of enclosure.
- j. Street stub outs are required to provide future connections to adjacent open land.

Table 6.1 – Street Standards

| <u>Classification</u> | <u>ROW</u> | <u>Pavement*</u> | <u>Parking</u> | <u>Planting Strip</u> | <u>Sidewalk</u> |
|-----------------------|------------|------------------|----------------|-----------------------|-----------------------|
| Collector | 48' | 30' | 1 side | 4' | 5' res. / 8' non-res. |
| Sub-Collector | 48' | 24' | 1 side | 4' | 5' res. / 8' non-res. |
| Local Residential | 42' | 24' | Both sides | 4' | 5' res. / 8' non-res. |
| Local Commercial | 50' | 26' | Both sides | 4' | 5' res. / 8' non-res. |
| Alleys | 24' | 16' | None | None | None |

* Pavement widths are measured face of curb to face of curb except for alleys, which are measured from edge of pavement to edge of pavement.

3. Sidewalks

- a. Sidewalks are to be located on both sides of the street and a minimum 5 feet wide.
- b. In front of office and shop areas, sidewalks should be a minimum of 8 feet wide.

4. Utilities

- a. All utilities are to be placed underground. Water and sewer shall be placed along the street and all other utilities shall be placed along the alley.
- b. Street lamps shall be installed at acceptable intervals on both sides of the street no further than 100 feet apart.

5. On-Street Parking

- a. On-street parking should be provided for all streets.
- b. All on-street parking must be parallel to the street. For streets or parts of streets that serve non-residential uses, the parking spaces shall be marked on the pavement.

6. Off-Street Parking

- a. Off-street parking areas should be located at the rear or side of buildings and screened from the public view by fences, hedges, or other approved methods with pedestrian access to the adjacent streets and sidewalks.
- b. Parking lots or garages for vehicles should not abut street intersections and shall only be accessible by an alley.
- c. Adequate parking areas will be determined based upon the uses allowed and the density of the development.

7. Landscaping

- a. Trees shall be planted on both sides of all streets within rights-of-way parallel to the street along all streets except alleys.
- b. Natural features of the landscape should be incorporated into the landscaping plan whenever possible.
- c. Overstory trees are generally planted at a rate no more than 40 feet apart.
- d. Understory trees are generally planted at no more than 10 feet apart.
- e. Overstory trees are generally planted in residential areas and along street frontages. Understory trees are generally planted along storefront areas along the street.

- f. With the exception of single-family detached development, landscaping is required for all parking areas, common areas, and pedestrian accesses and should be shown on a Landscaping Plan.
- g. Existing trees may count towards street tree requirements.
- h. All tree species are to be identified on the Landscaping Plan.

*See Sections 10.13 and 10.14 for lists of trees that are recommended and unacceptable in meeting these requirements.

8. Open Space

- a. Open space should be incorporated as a fundamental element of the TND and shall be highly accessible and usable by persons living or working nearby.
- b. A minimum of 30% of the gross area of land is to be allocated as open space. A minimum of ten 10% must be usable open space.
- c. Open space may be dedicated to the public provided the public entity has interest in acquiring the land, or such open space may be held privately.

9. Lighting

- a. Exterior lighting shall be designed with the pedestrian in mind. Exterior lighting should be located, angled, shielded, and/or limited in intensity so as to cast no direct light upon adjacent streets or properties.

10. HVAC

- a. With the exception of single-family detached housing, HVAC units, when ground mounted, must be located at the rear of the building or along the side where it cannot be seen from the front of the building. When HVAC is roof mounted, sufficient screening is required to screen the unit(s) from the public view.

11. Solid Waste Facilities

- a. Solid waste storage facilities, if provided, should not be visible from the street. All facilities must be located on a concrete pad with vehicle apron.
- b. Solid waste storage facilities should be screened from streets and sidewalks and on all sides by an opaque fence, wall, or heavy landscaping.
- c. The facility shall not be in any required front, side, or rear yard setback.

Dimensional Standards:

Table 6.2 – Dimensional Standards

| | <u>Single-Family Detached</u> | <u>Single-Family Attached***</u> | <u>Multi- Family</u> | <u>Mixed Use</u> | <u>Comm.</u> | <u>Civic</u> |
|-------------------------|-----------------------------------|--------------------------------------|--------------------------|----------------------|--------------|--------------|
| Min. Lot Area | 3,000 | 2,000 | 1,000/d.u.* | N/A | N/A | N/A |
| Max. Lot Area | 10,000 | 4,000 | 2,000/d.u.* | N/A | N/A | N/A |
| Min. Lot Width | | | | | | |
| Interior Lot | 30 | 20 | 40 | 30 | 30 | 30 |
| Corner Lot | 40 | 25 | 45 | 35 | 35 | 35 |
| Min. Street Frontage | 30 | 20 | 40 | 30 | 30 | 30 |
| Build Line (Front) | 10 | 5 | 0-5** | 0-5 | 0 | 0 |
| Min. Side Setback | | | | | | |
| Street Side | 10 | 5 | 5 | 0 | 0 | 0 |
| Interior Side | 5 | 5 | 5 | 0 | 0 | 0 |
| Min. Rear Setback | 10 | 10 | 10 | 5 | 5 | 5 |
| Max. Height | 50 | 50 | 50 | 50 | 50 | 50 |

* Multiply this number by the number of dwelling units to get the size of the lot.

** Stoops may be allowed in front of multi-family structures. If allowed, all stoops must be uniform throughout the block of multi-family.

*** The dimensional requirements are for the lot on which the dwelling is located.

Additional Dimension Standards are as follows:

1. No structure, building, or use should encroach into the public right-of-way.
2. Porches or stoops, whether covered or uncovered, may encroach into the front setback of single-family and multi-family lots.
3. Alleys are to be kept clear of encroaching buildings, structures, and fences within 5 feet of the alley right-of-way.
4. Accessory structures should not exceed 24 feet in height.

5. All accessory structures and buildings shall be separated from other buildings and structures by a minimum of 5 feet.

Architectural Standards:

A set of architectural drawings shall be submitted with the Master Plan. The drawings should show a sample of buildings and building materials throughout the development.

Use Standards:

1. Single-Family Residential
 - a. Porches are required for all single-family residential structures.
 - b. All accessory structures shall be located to the rear of the dwelling unit.
 - c. Driveway access shall be from an alley.
 - d. Outdoor storage is prohibited.
2. Single-Family Attached Residential
 - a. Driveway access shall be from an alley.
 - b. Each unit must have at least 200 square feet of private rear yard.
 - c. Outdoor storage is prohibited.
3. Multi-Family Residential
 - a. Where dwelling units are provided on the upper stories of buildings, such shall be provided in accordance with the density established in the Dimensional Standards. Dwelling units shall have their own outside door or may share a main common outside door. Exterior staircases are prohibited.
 - b. Driveway access shall be from an alley.
 - c. Outdoor storage is prohibited.
4. Commercial / Office
 - a. Where retail uses are provided in multi-story buildings, such uses shall be located on the ground floor. Upper floors may be office use or dwelling units.

- b. Drive-thru facilities and other facilities that allow people to remain in vehicles while receiving products or services are prohibited.
 - c. Commercial uses shall have a maximum of 6,000 square feet in gross floor area.
 - d. Restaurants should not exceed 5,000 square feet of gross floor area.
 - e. Grocery stores, department stores, hardware stores, and general merchandise stores can exceed the 6,000 square foot maximum, but shall not exceed 15,000 square feet of gross floor area.
5. Civic
- a. Civic uses shall be located on prominent sites in the TND.
 - b. Civic buildings may be located on open space provided no more than 15% of the open space lot is occupied by civic buildings.
6. Accessory Uses
- a. Accessory structures may be used for rental housing on attached and detached home lots.
 - b. One accessory structure is permitted on the same lot as the principal dwelling.
 - c. An accessory dwelling unit may be combined with a garage to form one accessory structure.
 - d. Accessory structures shall not have a separate driveway to serve the structure.

Prohibited Uses:

The following uses are prohibited from locating in a TND:

| | | |
|---------------------------|----------------------------|----------------------------|
| Animal kennels | Equipment repairs | Recreational vehicle parks |
| Automotive repair | (light and heavy) | Refrigerator repairs |
| Automobile sales | Farm machinery sales | Septic tank services |
| Automobile washing | Farm related enterprises | Shooting ranges |
| (full service) | Farm supplies | Tire dealers |
| Boat sales | Flea markets | Truck driving schools |
| Building supply stores | Fuel oil sales | Truck stops |
| Contractor's facilities | Mini warehouses | Truck/trailer rental |
| (w/ open storage) | Mobile home sales | Upholstering |
| Correctional institutions | Mobile homes | (& furniture refinishing) |
| Drive-in theater | Motels | Saddle, hunting, boating |
| | Recreational vehicle sales | (& other similar clubs) |

Additionally, all uses designated as Wholesale Trade and Manufacturing/Industrial Uses as listed in Section 6.4 Table of Permitted and Special Uses are prohibited.

Use Changes:

Where use changes occur within a block and/or across street frontages, such uses shall be compatible in use and design with other uses within the same block and across street frontages.

Addressing:

Addresses should be clear and visible from the street for all uses. Addresses should be clear and visible from the alley for all uses except single-family detached.

Phasing:

A TND may be developed in phases if all phases are shown and numbered on the Master Plan. No final plat for a phase shall be approved unless all public facilities and infrastructure (such as streets, alleys, sidewalks, utilities, and street trees) and open space of previous phases have been started, and there is no violation of the Master Plan in any previous phase.

Stormwater Management:

As per state regulations, the developer must ensure that the first 1 inch of stormwater runoff is controlled by a stormwater control structure as provided in the Watershed Protection Ordinance. In addition, TND developments must meet the requirements set forth in the Archdale Stormwater Ordinance, Erosion Control ordinance, and the Flood Damage Prevention Ordinance.

Owner's Association:

An association shall be established to manage stormwater control facilities, maintain common areas, and administer architectural standards.

Signage:

A common signage plan is required for all TND proposals and shall conform to the standards set forth in Section 9.9. The common signage plan will be reviewed by staff and thus can be presented after the TND Master Plan is approved. However, the location of all freestanding signs must be provided on the Master Plan.

See table 6.3 for sign requirements:

Table 6.3 – Sign Requirements

| <u>Sign Type</u> | <u>Max Area</u> | <u>Max Height</u> | <u>Number</u> |
|-------------------|------------------------------------|---------------------|-----------------------|
| Freestanding | | | |
| Entrance | 50 sq. ft. | 6' | 1 at entrance |
| Commercial* | 32 sq. ft. | 6' | 1 per street frontage |
| Civic | 24 sq. ft. | 6' | 1 per street frontage |
| Awning / Canopy** | 25% of awning up to 24 sf | top of awning | 1 per face |
| Wall | up to 10% of the building's façade | not above 1st floor | 1 per unit*** |

* Freestanding signs for commercial use are only allowed on stand alone commercial sites.

** Awning / Canopy signs must have a 9 foot clearance from the sidewalk.

*** Wall signage copy area can vary as long as it adheres to the standards in Section 9.9 and the total copy area for all signs on any one façade does not exceed 10% of the square footage of the façade.

SR 38. Bars and Nightclubs

1. No such establishment shall be located within 500 feet of a church, school, or public park, or 200 feet from residentially zoned property.
2. The main entrance of the building shall be toward a street zoned predominantly for non-residential uses.
3. A minimum 6 foot high opaque fence shall be erected adjacent to the property line of abutting residences.
4. Parking areas related to the establishment shall be located no closer than 30 feet to the property line of abutting residences.
5. No such establishment shall be located within 500 feet of any other bar or nightclub.

SR 39. “Big Box” Retail and Shopping Centers

These standards shall apply to any single tenant commercial building that is 25,000 square feet or larger or any multi-tenant commercial building that is 25,000 square feet or larger. The Planning and Zoning Board and City Council may modify the requirements of this Section if it is determined that the applicant is providing equal or better performance from one of the requirements listed in this Section.

Architectural plans must be submitted that depict the required architectural details found in this Special Requirement.

Building Design and Character:

1. When a façade faces a street, 35% must be glass.
2. Façade walls shall be constructed of high quality materials. Examples of acceptable high quality materials are standard brick, utility brick, and stone. These high quality materials shall be the predominant feature on the façade wall. Other materials such as stucco, pre-cast concrete, tilt-up concrete, and shingle siding are allowed on the façade walls as accents to the predominant high quality materials.
3. A maximum of 3 primary colors or a range of complementary hues shall be acceptable. Any accent colors should complement the primary color palette. Acceptable color schemes shall be subtle, neutral, or earth tones. Fluorescent, pastel, and black color schemes are not acceptable.
4. Façade walls that are 100 feet or more in length shall incorporate recesses having a depth of at least 3% of the length of the façade wall. The recesses shall extend for at least 20% of the length of the façade wall.
5. In order to ensure that building entrances are clearly visible and identifiable to pedestrians, façades that have entrances shall have arcades, awnings, canopies, overhangs, windows, and/or other features along no less than 60% of the length of the wall.
6. Flat roofs shall include parapet walls. Additionally, all rooftop mechanical equipment is to be screened from sight from public rights-of-way, private roads, and public sidewalks.

Outdoor Storage:

All outdoor storage items shall be completely screened in an enclosed structure around the entire area designated for outdoor storage and shall be a material and color that is an extension and visually consistent with the primary building on the site.

Screening of Trash and Recycling Collection Facilities:

1. All trash and recycling collection facilities shall be completely screened from public view. This screening shall enclose the entire facility and be visually consistent with the primary building on the site.
2. The entrance to the facility shall be gated and a color that is compatible with the enclosure screening material. The gate must be an opaque screening and must be closed at all times other than when the trash and recycling are being collected.

Screening of Utility Equipment:

All on-site utility equipment should be screened from public view to the maximum extent practicable. Utility equipment that is not attached to the building must be screened by vegetation that fully screens the equipment. Utility equipment that is attached to the building shall be painted to match the surface color of the façade.

Pedestrian Facilities:

1. Sidewalks must be provided between streets, parking areas, and buildings to ensure safe, direct, and convenient access to building entrances.
2. Crosswalks shall be constructed of a contrasting material such as pavers and stamped concrete.
3. Pedestrian pathways are required for all uses that are subject to these Special Requirements and shall be constructed in accordance to Section 8.10.
4. Bike racks must be accessible, in a highly visible location, and sited close to the main building entrance.

Signage:

See Article IX Section 9.20(3)(h) for specifics concerning wall signs for Big Box retail and shopping centers. See Article IX, Section 9.20(1)(e) and (f) for specifics concerning freestanding signs for Big Box retail and shopping centers. Along with the requirements of Article IX of the Ordinance, all freestanding signage must be consistent with the architectural character of the building.

SR 40. Single-Family Attached Housing District (R-AH)

For the purposes of this Special Requirement, Single-Family Attached Housing shall be defined as a building with 2 or more residential units that are attached side by side.

In approving a Special Use Permit for a Single-Family Attached Housing development, the City Council may modify any standard or requirement of this Section where in the Council's opinion equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purposes of this Ordinance. In approving a modification the Council may prescribe such reasonable and appropriate conditions and safeguards as will in its opinion assure performance and the maintenance of the purposes of this Ordinance.

Definition:

Townhouse. A structure or structures located on a lot with 2 or more dwelling units. Each structure or structures have separate units that are attached by a party wall to 1 or more other dwelling units.

General Requirements:

1. The bulk, scale, and front yard setback of infill development shall be similar to and consistent with the surrounding neighborhood around all adjoining single-family residential property boundaries.
2. The maximum impervious surface coverage area is 50%.
3. All streets within the interior of the development shall be public streets as defined in this Section.
4. The interior streets should be reflective of a single-family detached housing community public street system, as opposed to looped systems which may appear disjointed and confusing.
5. A Traffic Impact Analysis (TIA) will be required for all Single-Family Attached Housing developments that are larger than 50 units.
6. All utilities within the development shall be located underground.
7. All outdoor lighting should be arranged to reflect away from adjoining property owners. Lighting plans shall be reviewed and endorsed by the local electric utility provider.

Dimensional Requirements:

1. The maximum density within the Single-Family Attached Housing district is 8 units per acre.
2. A 50 foot setback is required from the thoroughfare and shall be landscaped per the requirements of this Section.

3. The front yard setback for interior streets is 15 feet as measured from the public right-of-way.
4. The front yard setback for single structure single-family attached units, such as a duplex or triplex, etc., along an existing public right of way is 35 feet. If a single structure Single-Family Attached Housing development is infill development, the newly constructed structure must conform to the same front setback as existing structures located on either side of the property.
5. The side and rear yard setback is 20 feet as measured from adjoining property lines.
6. The maximum building height is 35 feet or 3 stories.
7. The maximum building length is 150 feet.
8. The minimum separation between buildings shall be 20 feet.

Streets, Parking, and Walkways:

1. Interior streets shall have a minimum 32 feet of public right-of-way.
2. All interior streets must be constructed with curb and gutter.
3. The minimum street width shall be 24 feet as measured from face of curb.
4. Sidewalks shall be located on 1 side of the street for streets that are 24 feet in width. Sidewalks are required on both sides of the street for streets that are wider than 24 feet. The sidewalk must be 5 feet wide.
5. A minimum 2 foot grass strip should be located between the curb and the sidewalk for utility and mailbox placement.
6. Street stub outs to adjoining property shall be provided wherever feasible.
7. If the developer chooses off-street parking as opposed to driveways, the following standards must be met:
 - a. The off-street parking area must be maintained by a private association.
 - b. The off-street parking area must be separated from the public right-of-way by a private drive.
 - c. The off-street parking area must be paved. The City does encourage pervious paving materials.

- d. Walkways must connect the off-street parking area to building units as well as to the sidewalk along the public street.
 - e. Off-street spaces shall be provided in accordance to the following schedule:

| | |
|---------------------|--------------------------------|
| 1 Bedroom Units | 1.8 spaces per unit |
| 2 Bedroom Units | 2.0 spaces per unit |
| 3 Bedroom Units | 2.4 spaces per unit |
| Additional Bedrooms | 0.5 spaces per additional unit |
 - f. Dimensional requirements for off-street parking spaces shall be in accordance with Section 8.11 of the Zoning Ordinance.
 - g. No off-street parking area should be located within 50 feet of the thoroughfare.
 - h. No more than 10 parking spaces can be in a continuous row without being separated by a landscaped island as defined in this Section.
 - i. No off-street parking area should be located within the side and rear yard setback or buffer areas.
8. Developments along a thoroughfare that are 100 units or less shall have at least 1 access point to the thoroughfare. Developments along a thoroughfare that are more than 100 units shall have at least 2 access points to the thoroughfare.
 9. Walkways shall be constructed to provide links between residential buildings, off-street parking areas, mail kiosks, solid waste disposal, and adjoining sidewalks and greenways.
 10. A double driveway is required for developments that are along the thoroughfare. The entire entranceway shall be no more than 80 feet wide. The entranceway shall include a minimum 110 square feet landscaped median consisting of grass, mulch, and shrubs. A monument sign may also be located in this landscaped area as per this Section. For developments of 20 or more units, three traffic lanes must be provided at the entrance: 1 for entry and 2 for exits.

Design Standards:

1. All developments shall provide a detailed design elevation for review.
2. To provide for variation and distinction of each individual unit, the following standards are required:
 - a. Building designs and/or color schemes that create variety and do not look monotonous if replicated throughout the development.

- b. Offsets in the building face and roof a minimum of 12 inches.
 - c. A minimum of 2 types of high quality building materials on each unit and/or a different color scheme for each unit.
3. Garages are encouraged to be designed so that they are not the predominant feature on the front of the building.
 4. Front porches are encouraged on the front of all units.
 5. All rooftop equipment shall be screened from view of the street.
 6. The façade of accessory structures should be similar to the primary structure.

Open Space Standards:

Dedicated open space shall be provided based on the following schedule:

1. Developments of less than 100 units – minimum 10% of the development excluding required setbacks and buffer areas.
2. Developments of more than 100 units – minimum 1 acre for each 100 units excluding required setbacks and buffer areas.
3. The open space should be dedicated to a private association.
4. In any case where the City Council agrees to accept open space from the developer, the dedication shall count to serve this open space requirement assuming it meets the minimum requirements from paragraph 1 and 2.

Landscaping Standards:

1. Thoroughfare Planting Yard
 - a. A berm is required along the entire yard that fronts the thoroughfare. The berm must be a minimum of 3 feet high.
 - b. The yard shall contain 3 canopy trees and 7 understory trees per 100 linear feet of planting yard. The yard shall also contain 25 shrubs per 100 linear feet of planting yard. The terms canopy tree, understory tree, and shrub are defined in Section 10.2. The city's Recommended Tree Species List for planting is found in Section 10.13.
 - c. Any area in the thoroughfare yard not planted with trees or shrubs should be grassed or mulched.

2. Interior Street Planting Yard

- a. 1 canopy tree shall be planted every 50 feet along the interior streets and adjacent to the public right-of-way.

3. Buffer Yard from Adjoining Property

Whenever 2 or more multi-family buildings or 5 or more multi-family residential dwelling units are proposed to be located directly abutting property which is used for single-family residential purposes or which is zoned for single-family residential use, the multi-family use shall provide screening in accordance with the following standards:

- a. A minimum 20 foot perpetually maintained natural or planted buffer yard shall be provided along all property lines directly abutting a single-family used or zoned lot.
- b. The buffer yard shall contain 3 canopy trees and 5 understory trees per 100 linear feet of buffer yard. Canopy trees shall be a minimum of 8 feet in height and 2 inches in caliper when planted. Understory trees shall be a minimum of 4 feet high and 1 inch in caliper when planted.
- c. The buffer yard shall also contain 15 shrubs per 100 linear feet of buffer yard.
- d. All portions of the buffer yard not planted with trees or shrubs or covered by a wall or other barrier shall be planted with grass, groundcover, or natural mulch of a minimum depth of 3 inches.

Protection of existing trees that are proven to be healthy and appropriate for screening is mandatory in required buffer strips and is to be used as credit toward a portion of the buffer required by this Section.

Landscaped islands in off-street parking areas shall have an unobstructed width dimension of not less than 7½ feet and shall not be less than 110 square feet in area. Each landscaped island shall be protected by curbing or parking barriers and contain at least 1 canopy tree.

Alternative Screening Methods as defined under Section 10.6 may be used if it is determined by the Zoning Administrator that the application of the landscaping standards in this Ordinance are inappropriate or ineffective.

Solid Waste Facilities:

In the case where curb-side pickup of solid waste is not feasible, the developer shall install solid waste storage facilities consisting of a minimum 10 foot by 20 foot concrete pad with vehicle

apron and a minimum 6 foot high opaque fence on the sides and rear of the facility with a gated front. 2 bollards are also required to protect the fence. The facility shall not be in any required front setback from the thoroughfare, or side or rear yard setback from adjoining property.

Mail Kiosks:

When mail kiosks are used as opposed to a mailbox at each unit, the kiosk shall not be located in any front setback from the thoroughfare, or side or rear setback from adjoining property. The Postmaster shall have the authority to review and alter the placement of any kiosk to suit the needs of the United States Post Office.

Sign Standards:

1 monument-type ground sign shall be provided for each entranceway from a thoroughfare. The maximum height shall be 6 feet above ground level (prior to any berm construction). The maximum copy area shall be 32 square feet. Signs may be located in the front planting yard.

Stormwater Standards:

Requirements for control of stormwater runoff are found in Archdale's Stormwater Ordinance.

SR 41. Wind and Solar Energy Systems

Wind and solar energy are clean and renewable energy sources. The purpose of this Ordinance is to provide for the regulation of the construction and operation of Wind and Solar Energy Facilities in the City of Archdale, subject to reasonable conditions that will protect the environment, public health, safety, and welfare. Zoning permits are required for all energy systems. Additionally, a Special Use Permit is required for all large energy systems.

Definitions:

Accessory Solar Energy System: Any solar collector or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating or for electricity.

Applicant: The person or entity filing an application under this Ordinance.

Environmental Assessment: A detailed examination of the applicant's proposal and its local environmental context with an emphasis on avoiding, minimizing, and mitigating adverse impacts.

Facility Operator: The entity responsible for the day-to-day operation and maintenance of the Energy Facility.

Facility Owner: The entity or entities having controlling or majority equity interest in the Energy Facility, including their respective successors and assigns.

Participating Landowner: A landowner under lease or other property agreements with the Facility Owner or Operator pertaining to the Energy Facility.

Public Road: A full passage right-of-way.

Solar Energy: Means radiant energy (direct, diffuse, and reflected) received from the sun.

Solar Energy System, Large: A solar collection system that generates electricity from sunlight to be sold-for-profit to a wholesale electricity market through a regional transmission organization and an inter-connection with the local utility power grid and/or for direct distribution to a number of properties and consumers.

Solar Energy System, Roof-Mounted: A solar collection system that is installed upon or is part of the roof of a building or structure located on the subject property. Systems integrated as awnings or attached to the roofs of porches, sheds, carports, and covered parking structures also fall under this distinction.

Solar Energy System, Small: An accessory solar collection system that generates energy from sunlight for direct consumption on the subject property and/or for inter-connection to the electric utility power grid to offset energy use on the subject property, in accordance with current state net-metering laws.

Shadow Flicker: The visible flicker effect when rotating turbine blades cast shadows on the ground and nearby structures causing the repeating pattern of light and shadow.

Wind Power: The conversion of wind energy into another form of energy.

Wind Energy System, Large: A wind energy conversion system consisting of 1 or more wind turbine(s), tower(s), and associated control or conversion electronics, which has a rated capacity of more than 20kW.

Wind Energy System, Small: An accessory wind energy conversion system consisting of a single wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 20kW. Multiple systems located on agricultural farms as defined in the City of Archdale Zoning Ordinance are also considered small wind energy systems even if the aggregate kW exceeds 20, provided the primary intent is to generate power to reduce on-site consumption.

Wind Energy System, Small Roof-Mounted: Any small wind energy system designed to be mounted on the roof of a structure. There must be a 1 foot clearance between the turbine and the roof of the structure.

Wind Turbine or Windmill: A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and may include a nacelle, rotor, tower, guy wires, and pad transformer.

Wind Turbine Height: The height above grade to the tip of the turbine blade when it reaches its highest elevation.

I. Small Wind Energy Systems:

Small wind energy systems shall be a permitted use by right in all zoning districts, subject to the requirements set forth in this Section. Small wind energy systems include both pole and roof mounted systems.

1. Wind Turbine Height: Height shall be limited to 135 feet for tower mounted turbines. The height of roof mounted turbine is measured from the ground level of the structure from which it is mounted. The maximum allowable heights for a roof mounted wind turbine shall be 15 feet above maximum building height allowed in the zoning district.
2. Setback: The base of the wind turbine shall not be closer to surrounding property lines than the height of the wind turbine. No wind turbine shall be located closer than 1.5 times the height of the wind turbine to a public road. In addition, no wind turbine shall be located closer to an inhabited structure on adjacent property than 1.5 times the height of the wind turbine.
3. Permit Requirements: A zoning and building permit shall be required and zoning permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower certified by a licensed professional engineer, which includes standards for ice/wind loading, shall also be submitted. This analysis may be supplied by the manufacturer.
4. Compliance with FAA Regulations: Small wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Evidence of compliance or non-applicability shall be submitted with the application.
5. Utility Notification: No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
6. Appearance: Small wind energy towers shall maintain a galvanized finish or be painted to conform the tower color to the surrounding environment to reduce visual obtrusiveness. No wind tower should have any signage, or writing or pictures, that may be construed as advertising placed on it at any time. In addition no flags,

streamers, or decorative items may be attached to the wind energy system tower or turbine.

7. **Removal of Defective or Abandoned Wind Energy Systems:** Any wind energy system that is not functional shall be repaired by the owner or removed. In the event that the City becomes aware of any wind energy system that is not operated for a continuous period of 6 months, the City will notify the landowner by registered mail and provide 45 days for a written response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the City deems the timetable for corrective action as unreasonable, the City shall notify the landowner and such landowner shall remove the turbine within 120 days of receipt of said notice.

II. Large Wind Energy Systems:

Large wind energy systems shall be a use permitted in the R-40, M-1, and M-2 zoning districts with a Special Use Permit. Large wind energy systems are subject to a review and to the requirements of this Section II as well as Section I, except that the height limits in Section I(1) may be increased if approved as necessary by the City Council.

1. **Permit Application:** A person seeking a site permit for a wind turbine over 20 kW shall file an application with the Archdale City Planning and Zoning Board for review as follows.

An applicant for a site permit must provide the following background information regarding the applicant:

- a. A letter of transmittal signed by an authorized representative or agent of the applicant.
 - b. The complete name, address, telephone number, and e-mail address of the applicant and any authorized representative.
 - c. The signature of the person who prepared the application, if prepared by an agent or consultant of the applicant.
 - d. The role of the permit applicant in the construction and operation of the wind power project.
 - e. The identity of any other wind power project located in the State in which the applicant, or a principal of the applicant, has an ownership or other financial interest; the operator of the wind power project if different from the applicant; and the name of the person or persons to be the permittee if a site permit is issued.
2. The applicant shall describe in the application how the proposed wind power project furthers State policy to site such projects in an orderly manner compatible with

environmental preservation, sustainable development, and the efficient use of resources.

3. The permit applicant shall include the following information about the site proposed for the wind power project and any associated facilities:
 - a. The surveyed boundaries of the site proposed for the wind power project.
 - b. The location of other wind turbines in the general area of the proposed wind power project.
 - c. The applicant's land rights within the boundaries of the proposed site.
4. The permit applicant shall provide the following information regarding the design of the proposed wind power project:
 - a. A project layout, prepared by a design professional, including a map showing the proposed location of the turbine(s).
 - b. A description of the turbine(s) and tower(s) and other equipment proposed to be used in the wind power project, including the name of the manufacturers of the equipment.
 - c. A description of the project electrical system, including transformers at both low voltage and medium voltage.
 - d. A description and location of associated facilities.
5. An applicant for a site permit shall include with the application an analysis of the potential impacts of the wind power project, proposed mitigative measures, and any adverse environmental effects that cannot be avoided, in the following areas:
 - a. Demographics, including people, homes, and businesses.
 - b. Noise.
 - c. Visual Impacts.
 - d. Public services and infrastructure.
 - e. Cultural and archaeological impacts.
 - f. Recreational resources.
 - g. Public health and safety, including air traffic, electromagnetic fields, and security and traffic.

- h. Hazardous materials.
 - i. Land-based economics, including agriculture, forestry, and mining.
 - j. Tourism and community benefits.
 - k. Topography.
 - l. Soils.
 - m. Geologic and groundwater resources.
 - n. Surface water and floodplain resources.
 - o. Wetlands.
 - p. Vegetation.
 - q. Avian impact assessment that includes an indication of the type and number of birds that are known or suspected to use a project site and the area surrounding that site.
 - r. Wildlife.
 - s. Rare and unique natural resources.
6. The permit applicant shall describe all of the following:
- a. The manner in which the wind power project, including associated facilities, will be constructed.
 - b. How the wind power project will be operated and maintained after construction, including a maintenance schedule.
 - c. The anticipated schedule for completion of the wind power project, and shall identify the expected date of commercial operation.
 - d. The energy expected to be generated by the wind power project.
7. The permit applicant shall include the following information regarding decommissioning of the wind power project and restoring the site:
- a. The anticipated life of the wind power project.
 - b. The estimated decommissioning costs in current dollars.

- c. The method and schedule for updating the costs of decommissioning and restoration.
 - d. The method of ensuring that funds will be available for decommissioning and restoration.
 - e. The anticipated manner in which the wind power project will be decommissioned and the site restored.
8. The permit applicant shall include in the application a list of all known federal, state, and local agencies or authorities, and titles of the permits they issue that are required for the proposed wind power project.

III. Small Solar Energy Systems:

Small solar energy systems shall be a permitted as an accessory use by right in all zoning districts, subject to the requirements set forth in this Section. Solar energy systems include ground, pole, and roof mounted systems.

1. Energy: The energy generated by the small solar energy system shall be used for direct consumption on the subject property and/or for inter-connection to the electric utility power grid to off-set energy use on the subject property, in accordance with current state net-metering laws.
2. The construction of the small solar energy system shall be in accordance with an approved building permit application. If the small solar energy system is to be inter-connected to the local utility power grid, a copy of the conditional approval from the local utility must be provided prior to or at the time of application for the required building permit.
3. Setback: Ground- or pole-mounted solar energy systems shall be placed so that no individual component of the solar system may extend into the side or rear setback. Solar energy systems may be placed no closer than 10 feet from the rear lot line (except on double frontage lots as defined in Section 3.10 of this Ordinance) and 10 feet from side lot lines. Ground- or pole-mounted solar energy system shall only be allowed in rear yards.
4. Ground-Mounted Small Solar Energy Systems:
 - a. The total height of the solar energy system, including any mounts shall not exceed 12 feet above the ground when orientated at maximum tilt. If the solar energy system is intended to provide power for outdoor lighting, the system shall not extend higher than the permitted height of the structure to which it is attached and/or inter-connected to.

- b. Shall be mounted onto a pole, rack, or suitable foundation, in accordance with manufacturer specifications, in order to ensure the safe operation and stability of the system. The mounting structure (fixed or tracking capable) shall be comprised of materials approved by the manufacturer, which are able to fully support the system components and withstand adverse weather conditions.
 - c. Multiple mounting structures shall be spaced apart at the distance recommended by the manufacturer to ensure safety and maximum efficiency.
 - d. Any glare generated by the system must be mitigated or directed away from an adjoining property or adjacent road when it creates a nuisance or safety hazard.
 - e. It shall be demonstrated that the small solar energy system shall not unreasonably interfere with the view of, or from, sites of significant public interest such as a public park, a state designated scenic road, or historic resources.
 - f. Any electrical wiring used in the system shall be underground (trenched) except where wiring is brought together for inter-connection to system components and/or the local utility power grid.
 - g. No ground-mounted small solar energy systems shall be affixed to a block wall or fence.
5. Roof-Mounted Small Solar Energy Systems:
- a. Roof-mounted small solar energy systems shall include integrated solar shingles, tiles, or panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush or frame-mounted solar panels attached to the roof surface.
 - b. Separate flush or frame-mounted small solar energy systems installed on the roof of a building or structure shall not:
 - 1. project vertically above the peak of the sloped roof to which it is attached; or
 - 2. project vertically more than 5 feet above a flat roof installation.
 - c. The combined height of a roof-mounted system and the principal structure to which it is attached may not exceed the maximum height for the relative zone, in which it is located, as described in article VII.
 - d. It shall be demonstrated that the placement of the system shall not adversely affect safe access to the roof, pathways to specific areas of the roof, and safe egress from the roof.

- e. Any glare generated by the system must be mitigated or directed away from an adjoining property or adjacent road when it creates a nuisance or safety hazard.
6. Appearance:
 - a. The small solar energy system shall remain painted or finished the color or finish that was originally applied by the manufacturer.
 - b. All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner identification on a small solar energy system shall be prohibited. Not more than 1 manufacturer label bonded to or painted upon the solar energy system shall be permitted.
 7. Code Compliance: A small solar energy system shall comply with all applicable construction and electrical codes.
 8. All obsolete or unused systems shall be removed within 12 months of cessation of operations without cost to the City. Reusable components are to be recycled whenever possible.
 9. Violations: Subsequent to the effective date of this Ordinance, it is unlawful for any person to construct, install, or operate a small solar energy system that is not in compliance with this Article or with any condition contained in a building permit issued pursuant to this Article.

IV. Large Solar Energy Systems:

Large solar energy systems shall be a use permitted in the R-40, M-1, and M-2 zoning districts with a Special Use Permit. Large solar energy systems are subject to a review and to the requirements set forth in this Section.

1. Energy: The electricity generated by the large solar energy system shall be sold for profit to a wholesale electricity market through a regional transmission organization and an inter-connection with the local utility power grid and/or for direct distribution to a number of properties and consumers.
2. The construction of the large solar energy system shall be in accordance with an approved building permit application. If the large solar energy system is to be inter-connected to the local utility power grid, a copy of the conditional approval from the local utility must be provided prior to or at the time of application for the required building permit.
3. Setback: Ground-mounted large solar energy systems shall be setback a minimum of 100 feet from any property line.

4. Ground-Mounted Large Solar Systems:

- a. The total height of the solar energy system, including any mounts, shall not exceed 25 feet above the ground when orientated at maximum tilt.
- b. Shall be mounted onto a pole, rack, or suitable foundation, in accordance with manufacturer specifications, in order to ensure the safe operation and stability of the system. The mounting structure (fixed or tracking capable) shall be comprised of materials approved by the manufacturer, which are able to fully support the system components and withstand adverse weather conditions.
- c. Multiple mounting structures shall be spaced apart at the distance recommended by the manufacturer to ensure safety and maximum efficiency.
- d. Shall be fully screened from adjoining properties and adjacent roads by a buffer yard location of this buffer yard must take shading into account so it does not affect the system's efficiency.
- e. Any glare generated by the system must be mitigated or directed away from an adjoining property or adjacent road when it creates a nuisance or safety hazard.
- f. It shall be demonstrated that the large solar energy system shall not unreasonably interfere with the view of, or from, sites of significant public interest such as a public park, a state designated scenic road, or historic resources.
- g. Any electrical wiring used in the system shall be underground (trenched) except where wiring is brought together for inter-connection to system components and/or the local utility power grid.
- h. No ground-mounted large solar energy systems shall be affixed to a block wall or fence.

5. Roof-Mounted Large Solar Energy Systems:

- a. Roof-Mounted large solar energy systems shall include integrated solar shingles, tiles, or panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush or frame-mounted solar panels attached to the roof surface.
- b. Separate flush or frame-mounted large solar energy systems installed on the roof of a building or structure shall not:
 1. project vertically above the peak of the sloped roof to which it is attached; or
 2. project vertically more than 5 feet above a flat roof installation.

- c. The combined height of a roof-mounted system and the principal structure to which it is attached may not exceed the maximum height for the relative zone, in which it is located, as described in article VII.
 - d. It shall be demonstrated that the placement of the system shall not adversely affect safe access to the roof, pathways to specific areas of the roof, and safe egress from the roof.
 - e. Any glare generated by the system must be mitigated or directed away from an adjoining property or adjacent road when it creates a nuisance or safety hazard.
6. Appearance:
- a. The large solar energy system shall remain painted or finished the color or finish that was originally applied by the manufacturer.
 - b. All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner identification on a large solar energy system shall be prohibited. Not more than 1 manufacturer label bonded to or painted upon the solar energy system shall be permitted.
7. Code Compliance: A large solar energy system shall comply with all applicable construction and electrical codes.
8. All obsolete or unused systems shall be removed within 12 months of cessation of operations without cost to the county. Reusable components are to be recycled whenever possible.
9. Violations: Subsequent to the effective date of this Ordinance, it is unlawful for any person to construct, install, or operate a large solar energy system that is not in compliance with this Article or with any condition contained in a building permit issued pursuant to this Article.

SR 42. Electronic Gaming Operations

Definition: Any business enterprise, whether as a principal or accessory use, where persons utilize electronic machines, including, but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Electronic gaming operations may include, but are not limited to, internet cafes, internet sweepstakes, electronic gaming machines/operations, or cybercafés. This does not include any lottery approved by the State of North Carolina or any non-profit operation that is otherwise lawful under State law (for example, church or civic organization fundraisers).

1. Parking: 1 parking space per every terminal, plus 1 space per employee.
2. Spacing/Separation Requirements:
 - a. No electronic gaming operation shall be located within 500 feet from any other electronic gaming operation.
 - b. Distances shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structure wall of the proposed electronic gaming establishment to the closest exterior wall of the existing electronic gaming establishment.
3. If food and/or beverages are served, the establishment must meet any State requirements and the requirements of the Randolph/Guilford County Health Department.
4. No alcoholic beverages will be served or consumed on the premises of electronic gaming operations.
5. Electronic gaming operations are allowed as an accessory use without meeting requirements 1 through 6 of this Section, however, the following shall apply:
 - a. No more than 4 terminals shall be allowed as an accessory use to any primary use.
 - b. A minimum of 1,000 square feet of gross floor area must be dedicated to the principal use.

SR 43. Yard Sales

“Yard sale” shall mean a sale from a residence or residential property of personal property which has been owned or used by a person residing on or owning the premises where the sale is conducted. In addition, yard sales may be held on property owned by religious institutions and other civic, non-profit organizations. The term “yard sale” shall include all sales entitled “garage sale”, “lawn sale”, “attic sale”, “moving sale”, “rummage sale”, etc.

1. Yard Sale Permit Required: It shall be unlawful for a person to conduct a yard sale in the City without first obtaining from the City a permit to do so, to be known as a “Yard Sale Permit”.
2. Issuance of Permit:
 - a. A permit shall be issued for a fee of \$5.00 to conduct a yard sale on the premises no more than twice in a 12 month period; provided, however, a permit for a third yard sale shall be issued if satisfactory proof of a bona fide change in ownership of real property.

- b. A permit shall be issued for the conduct of a yard sale for 2 consecutive days during daylight hours only.
 - c. Each permit issued under this Ordinance must be prominently displayed on the premises upon which the yard sale is conducted throughout the entire period of the permitted sale.
3. Signs:
- a. Directional signs may not be placed until a yard sale permit has been issued.
 - b. Signs may not be attached to utility poles, public signs, or other public utility structures.
 - c. No signs may be placed in the public right-of-way or in any location that may impede the vision of passing motorists.
 - d. All signs shall be removed at the conclusion of the yard sale event.
4. Exceptions:
- a. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
 - b. Persons acting in accordance with their powers and duties as public officials.
 - c. Any person conducting an incidental sale or one or two separate items which such sale is not part of a general sale or a number of items of personal property.
5. Penalty: Violation of this Section is subject to the penalties found in Article XVI, Sections 16.8 and 16.9.

SR 44. Outdoor Adventure Recreation

- 1. The impact on the natural environment must be kept to a minimum for approved outdoor adventure recreation uses.
- 2. Only areas designated for buildings, parking, and accompanying infrastructure shall be allowed to be disturbed for development purposes.
- 3. Developed areas of the property shall adhere to the buffering and screening requirements in Section 10.5 (Commercial/Office Uses) when adjoining a residential use or residentially zoned property.

4. A paved entrance is required for any access from a public road. The paved entrance must be a minimum of 30 feet within the property line.