

Article VI
District Regulations

Section 1. Intent of Zoning Districts

RA-20 Residential District

This district is defined as medium to low-density residential areas of single-family dwellings and open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

RA-20 Residential Conditional District

Identical to the RA-20 District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

RA-16 Residential District

This district is defined as medium to high-density residential areas where single and multi-family dwellings are mingled with certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

RA-16 Residential Conditional District

Identical to the RA-16 District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

Neighborhood Business District (Restricted)

This district is established to provide commercial areas adjacent to residential zones that are compatible with quiet, residential neighborhoods. Unlike the other commercial zones, only land use activities that serve the immediate residential areas shall be permitted. Further, these activities shall be limited to only commercial uses that generate low levels of vehicular traffic and do not produce high levels of smoke and noise.

Neighborhood Business Conditional District

Identical to the NB District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

Institutional and Community District

This district is established to provide an area for community and public buildings and facilities such as government offices, libraries, schools and churches. The character of this district makes it an appropriate transition zone between residential uses and commercial uses.

Institutional and Community Conditional District

Identical to the I&C District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

Business District

This district is established to provide for concentrated development of commercial and business establishments in the central and outlying areas of Ramseur.

Business Conditional District

Identical to the Business District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

Industrial District

This district is established as a district in which the principal use of land is for industrial uses which can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential, office and institutional or business uses.

Industrial Conditional District

Identical to the Industrial District except that conditional rezoning is required as a prerequisite to any use or development, as provided for in this chapter.

Section 2. Conditional Zoning Districts

- a) Purpose of Conditional Zoning Districts. Conditional zoning Districts are zoning districts in which the development and use of the property is subject to predetermined standards, rules, regulations and conditions imposed as part of a legislative decision creating a Conditional Zoning District and applying it to a particular property. A Conditional Zoning District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Certain land uses are of a nature or scale that they have significant impact on both the immediate area and the community as a whole, which cannot be predetermined and controlled by general district designations or standards. There are also circumstances, in which a general district designation allowing such a use by right, would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate using a Conditional Zoning District consistent with the adopted Land Use Plan (hereinafter referred to as "Plan"), regulations and conditions meeting the objectives of the Conditional Zoning District regulations.
- b) Review Process. The review process established in this Section provides for the accommodation of standards, regulations and conditions of such uses by the reclassification of property into a Conditional Zoning District, subject to specific conditions which ensure compatibility of the use with the use of adjacent properties, and adopted Plan by the Town.
- c) Timing of Conditional Zoning Districts. A Conditional Zoning District is not intended for securing early or speculative zoning for a proposal, except when a proposed Conditional Zoning District is consistent with adopted Plans by the Town or it can be demonstrated that public infrastructure needed to serve the development will be made

available in a reasonable time period, which is determined as a condition of the approval of a Conditional Zoning District.

d) Petitions, Plans and Other Information.

- 1) Property may be rezoned to a Conditional Zoning District only through the submission of a petition by the owner(s) of all of the property to be included in the District. A petition for conditional zoning must include a preliminary site plan, drawn to scale, and supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, as a minimum, for consideration of a conditional zoning, if applicable:
 - (a) A boundary survey, with metes and distances showing the property's gross acreage, current zoning classification(s), the location of adjacent public streets, railroad right-of-way, bodies of water (ponds, lakes, streams, rivers, creeks), date of submittal, north arrow, and vicinity map;
 - (b) All existing and proposed easements, reservations and rights-of-way with street section and widths;
 - (c) Footprint of existing and proposed structures;
 - (d) Proposed use of all land and structures, including the number and type (single-family detached, multifamily, town homes, apartments) of residential units and/or the total square footage of any nonresidential development;
 - (e) All setbacks, buffers, screening, and landscaping required by town regulations and/or conditions proposed by the petitioner;
 - (f) All existing and proposed access points to public streets and traffic control devices;
 - (g) Generalized drainage plan of existing and proposed drainage patterns, buffers, delineation of regulatory floodplains, delineated wetlands, riparian buffers and open space if an Open Space Development;
 - (h) Proposed phasing, if any;
 - (i) General location and number of parking spaces and circulation plan;
 - (j) A statement in each petition analyzing the reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to, the following: (a) the conditional zoning's compatibility with the adopted Plan of the Town; (b) the benefits and detriments of the conditional zoning for the subject property, neighboring properties and the surrounding community; and (c) the conditional zoning's compatibility with the existing land uses on adjacent and neighboring tracts.

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- (k) Any condition and site specific standard for a Conditional Zoning Districts demonstrating the conformance of the proposed development and use of the site to Town Ordinances and any officially adopted Comprehensive Plan or other Plan and those that address the impacts reasonably expected to be generated by the development or use of the site.
- 2) The Zoning Administrator shall have the authority to waive any application requirements where the type of use or scale of the proposal makes providing that information unnecessary or impractical.
 - 3) In the course of evaluating a petition for conditional zoning for a proposed use or development, the Town may request additional information from the petitioner. This information may include but is not limited to the following:
 - (a) Proposed number and location of all structures;
 - (b) Proposed screening, buffers and landscaping over and above that required by the regulations and standards of the Town including the width and proposed plant material for the buffers and screening, and the proposed protection of any existing vegetation and/or natural features;
 - (c) Existing and general proposed topography (spot elevations) at five (5) foot contour intervals or less;
 - (d) Scale and dimension of buildings relative to abutting property and height of structures;
 - (e) Exterior features, facade, materials, colors, architectural style and theme for the proposed non-residential uses and/or developments;
 - (f) Residential architectural style and theme, type of building foundation structure, minimum and average square feet of residential housing, minimum and average price points;
 - (g) Proposed number, location and style of signs;
 - (h) Any additional information needed to demonstrate compliance with conditional zoning to minimize particular impacts and protect both the immediate area and the community as a whole.
 - 4) The site plan/subdivision plan and any supporting text shall constitute part of the petition for the purpose of consideration of a Conditional Zoning District.
 - 5) The petitioner for a Conditional Zoning District shall submit the appropriate number of copies of the petition, site plan and supporting text as is required in order to have sufficient copies available to circulate to town staff, Planning and Zoning Board, and Town Board of Commissioners for review and comment.
- e) Required Community Meeting Before Public Hearing.

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- 1) The Town shall sponsor a Neighborhood Information Meeting involving the developer, Town Planning Board, and adjacent property owners. The informal meeting is designed to provide a time where adjoining property owners might meet with the developer and the Town planning staff to review preliminary proposals prior to formal presentation at Public Hearings to the Planning Board and the Board of Town Commissioners. The Neighborhood Information Meeting shall be held by the Town of Ramseur prior to scheduling the Public Hearing. Notices of this meeting shall be sent by First Class mail at a minimum to all adjoining property owners. The Neighborhood Information Meeting does not take the place of final decisions and review at public hearing by the Town Planning Board and Board of Town Commissioners.
 - 2) The Planning Board shall review the proposal for consistency with all applicable standards in this Ordinance. The planning staff shall make recommendations in writing to the applicant, at which time the applicant may choose to revise and resubmit the preliminary plan.
- f) Zoning Change Procedures: The applicant shall follow those procedures set forth in this Ordinance within Article XV, Section 5: Changes and Amendments.
- g) Conditions to Approval of Petition.

In approving a petition for the reclassification of property to a Conditional Zoning District, the Planning and Zoning Board may recommend, the Town Board of Commissioners request, and the petitioner agree that reasonable and appropriate conditions be attached with approval of the petition. Any such conditions should relate to the relationship of the proposed use or development to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, architectural style and materials, the timing of development, streets and rights-of-way improvements, water and sewer improvements, storm water drainage and management, provisions for open space and other issues unique to the petition that the Town Board of Commissioners may find appropriate or the petitioner may propose. Such conditions to approval of the petition may also include dedication of rights-of-way or easements for streets, water, sewer, storm drainage, greenways, and open space to serve the proposed development. The petitioner shall have a reasonable opportunity to consider and respond to any such conditions proposed by the Town prior to final action on the petition by the Town Board of Commissioners.

h) Effect of Approval

- 1) If a petition for conditional zoning is approved, the development and/or use of the property shall be governed by the predetermined ordinance requirements applicable to the underlying district category, the approved site plan for the Conditional Zoning District and any additional approved rules, regulations and conditions, all of which shall constitute the zoning regulations for the approved

District and are binding on the property as an amendment to these regulations and to the zoning maps.

- 2) If a petition is approved, the petitioner shall comply with all requirements established by the Town to obtain a zoning permit. Only those uses and structures identified in the approved petition and site plan shall be allowed on the subject property to include principal as well as accessory structures. A change of location of structures may be authorized pursuant to Article VI, Section 2 I of this Ordinance. Administrative approval of a change of location of structures to the site plan layout shall not include any increase to the number of structures approved through the conditional zoning.
- 3) Upon the approval of the petition for a Conditional Zoning Districts, the subject property shall be identified on the “Official Zoning Map” by the appropriate district designation. A parallel conditional zoning designation shall be identified with the underlying general district followed by the letters “CD” (example “R-16 CD”).

i) Alterations to Approval

- 1) Except as provided in subsection 2) below, changes to an approved petition for a Conditional Zoning District and/or the conditions attached to the approved petition shall be treated the same as an amendment to these regulations or to the zoning map and shall be processed in accordance with the procedures in this Chapter.
- 2) The Zoning Administrator or designee shall have the delegated authority to approve an administrative amendment to an approved site plan. The standard for approving or denying such a requested amendment shall be that the amendment does not have a significant impact upon abutting properties or significantly alter the site plan or its adopted conditions. An administrative amendment shall not be subject to a protest petition pursuant to Article XV, Section 6(g). Any decision by the Zoning Administrator or designee must be in writing stating the grounds for approval or denial and shall be enforced the same as the approved petition for a Conditional Zoning Districts. The basis for approving or denying an administrative amendment shall be as follows:
 - (a) Any amendments that increase the intensity of the development are limited, for nonresidential development, to ten percent (10%) of the approved requirement or one-thousand (1000) square feet whichever is less. For residential development, increases in density are limited to ten percent (10%) or no more than five (5) dwelling units, whichever is less.
 - (b) Any amendments that propose to adjust a buffer or screening are limited to type and quantity of plant material such that the change in plant material or screening design shall be equal to or greater than that which was approved with the petition for a Conditional Zoning District.

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- 3) The Zoning Administrator or designee, however, shall have the discretion to decline to exercise the delegated authority either because the designee is uncertain about approval of the amendment pursuant to the standard or because a rezoning petition for a public hearing and Town Board of Commissioners consideration is deemed appropriate under the circumstances. If the Zoning Administrator or designee declines to exercise this authority, then the applicant can only file a conditional zoning petition for a public hearing and Town Board decision.
 - 4) A request for an administrative amendment shall be in writing, signed by the property owner, detailing the requested amendment to the Planning staff. Upon request, the applicant must provide any additional information that is requested. Accompanying the written request shall be any applicable fee for administrative review, plans and documentation to support the reason for the amendment. Upon approval of an administrative amendment, the applicant must file a sufficient number of copies of a revised site plan as deemed necessary by the Zoning Administrator.
 - 5) If the Zoning Administrator or designee denies approval of the requested amendment, then the applicant may appeal the decision to the Board of Adjustment for review and decision. If a decision is appealed, the applicant is required to notify adjacent property owners within fifteen (15) days of the filed appeal. The notification shall identify the requested amendment and the time and place of the review of the amendment before the Board of Adjustment. If the Board of Adjustment denies approval of the requested amendment, then the applicant must file a conditional zoning petition for an amendment to the site plan to receive further consideration. An adjacent property owner shall be entitled to appeal the approval of an administrative amendment to the Board of Adjustment within fifteen (15) days of knowledge of the approval. Even if an adjacent property owner does not have knowledge of the approval, the approval shall be final after 30 days.
- j) It is the intent of conditional zoning that property may be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Therefore, no sooner than three (3) years after the date of approval of the petition, the Planning and Zoning Board may examine the progress made toward developing the property in accordance with the approved petition and any conditions attached to the approval. If the Planning and Zoning Board determines that progress has not been made in accordance with the approved petition and conditions, the Planning and Zoning Board may forward a report to the Town Board of Commissioners, which may recommend that the property be classified to another zoning district.
- k) A conditional zoning district bearing the designation CD is hereby established as a companion district for every district established in Article VI, Section 1. These districts are RA-20-CD, RA-16-CD, NB-CD, I&C-CD, B-CD, and I-CD. All regulations which apply to a general use zoning district also apply to the companion conditional use district. All other regulations which may be offered by the property owner and approved by the Town as a part of the rezoning process also apply.

Section 3. Table of Permitted Uses

Districts in which particular uses are permitted as a Use By Right are indicated by “X.” Districts in which particular uses are prohibited are indicated by a blank. Districts in which particular uses are permitted as a Special Use upon approval by the Town of Ramseur Planning Board are indicated by “S.” See Special Uses, Article VII, for further information.

Article VI amended March 5, 2007.

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| <u>Table of Permitted Uses</u> | | | | | | |
|--|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Abattior, Slaughterhouses | | | | | | S |
| Accessory uses & structures (See Notes # 1,2 & 6) | X | X | X | X | X | X |
| Adult Uses | | | | | | S |
| Alcoholic beverages stores, packaged for retail sales | | | | | X | |
| Ambulance, emergency services (See Note # 8) | | | | X | | |
| Animal Hospitals or veterinary clinics excluding kennels | | | | | X | |
| Animal Hospitals or veterinary clinics with kennels | | | | | | X |
| Art Galleries, museums | | | | X | | |
| Assembly Halls, coliseums (excludes church halls) | | | | X | | |
| Automobile parts & supplies, new | | | | | X | |
| Automobile repair shops, open storage of vehicles currently under repair with current tags and inspection sticker, no open storage of wrecked or disabled vehicles | | | | | X | X |
| Automobile repair shops, open storage of wrecked vehicles (See Note # 2) | | | | | | X |
| Automobile sales, new & used with current inspection sticker | | | | | X | X |
| Auto, wrecking yards & scrap metal dealers (See Note #2) | | | | | | S |
| Bakeries and other manufacturing of prepared food | | | | | X | |
| Bakeries, products sold exclusively at retail on premises | | | X | | X | |
| Banks & other financial institutions | | | X | | X | |
| Barber & beauty shops | | | X | | X | |
| Bed & Breakfast Inn (State Governed) | S | S | | | X | |
| Bicycle Sales & Repair | | | | | X | |

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|---|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Boarding houses, rooming houses | | S | | | | |
| Boat works and sales | | | | | X | X |
| Bottling works | | | | | | X |
| Bowling alleys | | | | | X | |
| Building specialties, outlets, glass and mirror shops, blind and awning shops, tile shops | | | | | X | X |
| Building Supply and equipment sales, including fenced open storage (Note 2) | | | | | X | X |
| Building supply and equipment sales, no outside storage | | | | | X | |
| Bus repair and storage terminals | | | | | | X |
| Bus terminals | | | | | X | |
| Business colleges, barber & beauty schools, art schools, music schools, etc. | | | X | | X | |
| Cabinet & woodworking shops | | | | | | X |
| Car washes, including drive-through | | | | | X | X |
| Cemeteries | S | S | | S | S | |
| Churches & their customary accessory uses | X | X | | X | X | |
| Circus, fair, carnival and revival tents | | | | | S | S |
| Clubs or other places of commercial entertainment | | | | | X | |
| Clubs & lodges, private for membership | | | | | X | |
| Community Centers | X | X | | X | | |
| Contractors offices, no outside storage | | | | | X | X |
| Contractors offices, including fenced open storage yard (Note 2) | | | | | X | X |
| Convalescent homes, orphanages, nursing homes, rest homes, homes for the aged | | | | | X | |

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|---|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Convenience Stores | | | X | | X | |
| Curio & souvenir shops | | | X | | X | |
| Dairy products processing and distributing facilities | | | | | | X |
| Dairy bars, ice cream making & on premises retail sales | | | X | | X | |
| Day care centers, adult, for 5 or less | S | S | | | | |
| Day care centers, adult, for 6 or more | | | | | X | |
| Day care centers, children, for 5 or less | S | S | | | | |
| Day care centers, children, for 6 or more | | | | | X | |
| Demolition debris landfill | | | | | | S |
| Driving Ranges, golf, baseball | | | | | X | |
| Dry cleaning & laundry establishments (2,000 sq ft or less and no steam emissions) | | | X | | X | |
| Dry cleaning and laundry establishments | | | | | X | |
| Dwellings, duplex (See Note #14) | | S | | | | |
| Dwellings, multi-family (See Note #14) | | S | | | | |
| Dwellings, single family detached (See Note #14) | X | X | | | | |
| Dwellings, residential quarters and apartments , above, behind or in same structure with business | | | | | X | |
| Electrical appliances and equipment, sales and repair | | | | | X | |
| Fabricating shops | | | | | | X |
| Family care homes (See Note #5) | X | X | | | | |
| Farm machinery assembly, sales and repairs | | | | | | X |
| Feed & seed stores | | | | | X | X |

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|--|-------|-------|----|------|-------|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Feed mills and grain elevators | | | | | | X |
| Fire & Police stations (See Note #8) | X | X | X | X | X | X |
| Florist Shops | | | X | | X | |
| Food processing, wholesale | | | | | | X |
| Foundries | | | | | | X |
| Funeral homes, mortuaries | | | X | | X | |
| Furriers and fur storage | | | | | X | |
| Games rooms, pool halls, billiard parlors | | | | | X / S | X |
| Gift Shops | | | X | | X | |
| Glass & mirror shops, blinds and awning sales, tile shops | | | | | X | X |
| Golf, baseball driving ranges | | | | | X | |
| Golf courses, miniature | | | | | X | |
| Golf Courses | X | X | | X | | |
| Government Offices | | | | X | X | |
| Greenhouses & truck gardens, incidental - residential uses | X | X | | | | |
| Greenhouses, garden centers | | | | | X | |
| Group developments | | S | S | | S | S |
| Group Homes (e.g, rest homes, homes for the aged) | | | | | S | |
| Grocery Stores | | | | | X | |
| Hatcheries | | | | | | X |
| Health Clubs | | | X | | X | |

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|--|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Home occupations (See Note # 11) | X | X | | | | |
| Hospitals | | | | X | | |
| Hotels & Motels | | | | | X | |
| Household appliance, repair & service | | | X | | X | |
| Industrial supplies & equipment, sales & service | | | | | | X |
| Industrial trade schools | | | | | | X |
| Junkyard, scrap processor, auto wrecking establishment (See Note # 3) | | | | | | S |
| Landscape, horticulture services | | | | | X | |
| Laundromat, self-service | | | | | X | |
| Libraries | | | | X | X | |
| Locksmiths & Gunsmiths | | | X | | X | |
| Logging, cutting & cleaning more than 1 acre | S | S | S | S | S | S |
| Lumber yards, building materials storage and sales, including fenced open storage (See Note # 2) | | | | | X | X |
| Machine shops | | | | | | X |
| Manufactured housing, temporary office or commercial establishment (See Note #12) | | | X | | X | X |
| Manufactured housing sales | | | | | X | X |
| Manufactured housing, classroom | X | X | | X | | |
| Manufactured housing, temporary dwelling unit (Note #12) | S | S | | | | |
| Manufactured housing, Class A, on single lot (Note #4) | | X | | | | |
| Manufacturing, apparel only | | | | | | X |
| Manufacturing, bedding, carpet & pillows | | | | | | X |

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|---|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Manufacturing, beverage products | | | | | | X |
| Manufacturing, brick tile and pottery | | | | | | X |
| Manufacturing, chemicals (meeting all EPA & state standards) | | | | | | X |
| Manufacturing, concrete & asphalt | | | | | | X |
| Manufacturing, electrical appliances and equipment | | | | | | X |
| Manufacturing, fabricated metal products | | | | | | X |
| Manufacturing, food and related products | | | | | | X |
| Manufacturing, furniture | | | | | | X |
| Manufacturing, glass products | | | | | | X |
| Manufacturing, instruments | | | | | | X |
| Manufacturing, machine tools | | | | | | X |
| Manufacturing, paints & household chemicals (meeting all EPA and state standards) | | | | | | X |
| Manufacturing, paper goods | | | | | | X |
| Manufacturing, pharmaceutical products | | | | | | X |
| Manufacturing, plastics, leather and rubber goods | | | | | | X |
| Manufacturing, sheet metals and roofing materials | | | | | | X |
| Manufacturing, textiles | | | | | | X |
| Manufacturing, or processing not otherwise listed | | | | | | X |
| Meat & poultry processing | | | | | | S |
| Medical and dental offices | | | X | | X | |
| Metal fabrication | | | | | | X |

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|--|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Milk distribution (non-bottling establishments) | | | | | X | X |
| Millwork, plywood & veneer | | | | | | X |
| Miniature and par 3 golf courses | | | | | X | |
| Monument works and sales | | | | | X | X |
| Modular Dwelling, Off Frame (See Note #14) | X | X | | | | |
| Modular Dwelling, On Frame (See Note #14) | | X | | | | |
| Moving and Transfer companies | | | | | | X |
| Municipal Buildings | | | | X | X | |
| Newspaper office & printing plants, incidental to such offices | | | | | X | |
| Nursing homes | | | | | S | |
| Office equipment & supplies, sales & service | | | | | X | |
| Offices, business and professional | | | X | | X | |
| Opticians & optical goods stores | | | X | | X | |
| Paper goods, assembly and distribution | | | | | | X |
| Parks, playgrounds | X | X | | X | | |
| Parking lots | | | | | X | |
| Parking lots for business or industry in residential district | S | S | | | | |
| Pawn Shops | | | | | X | |
| Photographic studios and camera supply stores | | | X | | X | |
| Planned Unit Developments (townhouses) | S | S | | | | |
| Plastic & rubber parts assembly | | | | | | X |

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|---|-------|-------|----|------|-----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Plumbing shops | | | | | X | X |
| Plumbing & heating, sales and workshops | | | | | X | X |
| Pool hall, billiard parlor, game room | | | | | X/S | X |
| Post Offices | | | | X | | |
| Poultry or pets, on a scale not objectionable to neighbors | X | X | | | | |
| Printing, publishing establishments | | | | | | X |
| Public parks, playgrounds | X | X | | X | | |
| Public Safety facilities, fire & police stations (Note #8) | X | X | X | X | X | X |
| Public utilities, stations, lines, water towers, etc. including service or storage yards (See Note # 9) | | | | X | X | X |
| Public works & public utilities, excluding service & storage yards (See Note # 9) | X | X | X | X | X | X |
| Quarries | | | | | | S |
| Radio & television stations, studios & offices (no towers) | | | | | X | |
| Radio, television stations, studios & offices (with towers) | | | | | X | X |
| Radio, television, cellular & other communication towers | | | | | | S |
| Radio & television repair shops | | | | | X | |
| Railroad stations | | | | | | X |
| Railroad freight and classification yards | | | | | | X |
| Recreational vehicle sales | | | | | X | X |
| Research laboratories | | | | | X | X |
| Recycling collection points | | | | X | X | |
| Restaurants, not including drive through windows | | | X | | X | |

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|--|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Restaurants, including drive-through windows, provided restaurant is separated from a residential property by a fence at least 8 ft high | | | X | | X | |
| Rest Homes (see group homes) | | | | | | |
| Retail establishments | | | X | | X | |
| Revival Tents, temporary | | | | | S | S |
| Rooming Houses (boarding houses) | | S | | | | |
| Salvage yards, auto parts; See Junkyards (See Note # 3) | | | | | | S |
| Satellite dishes (See Note # 7) | X | X | X | X | X | X |
| Sawmills or planing mills | | | | | | X |
| Schools, elementary and secondary | X | X | | X | | |
| Service stations, major repair service (See Note # 10) | | | | | X | X |
| Service stations, repair conducted inside (See Note # 10) | | X | | | X | X |
| Sheet metal and roofing shops | | | | | | X |
| Shoe repair shops | | X | | | X | |
| Shopping centers | | | | | S | |
| Sign painting and fabricating shops | | | | | | X |
| Signs, subject to Article XIII | X | X | X | X | X | X |
| Skating rinks | | | | | X | |
| Swimming pools, public or community pools (See Note #6) | | | | X | | |
| Swimming Pools as an accessory use (See Note # 6) | X | X | | | | |
| Tailor, dressmaker and military shops | | | X | | X | |
| Theaters (indoor) | | | | | X | |

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| <u>Table of Permitted Uses</u> | | | | | | |
|--|-------|-------|----|------|----|---|
| *See Note # 13 | | | | | | |
| | RA-20 | RA-16 | NB | I&C* | B* | I |
| Theaters (drive in) | | | | | | X |
| Tire recapping and retreading | | | | | X | X |
| Tire sales | | | | | X | |
| Tobacco processing and storage | | | | | | X |
| Trucking terminals | | | | | | X |
| Upholstery shops | | | | | X | |
| Vending companies | | | | | X | X |
| Veterinary services, no outside kennel | | | | | X | |
| Veterinary service, outside kennels | | | | | X | |
| Warehouses, excluding storage of uncured hides, explosives, oil & gas products | | | | | | X |
| Warehouses, self storage | | | | | X | X |
| Wastewater treatment plants | | | | X | | |

Notes to the Table of Permitted Uses

1. Accessory buildings or structures are permitted in the residential districts where indicated, provided such shall be permitted in the rear yard only and shall not be less than ten (10) feet from any property line and further that in the case of corner lots such buildings or structures shall be set back at least twenty-five (25) feet from any side street right-of-way line. Only two accessory buildings are permitted per lot; however, additional accessory buildings may be allowed on approval of the Board of Adjustment.
2. Accessory uses and structures including open storage are permitted in the business and industrial districts where indicated only if the storage yard is enclosed by a solid fence or natural barrier not less than 8 feet in height which screens from view the stored materials. However, these customary accessory uses shall not include storage of uncured hides, explosives, oil and gas products. Solid waste storage areas, as an accessory use, are required on the zoning lot for new multifamily, business and industrial uses. Single and 2-family dwellings are excluded from this requirement. Where such facilities are provided outside a building, they shall be screened from view of public rights-of-way and adjacent properties by an enclosure constructed of materials pleasing to the eye. Such screening shall begin at ground level with no open space between the ground and bottom of the screening material and shall be at least six feet tall with a door or gate. (*See Article X for detail. Adopted 5/5/03.*)
3. New junkyards permitted only by special use permit in the industrial district must be enclosed by a fence at least eight (8) feet in height and cars shall not be stacked above the fence.
4. As of the date of re-adoption of this Ordinance, Class C manufactured houses are a non-conforming use.
5. Family care homes are permitted in these districts but may be located no closer than one-half mile to each other.
6. Swimming pools as an accessory use are permitted provided:
 - a. The pool is enclosed by a fence, at least four (4) feet in height above grade level. The exterior walls of a house or building may be incorporated as a portion of such fence to create a fully enclosed area round the pool. All fence openings or point of entry into the pool shall be equipped with gates. Gates shall be equipped with self-closing and self-latching devices for keeping the gate or door securely closed at all times. The fence or gate shall be void of any holes or openings larger than five inches or 10 centimeters in one dimension.
 - b. If located in a rear yard, the pool shall not be located closer than ten (10) feet from the property line, or twenty-five (25) feet from any side street right-of-way. If located in a front or side yard, the pool and surrounding fence shall meet the setback requirements of the particular zoning district.

- c. Prior to construction, any pool shall be reviewed and a building permit issued by the building inspection department.
7. Satellite dishes, television and short wave antennas shall be subject to the following restrictions:
 - a. No short wave, television antenna or satellite dishes shall be constructed, built or maintained within the right-of-way of any street, highway or sidewalk in any residential district.
 - b. No short-wave, television antenna or satellite dishes exceeding a height of four (4) feet shall be constructed, built or maintained in any residential district within four (4) feet of the edge of the pavement or shoulder of any street, highway or sidewalk.
 - c. Satellite dishes in residential districts shall not be located in front yards and shall be located in a rear or side yard so as to meet all setback requirements.
8. Public safety facilities such as police and fire stations and rescue squad headquarters are permitted in these districts, provided that all vehicles and equipment are set back at least twenty (20) feet from all property lines and are designed and landscaped in such a manner as to blend with the surrounding area.
9. Public works and utility facilities such as distribution lines, transformer lines and towers, electric substations, water tanks and telephone stations are permitted in these districts if the facilities are essential to the service of the immediate vicinity and provided that no materials or equipment are stored on the premises and that no offices are permitted. In addition, the entire lot shall be landscaped properly and furnished with a densely planted buffer at least six (6) feet in height along the side and rear lot lines.
10. Service stations that provide major repair are permitted in the business and industrial districts provided that all service, storage or similar activities with the use are conducted on the property on which the station is located and provided further that such uses do not include storage of junked or inoperative motor vehicles. In addition, in Neighborhood Business District the repair, service and storage must be within the building and there can be no outside storage on the premises.
11. Home occupations are permitted as long as they conform to the following requirements:
 - a. A home occupation shall not increase the traffic, noise, electrical interference, glare, dust, smoke or odor, which is normally found in its vicinity when its use is not in operation.
 - b. Home occupations shall be conducted entirely inside the building with no outside storage and shall be clearly incidental and secondary to the permitted use of the building.
 - c. Floor area used for home occupations shall not exceed 25% of the total floor area of a dwelling unit except where lodging is provided for a resident guest. One

home occupation shall not operate in more than one dwelling unit or residential lot.

- d. No exterior evidence of the presence of a home occupation shall be permitted except as provided below; nor shall the presence of the incidental use change the exterior character of the dwelling unit.
 - i. There shall be no sales rooms or display windows; nor shall any material or supplies be stored in the open.
 - ii. No sign announcing the presence of a home occupation shall be permitted other than an occupancy sign which complies with Article XI, Section 4.
- e. Not more than one employee who is not a member of the immediate family residing in the same dwelling unit may be employed in the operation of a home occupation.

12. Manufactured housing for this temporary use is allowed for up to 12 months upon issuance of a permit from the Inspections Department. The permit may be extended for up to 12 additional months, but no longer, by the Inspections Department.

13. Design Standards for Business Districts: This section is to establish standards for those items that affect the physical aspect of the Town of Ramseur's environment. These standards focus on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the Town, preserve values, and promote public health, safety and welfare. These standards will require a basic level of site and structure design. The standards are not intended to halt creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing the Town as a unique place. Consideration will be given to the use rights of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights and visual pollutions.

All new construction and expansion and or additions shall meet the requirements of this ordinance pertaining to design regulations and shall also meet the following specific design criteria, which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development.

- a. Facades fronting Streets and Roads: 75% of the area below the roof of any commercial building front face, including doors and windows shall be finished with one or more of the following materials subject to building codes.
 - i. Brick, brick veneer or polystyrene faced with real brick veneer and field applied jointing.
 - ii. Decorative CMU (concrete masonry unit) concrete block.
 - iii. Pre-cast or field poured tilt concrete or other metal panels with architectural detailing.
 - iv. Stone, stone veneer, lath applied stone and cultured stone.
 - v. Flush architectural or other metal panels with architectural detailing, but not including sheet metal panels of "R" or similar corrugated and or ribbed configuration or appearance.

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- vi. Stucco and architectural detailing or artificial stucco (BPS expanded polystyrene) with architectural detailing.
 - vii. Glass
 - viii. Doors, windows and other fenestration along with their casings.
 - ix. Wood and wood materials designed and intended for use on exterior finish materials.
 - x. Trim and similar architectural detailing composed of any code-approved materials (vinyl or metal trim, facis boards and soffits shall be allowed). Paint and similar coating themselves are not considered a finish material for the purpose of this list.
- b. Facades Other than Fronting Streets and Roads: Any code approved materials including vinyl siding and meal façade covering and other synthetic materials shall be allowed for any wall not fronting streets and roads. Where such walls are visible from adjoining residentially zoned property, such walls shall be screened or buffered according to the requirements of this article.

Expansions of nonconforming uses shall comply in all respected to the development standards of this section. Interior remodeling, repairs or other forms of re-development, which do not create additional floor areas, or exterior repairs, which do not change required design features shall be exempt from the provisions of this section. Routing maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section (revised 2/02).

14. Design Standards for Residential Structures. All residential structure shall b e supported by a permanent masonry foundation. The foundation shall consist of or be completely enclosed by an architectural masonry cladding such as brick, stone, split-face block, stucco or approved alternative. Bare concrete masonry unit (CMU), vinyl siding and lattice arc strictly prohibited on exposed portions of residential foundations. All new residential dwelling will have a minimum 5/12 slope on the main roof structure (revised 11/01).