

Article VII
Special Uses

Section 1. Objectives and Purposes

Permitting special uses adds flexibility to the Zoning Ordinance. Subject to high standards of planning and design, certain property uses area allowed in the several districts where these uses would not otherwise be acceptable. By means of controls exercised through the Special Uses Permit procedures, property uses, which would otherwise be undesirable in certain districts, can be developed to minimize any bad effects they might have on surrounding properties.

The uses for which Special Use permits are required are listed in the chart preceding this section. Detailed descriptions of procedures, which must be followed in the issuance of each permit, are contained in the following pages. Uses specified in this section shall be permitted only upon the issuance of a Special Use Permit by the Town Board of Commissioners.

Section 2. Application Submission (\$100.00 Processing & Advertising Fee)

The owner(s) or anyone with a possessory interest entitled to exclusive possession or anyone with a contractual interest soon to be a freehold interest in the property included in the petition for a Special Use Permit shall submit an application to the Zoning Administrator or Town Clerk at least 30-days prior to a joint public hearing before the Planning Board and Board of Commissioners.

Such application shall include all of the requirements pertaining to it in this section and without such information cannot be processed for consideration by the Board of Commissioners. Applicants shall include site plans and shall be prepared to provide a full an accurate description of the proposed use including its location, appearance and operational characteristic.

At the time of submission, applicants shall pay a fee set by the Board of Town Commissioners to partially or entirely defray the costs of processing the application.

Section 3. Procedures for Obtaining Special Use Permit

- a) Public Hearing and Notice: Upon receipt of a complete application for a Special Use Permit the Zoning Administrator or Town Clerk shall give notice of a public hearing in the same manner as required for an amendment to this ordinance. The complete application shall be received at least 30 days before the date of the public hearing. When deciding special use permits, the Town Board of Commissioners shall follow quasi-judicial procedures.

Ordinarily, a public hearing will be scheduled for a regular meeting of the Board of Commissioners. Notice shall be provided in the following manner:

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- 1) The Town Clerk shall notify all parties to the proceeding in writing at least 10 days prior to the hearing. Written notices shall also be sent to the owners of all parcels abutting the parcel for which the Special Permit is sought. Names and addresses of property owners shall be obtained from property tax listings. Written notice shall be mailed by first class mail at least 10 days before the date of the hearing at which the request is to be heard.
 - 2) Notices shall also be proved by newspaper publication of the location and subject of the request. Such notice shall run at least once each week for two successive weeks before the Board of Commissioners meeting at which the hearing is set for consideration of the request.
 - 3) Notice shall also be posted by the town on the property subject to the request. Notice shall be posted at least one week before the scheduled hearing at which the request is to be heard.
- b) Action by Planning Board: The Planning Board and Board of Commissioners shall sit jointly at the public hearing at which all interested persons shall be permitted to testify. The permit request shall then be referred to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral to that Board, The Board of Town Commissioners may proceed in its consideration of the request without the Planning Board report. The Board of Town Commissioners is not bound by the recommendations, if any, of the Planning Board.
- c) Action by Board of Commissioners: Upon receiving the recommendation of the Planning Board, the Board of Commissioners shall consider the application and recommendations and shall act on the applicant's request by either granting or denying the applicant's request.
- 1) Special Use Permit: The Board of Commissioners may grant or deny a Special Use Permit request based upon complete plans as may be required in the Regulations for Special Uses.

A Special Use Permit shall be granted when each of the following findings is made concerning the proposed special use:

- (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and

- (d) That the use or development conforms with the general plans for the land use and development of Town of Ramseur as embodied in this chapter and in the Town of Ramseur Development Guide.
- 2) There shall be competent, material and substantial evidence in the record to support these conclusions. All evidence presented at the public hearing in regard to the application shall be under oath. The Board of Commissioners must find that all of the above exist or the application will be denied.
- 3) In granting the Special Use Permit, the board may designate only those conditions, in addition and in connection therewith, as will, in its opinion, assure that the use in its proposed location will be harmonious with the area in which it is proposed to be located, with the spirit of this ordinance and clearly in keeping with the public welfare. All such additional conditions shall be entered into the minutes of the meeting at which the Special Use Permit is granted, on the Special Use Permit itself and on the approved plans. All specific conditions shall run with the land and shall be binding on the original applicants, their heirs, successors and assigns unless subsequently amended by application for a revised special use permit or cancellation of the existing permit.
- 4) If the Board of Commissioners denies a request for a Special Use permit, it shall enter the reasons for its action in the minutes of the meeting at which the action was taken.
- a) No vote greater than a majority vote shall be required for the Town Board of Commissioners or Board of Adjustment to approve such districts. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered “members of the board” for calculation of the requisite majority.

Section 4. Failure to Comply with Plans and Conditions

In the event of failure to comply with the plans approved by the Board of Commissioners or with any other conditions imposed upon the Special Use Permit, the permit shall thereupon immediately become void and of no effect. No building permits for further construction or certificates of occupancy under this Special Use Permit shall be issued, and all completed structures shall be regarded as nonconforming uses subject to the provisions of this ordinance; provided, however, that the Board of Town Commissioners shall not be prevented from thereafter rezoning said property for its most appropriate use.

Where plans are required to be submitted and approved as part of the application for a Special Use Permit, modifications of the original plans may be authorized by the Board of Town Commissioners and a public hearing may be held at the discretion of said Board.

Section 5. Regulations for Special Use Permits

Detailed regulations for the Special Uses subject to this section are set forth in the following Regulations for Special Uses and the notes related to those provisions.

Use: **Abattoirs, Meat & Poultry Processing Plants (revised Feb., 2002)**

Special Use District: Industrial

Approved by: Board of Commissioners

Requirements: Site & Development Plans as indicated below:

1. A site plan must be submitted that shows:
 - a. location and size of existing & proposed structures.
 - b. all property lines & zoning districts.
 - c. proposed points of access and egress for the facility.
 - d. ground covers, topography, slopes, banks and ditches (topographic maps).
 - e. erosion control plan.
 - f. location of waste storage containers.
 - g. location of existing and proposed utilities.
 - h. location of signs.
 - i. location of truck loading and unloading docks and spaces.
 - j. general drainage systems. (No open lagoons are permitted.)
 - k. location and arrangement of all parking.

2. A Development Plan must be submitted that shows:
 - a. access to the facility completely enclosed with a 6' security fence.
 - b. the facility screened from abutting residential property. A landscaping plan showing trees, shrubs & other plantings to screen & buffer the site. A 20' natural or planted buffer with a 6' minimum height must be provided on all exterior property lines.
 - c. set backs at a minimum of 200' from public right-of-ways & 300' from residential lots.
 - d. sediment control plans if more than one acre of ground is disturbed.
 - e. a refuse and waste storage plan. A collection and disposal plan must be submitted to the town zoning board & approval obtained before issuance of the special use permit.
 - f. proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone & electric services. Public water and sewer shall be available & all utilities shall be constructed to local government body standards.
 - g. the name of land owners, lessees, hours of operation and all adjoining property owners.
 - h. No structure within 300' of any perennial, intermittent stream or body of water.
 - i. Sign(s) permitted. See 1-5 below. (Portable signs are not permitted)
 - i. Number: 1 ground sign per entrance
 - ii. Type: Identification.
 - iii. Max area of sign: 80 square feet
 - iv. Location: within property bounds
 - v. Illumination: Indirect lighting, non-flashing and motionless.

3. Other

- a. No livestock will be permitted to be stored overnight.
- b. Lot sizes, landscaping requirements, etc may be increased or decreased by the Planning Board to protect public health, safety and welfare.
- c. Evidence that the NCDOT has been made aware of the proposed development and that the developer will coordinate for the development with the agency.
- d. Developer and Property Owner must abide the Town of Ramseur's Sewer Use Ordinance.
- e. All state regulations regarding sanitation and inspections shall apply.
- f. All state and county licensing and inspection standards must be maintained at all times.
- g. Any structure which may be deemed noxious, toxic or offensive by reason of odor, dust, vibration, smoke, gas or fumes may require abatement plans for these nuisances for the protection of public health, safety and welfare.

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Use: **Adult Uses - Stores, Massage Parlors, Topless Lounges, etc.**
(Reference N.C. G.S. 14-202.10 for definition of adult bookstore, adult motion picture theater or adult mini motion picture theater)

Special Use Districts: Industrial District

Approved By: Board of Commissioners

Plans Required: Site Plan showing lot, buildings, property lines, zoning district lines and other building and uses within 500 feet.

Other Requirements: All windows, doors, openings, entries, etc. must be located, covered, screened, or otherwise treated so that views into the interior of the establishment are not possible from any public or semi-public area, street, or way.

No adult uses shall be established with 500' of any residential zoned land, or 500' of any church, park, playground, synagogue, school, library, or areas where large numbers of minors regularly travel or congregate.

No adult use shall be located within 500' of another.

Use: Bed and Breakfast Inns

Special Use Districts: RA-20 and RA-16

Approved By: Board of Commissioners

Requirements: A bed and breakfast inn shall be located in a dwelling house originally constructed as a single-family dwelling

Signage shall consist of a 4 square foot sign identifying its use. The owner shall live on premises.

Breakfast and tea shall be the only meals served and shall be served only to guests.

1 off-street parking space per bedroom shall be required.

All state regulations regarding sanitation and inspection of bed and breakfast homes shall apply. See 10 NCAC 10A.2200.

Use: **Cemeteries**

Special Use District: RA-20, RA- 16, B, I&C

Approved By: Board of Commissioners

Requirements: Adequate off-street facilities for funeral procession.

A screen of dense plant material not less than six (6) feet high where cemetery abuts a residential lot; may also be required elsewhere.

A site plan shall be submitted that shows location of entrances and exits, buildings, signage, pattern of internal circulation and storm drainage.

Use: **Circuses, Fairs and Carnivals**

Special Use Districts: Business District and Industrial District

Approved By: Board of Commissioners

Requirements: Adequate off-street parking shall be provided.

Adequate bathroom facilities shall be available.

All trash shall be removed in a manner acceptable to the designated town official.

Activities shall not exceed thirty (30) days' duration.

Use: Day Care Centers, Adults and Children, Fewer than 6 Persons

Special Use Districts: RA-20, RA-16

Requirements: Minimum lot size: 10,000 sq. ft. with frontage of 100 ft., minimum

Operation of day care not to be conducted between the hours of 7:00 p.m. and 6:00 a.m. (This requirement, applicable only to day care in residential districts requiring a special use permit.)

The facility shall be screened from abutting residential property by dense plantings.

All state and/or county licensing and inspection standards to be maintained at all times.

Day care centers: Preschool requires 1.5 spaces per pupil.

5 or less pupils — RA 16 or RA 20 or Special Use Permit

6 or more pupils — Business

Use: Demolition Landfill

Special Use District: Industrial District

Approved By: Board of Commissioners

Minimum Lot Size: 2 acres

Site Considerations:

- a. Access to the demolition landfill area shall be completely enclosed with a security fence or other barrier to vehicular access.
- b. In addition, the security fence shall be of such a type that it completely screens the landfill from view. Alternatively, dense plantings approved by the Inspections Department may be used around the perimeter as a screen. The inspections Department shall maintain a list of recommended plantings that provide permanent and dense screening.
- c. The demolition landfill shall be set back a minimum of 75 feet from any public right-of-way and a minimum of 500 feet from any residential lot.
- d. A rehabilitation/reuse plan shall accompany the application for a special use. It shall be implemented by the owner of the site within six (6) months of the completion of the landfill.
- e. Special Use Permits for demolition landfills shall be reviewed annually. However, any demolition landfill shall be completed within five (5) years from the date of approval of the permit cited in (a) above.
- f. Other conditions such as, but not limited to, hours of operation and dust control on access roads may be imposed by the Board of Commissioners during the public review process.

Use: **Duplex Dwelling (a single duplex or more than one duplex)**

Special Use District: RA-16

Approved By: Board of Commissioners

Minimum Lot Size: 16,500 square feet

Site Considerations: No building shall be less than 40 feet from any street line or 8 feet from any side or rear lot lines.

A natural or planted buffer approved by the Planning Board shall be provided on all exterior property lines.

Development Plan: A development plan shall be submitted with the application for a special use approval. The site plan shall show the following information:

- a. Location, arrangement, and dimensions of driveway(s) which must provide on-site parking for two cars per dwelling unit;
- b. Location and materials of walls and fences;
- c. Ground cover, topography, slopes, banks and ditches;
- d. The location and general exterior dimensions of the duplex structure(s) and any accessory buildings;
- e. The location, dimensions, and arrangements of areas to be devoted to planting, lawns, trees and other plants;
- f. The plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service. Public water and sewer shall be available and all utilities shall be constructed to local government body standards, if applicable;
- g. Sediment control plan, if more than one acre of ground is disturbed;
- h. Plans for and location of refuse collection and disposal;
- i. Delineation of areas to be constructed in phases, if applicable.

- Use:** **Game Rooms, Poolhalls, Billiard Parlors**
(A place of business that operates four or more mechanical games or pay devices for which charge is made either directly or indirectly, provided that such games or pay devices shall not include vending machines or photo laminating machines.)
- Approved By:** Board of Commissioners
- Requirements:** Applicants must conform to all requirements of applicable zoning and building codes.
- Minimum Lot Size:** No minimum required
- Development Plan:** A development plan shall be submitted with the application for a special use approval. The site plan shall show the following information.
- a. Property boundaries
 - b. Location of all existing and proposed buildings
 - i. No such use permitted within 100 ft of residentially zoned property.
 - ii. No such use permitted within 100 ft of a church.
 - iii. No such use permitted within 100 ft of a school (public or private).
 - c. Names of adjoining property owners
 - d. Ingress and egress and internal circulation pattern
 - i. Activities must be confined to the area inside the structure.
 - e. Location of signs
 - i. One ground sign or one wall sign permitted.
 - ii. Portable signs not permitted.
 - f. Plan shall include the following information:
 - i. Land Owner
 - ii. Lessee
 - iii. Hours of Operation

Use: Group Development Multifamily Development

(A group development is a development in which a tract of land is divided into 2 or more principal building sites for the purpose of development and occupancy by separate families, firms, business or other enterprises. When a multifamily development involves 2 or more principle buildings, it is a type of group development. A single building for multifamily dwellings is also covered by this special use permit procedure.)

(Note: A shopping center sited on more than 2 acres has a separate special use listing.)

Special Use Districts: RA-16 for multifamily dwellings (residential group developments)

NB, B, and I for commercial/industrial group developments

Approved By: Board of Commissioners

Requirements: The only uses permitted in a group development are those allowed in the district where the development is located.

No building shall be less than 50 feet from any street line or 25 feet from any side or rear lot lines.

A natural or planted buffer approved by the Planning Board shall be provided on all exterior property lines, which abut residential property.

Development Plan: A development plan shall be submitted with the application for a special use approval. The site plan shall show the following information:

- a. Location, arrangement, and dimensions of parking spaces, width of aisles, width of bays, and angle parking;
- b. Location, arrangement, and dimensions of truck loading and unloading spaces and docks;
- c. Location and dimensions of vehicular entrances, exits, and drives.
- d. General drainage systems;
- e. Location and materials of walls and fences;
- f. Ground cover, topography, slopes, banks and ditches;
- g. The location and general exterior dimensions of main and accessory buildings;
- h. Architectural plans for proposed buildings;
- i. The location, dimensions and arrangements of areas to be devoted to planting, lawns, trees and other plants;
- j. The plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service. Public water and sewer shall be available and all

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utilities shall be constructed to local government body standards, if applicable.

- k. An analysis of anticipated traffic volume;
- l. Sediment control plan;
- m. Evidence that the North Carolina Department of Transportation has been made aware of the proposed development and that the developer will coordinate for the development with this agency;
- n. Plans for refuse disposal equipment and method of refuse disposal such as compactors, or dumpsters;
- o. Delineation of areas to be constructed in phases and sequential order.

Use: Group Homes, Rest Homes, Homes for the Aged

Special Use Districts: Business Districts

Approved By: Board of Commissioners

Minimum Lot Area: In accordance with district where located.

Parking and Loading: One space for every five (5) residents or fraction thereof, plus one parking space for each employee on the premises.

Other Requirements: One sign permitted, not to exceed 12 square feet in area per sign face.

All group homes shall be licenses and or sponsored by the appropriate state or local agency.

The zoning lot on which one group home is proposed shall not be located within a 1,000-foot radius of a zoning lot containing another such facility.

If the group home is located adjacent to a lot used for industrial or manufacturing purposes, the two uses shall be buffered from each other by dense plantings which visually screen and reduce the noise impact of the manufacturing use on the group home. The existing use shall not be responsible for providing the buffer; but when a new manufacturing or group home use occupies the adjacent lot. That use shall established the required plantings.

Use: Junkyard, Scrap Processor, Auto Wrecking Establishments (Outdoor Storage)

Special Use District: Industrial District

Approved By: Board of Commissioners

Required Area: Junkyards (the use of more than 600 sq. ft. of storage for junk, including scrap metals or other scrap materials or the dismantling or abandonment of automobiles or other vehicles or machinery) and auto wrecking establishments must be located on a minimum of 600 sq. ft. of land.

Wrecked vehicles or other junk or scrap shall be stored at a height no greater than 8 feet and not stacked above the fence.

Screening: Screening is required which completely screens from view the stored items. Such screening shall be a durable wall or fence at least 8 feet high, and cars shall not be stacked above the fence.

Plans: A site plan shall be submitted showing the location of proposed structures within the site as well as existing structures, water courses and zoning district boundaries within the property and a surrounding 500 ft. area and such other information as may be necessary to judge the probable effect of the proposed activity on neighboring properties, and to carry out the intent of this ordinance.

Parking: Off-street parking and loading shall be provided in accordance with Article X.

Signs:

- a. Type of sign: Identification.
- b. Permitted number of signs: 1 ground sign per entrance to the storage yard.
- c. Maximum area of ground sign: 50 square feet.
- d. Permitted illuminations: Indirect lighting, non flashing illumination and motionless.
- e. Permitted locations: Within the bounds of the property.

Use: **Logging, Cutting and Clearing on More Than One Acre**

Approved By: Board of Commissioners

Special Use Districts: All districts

Requirements: The applicant for the permit shall be responsible for clearing the property of stumps and rubble and taking the debris to a demolition landfill, a saw mill or other appropriate facility.

Logs, timber or cuttings shall not be dumped along streams or right-of-ways.

All required erosion control permits shall be obtained and precautions observed.

Exclusions: The Town of Ramseur shall not adopt or enforce any ordinance, rule, regulation, or resolution that regulates either:

- a. Forestry activity on forestland that is taxed on the basis of its present-use value as forestland under Article 12 of Chapter 105 of the General Statutes.
- b. Forestry activity that is conducted in accordance with a forest management plan that is prepared or approved by a forester registered in accordance with Chapter 89B of the General Statutes.

Use: **Manufactured Home Park**
(A plot, planned or improved, for 3 or more manufactured homes for dwelling or sleeping purposes.)

Special Use District: RA-16

Minimum Lot Size:

- a. 30,000 sq. ft. with individual well and septic tank.
- b. 15,000 sq. ft. with individual septic tank and public or community water system.
- c. 7,500 sq. ft. with individual well and public community sewer.
- d. 7,500 sq. ft. with public or community water and sewer system.
- e. Any and all lot sizes may be increased by the Planning Board to protect health, safety and welfare

Setbacks and Buffers:

- a. Manufactured homes on lots adjacent to or abutting public streets shall have same setbacks from the street as required for residences on single-lots in that zoning district.
- b. 20-ft. minimum clearance between manufactured homes.
- c. 25-ft. minimum setback from adjoining property lines.

Site Development and Parking:

- a. Off street parking spaces shall be provided with each manufactured home park at a ration of at least two (2) spaces per lot, the minimum of which shall be at least nine (9) feet by eighteen (18) feet.
- b. Manufactured homes shall be located so that there is at least twenty (20) feet clearance between manufactured homes.
- c. Each manufactured home park shall have located at its primary entrance a permanent non-lighted sign, not to exceed twelve (12) square feet, indicating the park name.
- d. Each proposed lot in a manufactured home park shall be clearly marked by a permanent lot number sign or marker that identifies each manufactured home lot. The lot number shall be such that the location is readily identifiable by emergency personnel and inspectors. The lot sign or marker shall be located on each manufactured home park lot or on each manufactured home, but the method must be consistent throughout the park. Numbers shall be at least three inches high and one half (1/2) inch wide, with a reflective surface.
- e. Manufactured home park lots shall be properly staked.

Roads and Street Systems:

Roads shall be constructed to NCDOT Division of Highway, minimum standards. The current edition of "Subdivision Roads, Minimum

Construction Standards,” can be used as a guideline with the following exceptions:

- i. Roads do not have to be paved.
- ii. The base can be reduced to 4 inches of stabilized material. All roads within new parks or additions to existing parks shall have a 45-ft minimum right of way and a 4-inch minimum stabilized base.

Application Process, Plans Required:

- a. The developer shall submit an application for a Special Use Permit and sketch plan to the town enforcement Officer.
- b. If well(s) or on-site waste treatment are to be used, the developer shall submit the sketch plat to the Health Department for preliminary property evaluation. Modifications to the sketch plat may be necessary.
- c. The developer shall take the modified sketch plat to a registered surveyor for preparation of a survey plat. The plat shall be drawn to scale on a map no larger than 24” x 36” and shall clearly set out the following, and may be required:
 - i. The name of the proposed park, the names and addresses of the owner(s) and the name and address of the surveyor.
 - ii. The plat shall contain a smaller general location map, which indicates the township and school district of the proposed park.
 - iii. Date, graphic scale and approximate north arrow.
 - iv. Boundaries of the tract shown with bearings and distances.
 - v. Site plan showing streets, driveways, open areas, parking spaces, service buildings, water courses, easements and all structures to be located on the park site and all existing structures.
 - vi. Surface water drainage plans for topography of site, where new roads may require it.
 - vii. The number, size and location of all manufactured home spaces.
 - viii. The plat shall state the source of water and sewer supply and type of distribution system.
 - ix. If appropriate, the plat shall show the location and specifications of water taps, sewage disposal connections and other facilities on each manufactured home park space, if required by the Health Department.
 - x. The plat shall indicate the names and addresses of all adjoining property owners or residents of adjoining occupied residences.
- d. If wells or on-site waste disposal is to be installed, the developer shall take the survey plat to the Health Department for individual lot evaluations.
- e. The Health Department shall issue a letter of survey plat approval to the developer. Before issuing this letter of approval, the Health

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Department may require letters of approval from state and/or federal agencies.

- f. The developer shall submit the Health Department's letter of survey plat approval, six (6) copies of the survey plat, and an application fee set by the Board of Commissioners to the Enforcement officer.

Procedures After Permit is Granted:

- a. Information shall be provided to the regional office of the Land Permit is Granted Quality Section, division of Environmental Management, to obtain a sedimentation and Erosion Control permit.
- b. Following the issuance of the Special Use Permit by the Town, the Health Department shall release improvement permits to the developer, who may then begin development.
- c. After road construction has been completed, the enforcement officer, with additional professional assistance, if necessary, shall notify the Town Board of Commissioners by letter that all new roads have been built to all North Carolina Department of Transportation public road standards, with the exception of paving.
- d. When all improvements as required by this ordinance have been completed, a Certificate of Manufactured Home Park Operation shall be issued. The Certificate of Manufactured Home Park Operation shall be signed by the enforcement officer and the Health Director, if applicable, certifying that the manufactured home park is in compliance with all local and state regulations. This shall apply to new parks or expansions to existing parks. The manufactured home park developer may then begin placing manufactured homes in the park.
- e. The manufactured home park developer may begin placing manufactured homes in the park before all improvements have been completed and a Certificate of Manufactured Home Park Operation has been issued if the Planning Board grants a waiver allowing the posting of a performance bond that insures completion of improvements. In granting this waiver, the Planning Board shall find that the public welfare, safety and health will not be endangered. In those cases where a performance bond has been posted and required improvements have not been installed within the terms set by the Planning Board, the Board may declare the bond in default and require all improvements to be installed. The Town may take such actions necessary to collect on the defaulted bond and provide for completion of the required improvements.

General Requirements Applicable to Manufactured Home Park Owners

1. Erosion Control
An erosion control plan, which provides information as specified in the regulations of Land Quality Section of the North Carolina Department of Environment Health and Natural Resources shall be submitted to the state agency for all manufactured home parks where one or more acres of land is disturbed.
2. Manufactured Home Park Ownership
Manufactured home park operators shall be required under this ordinance to specifically comply with G.S. 105-3 16(a)(1), which requires that each year manufactured home park operators furnish the County Tax Supervisor with the name of the owner and a description of each manufactured home located in the park.
3. Sale of Parks or Lots
Manufactured home parks may not be sold or transferred unless the existing water and sewer systems meet Health Department standards. Individual spaces in a manufactured home park may not be sold unless the individual lot size and road construction meet all county and state regulations.
4. Animal Control
Manufactured home park owners shall establish park regulations to insure adequate control of animals.
5. Garbage Disposal
The collection of trash and garbage and their disposal shall be provided for in such a manner as to maintain a clean and orderly appearance.
6. Fencing of Private Sewage Treatment Plants
Private sewage treatment plants as approved by the North Carolina Division of Environmental Management shall be required to be enclosed with a chain link fence a minimum of seven feet in height and locked when the plants are unattended.

Use: **Manufactured Housing, Temporary Hardship, for Dwelling**

Special Use District: RA-20, RA-16

Approved By: Board of Commissioners

Requirements:

- a. Only one (1) manufactured home may be permitted in a rear yard as an accessory use on a temporary basis subject to a finding by the Ramseur Board of Commissioners that a personal hardship situation exists. Such hardship shall involve the need to care for elderly parents or other dependents of the family occupying the principal building. Reasons justifying separate quarters shall be illness, disability or lack of adequate quarters within the principal building.
- b. Special use permits may be issued for two (2) years. Initial application for the permit shall be made to the Town Clerk and, in turn, shall be reviewed by the Board of Commissioners to determine relative need. All such manufactured homes must have access to water and sewer systems in a manner approved by the Town of Ramseur.
- c. The following appearance criteria apply to manufactured dwellings granted a special use permit under this Section:
 - i. the unit must be a Class B unit at a minimum;
 - ii. the unit must be erected on a permanent foundation;
 - iii. landscaping must be provided immediately surrounding the unit or along adjacent property lines;
 - iv. the unit must be maintained in such a way as to create no nuisance conditions.
- d. The manufactured dwelling must be placed on the Lot so that all side and rear setbacks of the zoning district are adhered to.
- e. The applicant shall have up to 60 days during which to comply with the conditions of the special use permit. Thereafter, any failure to comply shall be a violation of the zoning ordinance.
- f. Application for continuation of a special use permit shall be made every two years. The application shall be reviewed to assure that the hardship conditions, which created the need still exist and that requirements for placement of the unit such as a permanent foundation and proper maintenance are complied with. The Board of Commissioners may review applications for continuation of a special use permit without a public hearing.

Use: **Nursing Homes, Convalescent Homes**

Special Use District: B District

Requirements: Parking requirements: one space for each three patient beds.

The facility shall be screened from abutting residential property by dense plantings.

All state and/or county licensing and inspection to be maintained at all times.

Use: Parking Lots in Residential Districts Serving Business or Industry

Special Use Districts: RA-20, RA-16

Requirements:

- a. A restricted parking lot in one of these districts must be located on a parcel that abuts, either directly or across an alley, a business or manufacturing district; and the parking lot must be an accessory use for one or more businesses or industries located on an adjoining business or industrial district.
- b. Such parking lot shall be situated on premises which have an area of not less than 6,000 square feet, which shall abut at least fifty (50) feet, either directly or across an alley or street of a business or manufacturing district.
- c. Yard requirements within the residential district within which the parking lot is located shall be subject to the requirements for that district.
- d. Such parking lot shall be used solely for the parking of passenger automobiles.
- e. No commercial repair work or service of any kind shall be conducted on such parking lot.
- f. No sign of any kind, other than designating entrances, exists and conditions of use shall be maintained on such parking lot.
- g. No charge shall be made for parking in such parking lot.
- h. Each entrance and exit to and from such parking lot shall be at least twenty (20) feet distant from any adjacent property located in any residential district.
- i. The location and design of entrances, exists, surfacing, marking and lighting shall be subject to the approval of the Town departments having jurisdiction.
- j. Such parking lot shall be paved with a dust-free surface.
- k. Any person desiring to secure permission to establish and maintain a restricted business or industrial parking lot within the meaning of this Section shall make application to the Board of Commissioners, accompanied by a plan which clearly indicates the proposed development, including the location, size, shape, design, landscaping, curb cuts, and other features and appurtenances of the parking lot.
- l. Any such permit issued by the Town Clerk may be revoked any time that the aforementioned requirements are not met.

Use: **Planned Unit Developments**

Special Use Districts: RA-20, RA-16

Approved By: Board of Commissioners

- a. Definition. When a tract of land is under unified control and contains at least fifteen (15) acres, the developer may be allowed to deviate from the strict application of use, setback, height and minimum lot size requirements of zoning districts in order to permit a creative approach to the development of residential land. In exchange for the flexibility, the developer must have a site plan approved by the Planning Board and comply with the other requirements of a conditional use. This approach is a voluntary alternative, it is not mandatory for the development of any parcel of land.
- b. Location. Planned Unit Developments are permitted in any residential zone requiring a lot size often thousand (10,000) square feet or more.
- c. Permitted Uses. All the permitted and conditional uses in the zoning district where the PUD is located are allowed. In addition, two-family and multi-family residential uses may be permitted if they are primarily for the convenience and service of the residents of the development and represent no more than ten (10) percent of the total development.
- d. Dimensional Requirements. Yard, setback, lot size, type of dwelling unit, frontage requirements are waived, provided that the spirit and intent of this subsection are met in the total development plan. The Planning Board may determine that certain setbacks be required within all or a portion of the perimeter of the site.
- e. Density. Density (dwelling units per acre) may be increased, if normally required by district, over the character of the development and/or amenities incorporated in the development warrant such increases, provided that in no case shall the density increase cause the density of the Planned Unit Development to be more than thirty-three (33) percent in excess of the density which would be achieved under standard zoning regulations. If the Planning Board finds that any of the following conditions would be created by an increase in density, it may either deny any application for increase in density, or limit the increase by an amount sufficient to avoid the creation of any of the following conditions:
 - i. inconvenient or unsafe access to the development; traffic congestion in streets adjoining the development.
 - ii. an excessive burden imposed on parks, recreational area, schools, and other public facilities which serve or are proposed to serve the development.

- f. Convenience and maintenance of common open space. All common open space, shown on the final development plan and recorded in the office of the clerk of the Town Board of Town Commissioners, must be conveyed in accordance with one of the following methods:
- i. by dedication to the Town of Ramseur and maintained as common open space;
 - ii. by leasing or conveying title (including beneficial ownership) to a corporation, association or other legal entity.

The developer must file in the County Register of Deed's Office legal documents which prove a method for restricting the use of common open space for the designated purposes.

- g. Circulation Facilities. The arrangement of public and common ways for pedestrians and vehicular circulation in relation to other existing or planned streets in the area, together with provisions for street improvements, shall be in compliance with standards set forth in the municipal subdivisions regulations. The Planning Board may deviate from these standards if the proposed changes or alterations are consistent with the spirit and intent of this section.
- h. Utilities. Whenever reasonably possible, all planned residential developments shall provide for underground installation of telephone, electric and cable wiring. All installation of utilities and maintenance of utilities shall be in accordance with the requirements and regulations of the governing body. Public or quasi-public water and sanitary sewer service shall be required, unless the developer can show good cause that these requirements should be waived, without being inconsistent with the spirit and intent of this section.
- i. PUD Review. It is the intent of this regulation that review under applicable codes and ordinance be carried out as an integral part of the review of a Planned Unit Development. The plans required under this subsection must be submitted in a form which satisfies requirements of the codes and ordinances for the preliminary and final plat approvals.

Use: **Quarries**

Special Use District: Industrial District

Approved By: Board of Commissioners

Required Plans: A site plan shall be submitted showing the location of proposed facilities or structures within the site as well as existing structures water courses and zoning district boundaries within the property and a surrounding 500 ft. area.

Required Yard and Fencing:

- a. The edges of any pit where quarrying is taking place and equipment used in the processing of rock and gravel shall be located at least fifty (50) feet from all property lines and zoning district boundary lines, provided that where the quarry site is bounded by a railroad right-of-way currently being used for rail service to the quarry. No yard or setback shall be required between the railroad right-of-way and such operation. This provision shall apply to any asphalt plant or other industrial uses operated in conjunction with the quarry.
- b. When a yard (setback) is required by Section 1 (above), it shall be enclosed by a substantial wire or masonry fence at least five (5) feet in height. If a strand type wire fence is provided, it shall have at least four (4) strands of wire. The wire fence required by the "Rehabilitation" Section of this provision may be substituted for this requirement provided it is located at least twenty-five (25) feet from the edge of all pits. Where the property lines have been enclosed prior to the time of adoption of this Ordinance with a fence constructed as heretofore described, this section shall be deemed to have been complied with.

Noise and Dust Conditions:

All operations involving blasting discernible beyond the external property line of a quarry shall only be conducted between the hours of 7:00 a.m. and 6:00 p.m. Dust resulting from the operation of a quarry which may be air borne to other properties shall be reduced to a minimum by sprinkling or other means.

Access Roads:

Auxiliary access roads, not to be used for general truck traffic, to a quarry may be constructed within the yard area as required by (A) above, provided such road is furnished with a gravel or crushed stone surface and is maintained in a dust-free manner. No part of such roads shall, however, be located closer than fifteen (15) feet to an external property line other than a highway or railroad right-of-way line. All access roads shall be constructed so as to intersect as nearly as possible at right angles with public roads and no access road shall intersect any public road at an angle of less than sixty (60) degrees.

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Rehabilitations: When quarrying operations at any pit are terminated and no further production is to be undertaken, all stock piles of overburden shall be backfilled into the pit within thirty (30) days after termination. All pits shall be backfilled to a slope of one (1) foot vertical or less, to one (1) foot vertical or less, to one (1) foot horizontal from the bottom of the pit to the surface of the ground. A nonclimbable fence may be erected in lieu of such sloping around the edge of all pits with a depth of twenty (20) feet or more. Such fence shall be at least six (6) feet in height and constructed of wire mesh in rectangular shapes not exceeding two (2) inches. Locations abandoned at the time of adoption of this Ordinance, which have a fence of at least five (5) strands of barbed wire, erected in conformity with standards of the North Carolina Department of Labor, are deemed to have complied with this section.

The channelization of drainage at quarry sites shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public ways, nor to appreciably increase the turgidity of any natural watercourse or to occlude any existing drainage course.

Nuisances: It is the specific intent of this section that it shall not have the effect of barring the bringing of legal and equitable actions by private persons or government agencies seeking redress against nuisances or other damages committed by the over or operator of any rock quarry.

Use: **Radio, television, cellular telephone and other communications towers**

Special Use Districts: Industrial

Approved By: Board of Commissioners

Requirements: A site plan must be submitted which shows:

- a. Siting and size of all existing and proposed structures within the site and all buildings and structures within 500 feet;
- b. Height of the tower;
- c. Proposed points of access and egress;
- d. Location and arrangement of any proposed off-street parking;
- e. Proposed provisions for fencing for the security of the site;
- f. Landscaping plans showing trees, if any, shrubs, and other plantings to screen and buffer the site;
- g. Anticipated service area of the facility to be constructed;
- h. Engineer's statement describing provisions for co-location if new cellular or PCS tower. If a cellular or PCS tower exists within a one-mile radius, engineer's statement describing why co-location on the existing tower is not possible.

Use: **Revival Tent, Temporary**

Special Use Districts: B and I Districts

Approved By: Board of Commissioners

Requirements:

- a. Tents, related equipment and off-street parking shall be located on church property.
- b. Adequate off-street parking shall be available.
- c. Adequate toilet facilities shall be available to serve those participating in the revival meetings.
- d. Activities shall not exceed thirty (30) days duration.

Use: **Rooming/Boarding House**

Special Use District: RA-16

Approved By: Board of Commissioners

- Requirements:
- a. All required state licenses (if applicable) shall be obtained.
 - b. Satisfactory evidence must be presented that kitchen and toilet facilities meet all standards required by the County Health Department.
 - c. Provision for regular weekly garbage collection; evidence must be provided of plans for collection storage - either commercial dumpster or fenced in storage of cans.
 - d. Minimum of 1 bath per two sleeping rooms.
 - e. Sufficient parking behind house to accommodate vehicles of roomers/boarders.
 - f. Minimum lot frontage 175 feet.
 - g. Minimum lot depth 200 feet deep.

Use: Shopping Centers

Special Use Districts: B District

Approved By: Board of Commissioners

- Requirements:
- a. Site area. No shopping center site shall contain less than two acres.
 - b. Perimeter yards. No building shall be less than 50 feet from any street line or 25 feet from any side or rear lot lines.
 - c. Buffering. A buffer approved by the Board of Commissioners shall be provided on all exterior property lines, which abut residential property.
 - d. Solid Waste Disposal. A plan for solid waste storage, collection and disposal shall be submitted to the town manager and approval obtained before issuance of the special use permit.
 - e. Utilities. Shopping centers should be located where public water, sanitary sewer and storm drainage utilities are available.
 - f. Permitted Uses. Only uses permitted in the zoning district where the shopping center is located shall be allowed in the shopping center.

- Development Plan: A development plan shall be submitted with the application for a special use approval. The site plan shall show the following information:
- a. Location, arrangement, and dimensions of automobile parking spaces, width of aisles, width of bays, and angle parking.
 - b. Location, arrangement, and dimensions of truck loading and unloading spaces and docks.
 - c. Location and dimensions of vehicular entrances, exists, and drives.
 - d. General drainage systems.
 - e. Location and materials of walls and fences.
 - f. Ground cover, topography, slopes, banks and ditches.
 - g. The location and general exterior dimensions of main and accessory buildings.
 - h. Architectural plans for proposed buildings.
 - i. The location, dimensions, and arrangements of areas to be devoted to planting, lawns, trees and other plants.
 - j. The plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service. Public water and sewer shall be available and all utilities shall be constructed to local government body standards, if applicable.
 - k. An analysis of anticipated traffic volume.
 - l. Sediment control plan.
 - m. Evidence that the North Carolina Department of Transportation has been made aware of the proposed development and that the developer will coordinate for the development with this agency.
 - n. Plans for refuse disposal equipment and method of refuse disposal such as compactors, or dumpsters.
 - o. Delineation of areas to be constructed in phases and sequential order.