

Subpart F. Supplemental Requirements to the Table of Permitted and Special Uses

§42-63. Supplemental Requirements to the Table of Permitted and Special Uses

The regulations of this section directly correlate with the Table of Permitted and Special Uses, which contains a column on the far right labeled “SR” for Supplemental Requirements. In any case where a *use* listed in the Table has a number in the SR column opposite the use, the *use* must comply with the additional requirements found in this section.

1. RESIDENTIAL USES

SR 1.1. *Assisted Living Residence*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-231 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access (in accordance with 10A NCAC 13F .0303).
- (4) Certification, Licensure and Permitting. *Certificate of Need* (in accordance with NCGS §131E-178) required (where required for the specific facility type by the state).
- (5) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 1.2. *Bed and Breakfast Inn*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Certification, Licensure and Permitting. No *person* shall operate a *bed and breakfast inn* who does not possess a valid permit from the Department of Environmental Health and Natural Resources (in accordance with 15A NCAC 18A .3002 (a)).
- (3) Size. The total number of guest rooms in a bed-and-breakfast inn shall not exceed 12 (in accordance with NCGS §140A-247 (6)).
- (4) Structure. The bed-and-breakfast inn shall contain at least:
 - a. One (1) *bathroom* for every two (2) *bedrooms* (guestrooms) (in accordance with 15A NCAC 18A .3009 (a)); and
 - b. One (1) kitchen facility.
- (5) Residential Character. The inn shall be located in a *structure* originally constructed as and adhering to, the standards of a *single-family dwelling*.
- (6) Operations. The inn shall (in accordance with NCGS §130A-247 (6)):
 - a. Be the permanent residence of the *owner* and/or manager of the business (or such *owner* and/or manager may live on site in an *accessory structure*);
 - b. Not serve food or drink to the general public for pay;

- c. Serve only the breakfast meal, and that meal served only to overnight guests of the business;
- d. Include the price of breakfast in the room rate; and
- e. Be permitted to contain a *home occupation* and adhere to the additional standards outlined therefore (see SR 2.7 (*Home Occupation, General*))

SR 1.3. Continuing Care Retirement Community

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Operations. Where the *continuing care retirement community* contains a *dwelling(s)*, *nursing home*, *assisted living residence*, or *hospice residential care facility*, these facilities shall adhere to the additional standards outlined for those *uses*.

SR 1.4. Dwelling, Duplex

- (1) Site Plan. Minor *Site Plan* required in accordance with §42-330 (Minor Site Plan Review).
- (2) Multifamily Development. Where more than one (1) *duplex* is desired, this shall be considered a multifamily development and shall adhere to the standards outlined in SR 1.6 (Dwelling, Multifamily, Five (5) or More Units).

SR 1.5. Dwelling, Manufactured/Mobile Home (multi-section/singlewide)

- (1) Site Plan. Minor *Site Plan* required in accordance with §42-330 (Minor Site Plan Review).
- (2) Manufactured Home Park. Where three (3) or more *manufactured homes* are desired, this shall be considered a *manufactured home park* and shall adhere to the standards outlined in SR 1.13 (*Manufactured Home Park*).
- (3) *Mobile homes* shall adhere to the following. The movement of pre-1976 *manufactured homes* (hereinafter “*mobile homes*”) into the County shall not be permitted. Pre-1976 *mobile homes* currently located within the County may be installed, moved or relocated provided:
 - a. The *mobile home* is not currently located within a *manufactured home park*;
 - b. Relocation shall only be to an approved *manufactured home park*; and
 - c. A permit has been issued by the *Zoning Administrator* authorizing such installation.

Where the *mobile home* is set up within a *manufactured home park* the *mobile home* may be sold but cannot be relocated and installed elsewhere within the County.

- (4) Any singlewide *manufactured home* which: (1) was manufactured after 1976 (*HUD* approved), (2) has been located in Henderson County prior to the initial adoption of this Chapter (September 19, 2007) and (3) do not meet the appearance criteria provided in this SR 1.5 (Dwelling, Manufactured/Mobile Home) may be moved provided said *manufactured home* is:
 - a. Installed to meet the criteria of Section (5) (subsections e, f, and g only), and
 - b. Moved to either of the following locations:
 - 1. A space in an existing (as of September 19, 2007) *manufactured home park*; or

2. A *lot* in the R2R, R3, or R4 zoning district which permits the placement of new singlewide *manufactured homes*.

(5) All singlewide *manufactured/mobile homes* shall:

- a. Have a length which does not exceed five (5) times the width, (excluding *additions*);
- b. Have a width of at least 14 feet;
- c. Have a roof pitch with a minimum vertical rise of three (3) feet for each 12 feet of horizontal run. The roof shall be finished with a type of shingle that is commonly used in standard residential construction;
- d. Have exterior siding which consists predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint; or wood or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
- e. Be placed on the *lot* in harmony with the existing neighboring site-built *structures*. Where no neighboring *structures* are available for comparison, the *manufactured home* shall be sited with the front running parallel to the *road* providing access to the site. On corner *lots* the side with the greatest *road frontage* shall be considered the front. On cul-de-sacs the home shall be sited with the front running parallel to the *road* access;
- f. Have the towing tongue removed upon final placement of the unit; and
- g. Have underpinning, deck/porch and permanent steps in accordance with the following. Underpinning shall be:
 1. Provided along the entire perimeter of each home from the ground to the bottom of the *structure*;
 2. Comprised of material manufactured for this purpose in accordance with standards set by the state regulations for *manufactured/mobile homes*. Commonly recognized *building* materials suitable for *use* as underpinning shall include but not be limited to the following: brick, concrete block; natural or synthetic stone masonry; or masonite or vinyl siding. Assemblies, products and materials manufactured expressly for the purpose of underpinning shall be installed in accordance with the manufacturer's specifications; and
 3. Vented in accordance with the state regulations for *manufactured/mobile homes*.

Deck(s) or porch(es) shall be:

1. Provided steps;
2. Located in the front of the home;
3. A minimum of 36 square feet where over 36 square feet and where over 36 square feet, it must meet volume VII of the state residential building code; and
4. Installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, volume VII of the state residential building code.

Steps shall be installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, volume VII of the state residential building code.

- (6) All doublewide and multi-sectioned *manufactured homes* shall:
- a. Have a length not exceeding four (4) times the *building* width;
 - b. A main roof pitch with a minimum rise of four (4) feet for each twelve (12) feet of horizontal run. The roof shall be finished with a type of shingle that is commonly used in standard residential construction;
 - c. Have exterior siding which consists predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint; or wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;
 - d. Be placed on the *lot* in harmony with the existing site-built *structures*. Where no neighboring *structures* are available for comparison, it shall be sited with the front running parallel to the *road* providing access to the site. On corner *lots* the side with the greatest *road frontage* shall be considered the front. On cul-de-sacs the home shall be sited with the front of the home being parallel to the *road* access;
 - e. The towing tongue shall be removed upon final placement of the unit; and
 - f. Have a foundation, underpinning, deck/porch, and permanent steps in accordance with the following. Foundations shall be brick, concrete block or other masonry foundation. Underpinning shall be:
 1. Commonly recognized masonry *building* materials suitable for *use* as underpinning which shall include the following: brick, concrete block with stucco; or natural or synthetic stone masonry. Vinyl siding or metal underpinning shall not be allowed. Assemblies, products and materials manufactured expressly for the purpose of underpinning shall be installed in accordance with the manufacturers' specifications; and
 2. Continuous and unpierced except for ventilation as required by the state regulations for *manufactured/mobile homes*;
- Decks or porches shall be:
1. Provided steps;
 2. Located in front of the home;
 3. A minimum of 36 square feet and, where larger than 36 square feet, it must meet Volume VII of the state residential building code;
 4. Supported by a foundation constructed of materials compatible with the underpinning on the outer perimeter of the foundation; and
 5. Installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, Volume VII of the state residential building code.
- Steps shall be installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, Volume VII of the state residential building code.
- (7) A *manufactured/mobile home* shall be setup in accordance with the standards set by the North Carolina Department of Insurance Regulations for *manufactured/mobile homes*.
- (8) A *manufactured/mobile home* shall not be used as a storage unit and shall only be occupied as a dwelling.

SR 1.6. Dwelling, Multifamily, Five (5) or More Units

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Multifamily dwellings of five (5) or more units:
 - a. May be developed in *phases*.
 - b. Shall have a minimum spacing between *buildings* of 20 feet, with an additional one (1) foot of separation for each one (1) foot of *building* height in excess of 30 feet.
 - c. Shall have a maximum *building* length of 150 feet.
 - d. May increase the building height to 50 feet where a B1 *Buffer* is provided as detailed in §42-168 (Buffer Determination).
 - e. Shall be required pervious pavement for a minimum of 25 percent of all paved surfaces (*roads*, parking areas, drives, sidewalks, etc.).
 - f. Shall adhere to the *road* standards required for a *major subdivision* in accordance with Article III, Subdivision Regulations, and shall be organized:
 1. To provide increased internal mobility;
 2. To provide safe and convenient access;
 3. In intersecting/grid patterns where possible; and
 4. Without cul-de-sacs (except where topographical considerations/restrictions are submitted by the *applicant*).
 - g. Shall have subsurface utilities.
- (3) Where a multifamily dwelling of five (5) or more units development is located along any *road* with current public transit access and such public transit authority approves the addition of a stop, such development shall provide a minimum of one (1) public transit access shelter for the *use* of occupants/patrons.
- (4) Solid Waste Collection. Solid waste collection systems must be installed and/or operated to meet all local and state statutes, ordinances and regulations and shall thereafter be certified by the Department of Public Health. Each development shall provide a suitable method of solid waste disposal (in accordance with Chapter 165 of the Henderson County Code, *Solid Waste*) and collection consisting of either private collection from individual *uses* or the *use* of dumpsters. Where dumpsters are used concrete pads shall be designed to drain to a bio-retention area to filter *stormwater* before the water reaches a larger drainage system, and Screen Class One (1), Two (2), or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (5) Open Space. *Open space* shall be provided in perpetuity (perpetual *easements* or deed restrictions are required) equivalent to 20 percent of all lands within the development. This designated *open space* area shall not:
 - a. Include more than 50 percent in primary conservation areas; and
 - b. Be composed entirely of secondary conservation areas.
- (6) Common Area Requirements. A *common area* shall be provided that is equivalent to 10 percent of the total area. *Common area* shall be accessible for the *use* and enjoyment of the multifamily occupants/patrons, located as to be free of traffic hazards and maintained in good condition by the *applicant*.

- (7) Other Requirements. Due to the comprehensive nature of a multifamily project, there are several sections that must be consulted. Please refer to the following sections for more information on each facet of a multifamily project.
- a. See Article III for information on *road* design and construction standards, pedestrian facility standards, water and sewer requirements, and *fire protection*.
 - b. See Article IV for traffic impact study and emergency services impact report requirements.
 - c. See Article V for landscaping and buffering requirements.
 - d. See Article VI for off-street parking and loading requirements.
 - e. See §42-63 (Supplemental Requirements) for each land *use*.
 - f. See Article VII for *sign* requirements.
 - g. See Article XI for permitting procedures.

SR 1.7. Dwelling, Quadraplex

- (1) Site Plan. Minor *Site Plan* required in accordance with §42-330 (Minor Site Plan Review).
- (2) Multifamily Development. Where more than one (1) *quadraplex* is desired, this shall be considered a multifamily development and shall adhere to the standards outlined in SR 1.6 (Dwelling, Multifamily, Five (5) or More Units).

SR 1.8. Dwelling, Single-Family Detached

- (1) Site Plan. Minor *Site Plan* required in accordance with §42-330 (Minor Site Plan Review).

SR 1.9. Dwelling, Triplex

- (1) Site Plan. Minor *Site Plan* required in accordance with §42-330 (Minor Site Plan Review).
- (2) Multifamily Development. Where more than one (1) *triplex* is desired, this shall be considered a multifamily development and shall adhere to the standards outlined in SR 1.6 (Dwelling, Multifamily, Five (5) or More Units).

SR 1.10. Family Care Home

- (1) Location. No new *family care home* (which includes, but is not limited to *adult care homes, hospice residential care facilities, or nursing homes* with two (2) to six (6) residents) shall be located within a one-half (½) mile radius of an existing *family care home* (see above) or homeless shelter (in accordance with *NCGS* §168-22).
- (2) Size. A *family care home* shall house a minimum of two (2) and a maximum of six (6) residents (in accordance with *NCGS* §168-21 (1)).
- (3) Operations. Where the *family care home* is a *nursing home* or *hospice residential care facility*, these facilities shall adhere to the additional standards outlined for those *uses*.

SR 1.11. Fraternity and/or Sorority Houses

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Location. The fraternity or sorority house shall be permitted on a property abutting, with primary access to, or within one (1) mile of the college or university with which it is affiliated.
- (3) Residential Character. The fraternity or sorority house shall be located in a *structure* originally constructed as, or easily converted to, a *single-family dwelling*.

SR 1.12. Hospice Residential Care Facility

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Certification, Licensure and Permitting. *Certificate of Need* (in accordance with NCGS §131E-178) required.
- (4) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access (in accordance with 10A NCAC 13F .0303).
- (5) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, Solid Waste) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 1.13. Manufactured Home Park

- (1) Site Plan. A *Manufactured home park site plan* shall be required in accordance with §42-329 (Manufactured Home Park Site Plan Review).
- (2) Establishing a Manufactured Home Park. Three (3) or more *manufactured homes* and/or *manufactured home* spaces on a *tract* shall be considered an *MHP*. Each *applicant* for an *MHP* shall choose a name for the *MHP* which shall not be substantially identical or so similar as to likely cause confusion among prospective residents to any other *MHP* or named community in Henderson County. An *MHP site plan* shall contain certification that the public records of Henderson County have been searched and the proposed *MHP* name meets the standards set forth in this Chapter. Single and doublewides are permitted as long as it is permitted in the *use district*.
- (3) Phasing. *Manufactured home parks* may be developed in *phases* of at least three (3) spaces, except where less than three (3) spaces remain to be developed on a *tract*.
- (4) Accessibility Requirements. A *MHP* shall be accessible by:
 - a. A minimum of 30 feet in *public road frontage*; or
 - b. A private *right-of-way* corridor (see Road Construction Standards) to the property measuring 30 feet in width at its narrowest point.In no case shall a manufactured home space have direct access to a *road* outside the *MHP* except through those *roads* indicated on the *MHP Site Plan*.
- (5) Road Construction Standards. *Roads* shall be the responsibility of the *MHP applicant*. *Road* construction standards shall be determined by road classification as noted in Table 2.15.

Table 2.15. Manufactured Home Park Road Construction Standards						
Requirements		Private Road Classification ¹				
		MHP Private ROW Corridor		MHP Collector	MHP Service	Driveway
Number of Spaces Served ²		25+	1-24	25+	1-24	1-3
Maximum Grade %	Paved Surface	16	18	16	18	-
	Stone Surface	12	12	12	12	-
Minimum Road Width (ft.)		20	20	18	18	10
Shoulder (ft.)		4	4	4	4	-
Stone Base (in.)	(ABC) Compacted ³	8	6	8	6	6
	Crushed Stone ⁴	-	-	-	-	3
Cut and Fill Slope		2:1	1.5:1	2:1	1.5:1	-
Ditch Slope		4:1	3:1	4:1	3:1	-
Vertical Clearance (ft.) ⁵		13.5	13.5	13.5	13.5	-

1 Road Classification applicable within MHPs (MHP collector/service) shall not be confused with Access Management Road Classifications. For purposes of setbacks, access management road classifications shall be used.

2 The number of spaces served shall be determined by the number of *manufactured home* spaces located on the *road* or by a *driveway* connected to the *road*.

3 Aggregate Base Course, No. 7 stone.

4 On well-compacted sub-base.

5 Established to allow for the passage of emergency *vehicles*.

a. *Roads* shall be constructed:

1. As *internal roads*;
2. Along the contour of the land (where possible);
3. Where the subgrade of a soil is capable of supporting the *road* above;
4. Using suitable stone which is properly compacted;
5. So that water will drain from the *road* surface into the side ditches; and
6. So that, where paved *road* sections meet stone-based *road* sections, such paved *road* shall extend 50 feet from any point where the grade exceeds the maximum for a stone-based *road*.

b. *Roads* shall be provided with appropriate drainage facilities that shall be constructed:

1. In accordance with minimum *State Road Standards*;
2. With ditches which have sufficient depth and width to carry the expected volume of *stormwater runoff* (ditches should utilize *Best Management Practices* for *road* swales (such as turf matting and vegetation) to control *erosion* and *sedimentation*, and to filter pollutants from *stormwater runoff*); and
3. So that, where culverts are required for streams or minor *watercourses*, such culvert construction adheres to minimum *State Road Standards*.

c. *Roads* which serve ten (10) or more spaces, where intersecting roadways to facilitate emergency *vehicles* are not possible, shall be provided with culs-de-sac or turnarounds that shall be constructed:

1. With a minimum 35 foot radius; and
2. Using the same material required on the *road* of which it is part.

(6) Parking Requirements. Parking shall be:

- a. Provided at a rate of two (2) parking spaces per manufactured home space;

- b. In the form of off-street or apron parking; and
 - c. Constructed using a minimum of three (3) inches of crushed stone on a well-compacted subbase, or six (6) inches of ABC compacted stone. Permeable paving or other paving alternatives are encouraged.
- (7) Sewer and Water Service Provision Requirements. The approval and installation of all *sewage disposal system* and *water supply system* improvements shall be in accordance with this Chapter. *Water supply systems* and *sewage disposal systems* must be installed and/or operated to meet all local and state statutes, ordinances and regulations and shall thereafter be certified by the Department of Public Health. The following shall apply:
- a. Water. Each *manufactured/mobile home* in an *MHP* shall be supplied water from either an approved *municipal water supply system* or *public water supply system*. Individual water wells shall not be permitted in an *MHP*. An *MHP* shall connect to a *municipal water supply system* when the system is located within a distance equal to the product of 100 feet multiplied by the number of spaces proposed for the *MHP*. If an *MHP* is located more than 5,000 feet from an existing *municipal water supply system*, such connection shall not be required.
 - b. Sewage. Each *manufactured/mobile home* in an *MHP* shall be supplied with a hookup to a septic tank, *approved public or community sewage disposal system* or *municipal sewage disposal system*. An *MHP* shall connect to a *municipal sewage disposal system* when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the *park*. If a *park* is located more than 2,500 feet from an existing municipal sewage disposal system, such connection shall not be required.
 - c. Exceptions to Municipal Water and Sewage Disposal System Connection Requirements. Exceptions may be allowed on the basis of terrain, availability or ease of acquiring *easements*, denial of allocation by the public utility, insufficient capacity of the municipal system or other circumstances that are unusual/unique to the site. Requests for exceptions must be made, in writing, to the *MHP Administrator* who may ask that such requests be supported by a professional engineer's review of the *manufactured home park* plans and planned route of the utility extension. Where the *MHP Administrator* finds it would not be economically feasible for an *MHP* to be connected to a *municipal water supply system* and/or *municipal sewage disposal system*, other systems may be used, subject to approval by Environmental Health and the appropriate state agencies.
- (8) Electrical System Requirements. The approval and installation of all electrical system improvements shall be in accordance with this Chapter. Electrical systems shall be installed to meet all local and state statutes, ordinances, regulations and applicable codes and shall thereafter be certified by the Building Inspector. Each *manufactured/mobile home* space in an *MHP* shall be provided with its own separate metered electrical service.
- (9) Solid Waste Collection System Requirements. The approval and installation of all solid waste collection improvements shall be in accordance with this Chapter. Solid

- waste collection systems must be installed and/or operated to meet all local and state statutes, ordinances and regulations and shall thereafter be certified by the Department of Public Health. Each *MHP* shall provide a suitable method of solid waste disposal (in accordance with Chapter 165 of the Henderson County Code, *Solid Waste*) and collection consisting of either private collection from individual *manufactured/mobile homes* or the *use* of dumpsters. Where dumpsters are used, concrete pads shall be designed to drain to a bio-retention area to filter *stormwater* before the water reaches a larger drainage system, and Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (10) Fire Protection Requirements. Any *MHP* served by a *public water supply system* shall meet the County's requirements for fire hydrant installation (one (1) hydrant every 1000 feet with a six (6) inch line) or applicable municipality's requirements for fire hydrant installation. For any *MHP* without a fire suppression rated water system, that either has or is adjacent to an adequate permanent surface water supply (100,000 gallon storage in a 50 year drought), the *applicant* shall be required to install a dry fire hydrant system, the type and location of which is to be determined by the County Fire Marshal. An all-weather access road for fire-fighting equipment shall be provided by the *applicant* to this permanent surface water supply. Where the *MHP* is neither served by a *public water supply system* nor has/is adjacent to an adequate permanent surface water supply, such *MHP* shall be thoroughly reviewed by the *TRC* and the *applicant* to determine alternative measures to ensure adequacy of *fire protection*.
 - (11) Stormwater Drainage, Erosion and Sedimentation Control Requirements. See Article VIII (Natural Resources) Subpart B (Water Quality) and Subpart E (Soil Erosion and Sedimentation Control).
 - (12) Buffering. An *MHP* shall require a minimum of a B1 Buffer as detailed in §42-168 (Buffer Determination).
 - (13) Common Area Requirements. A *common area* shall be provided, that is equivalent to ten (10) percent the total *MHP* area. *Common area* shall be accessible for the *use* and enjoyment of *MHP* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
 - (14) Common Area Recreation and Service Facilities Restrictions. Those facilities within the *MHP* shall be for the sole purpose of serving the residents of the *MHP* and shall adhere to the development standards established therefore.
 - (15) Operations. The *MHP* shall be permitted one (1) space for the placement of an office (located in a *structure* originally constructed as a *single-family dwelling* (*manufactured, modular* or conventionally built)) to conduct the business of operating the *MHP*. This office may also be located within one (1) *single-family dwelling* (*manufactured, modular* or conventionally built) where it operates as a *home occupation* and adheres to the standards outlined therefore (see SR 2.7. (*Home Occupation, General*))
 - (16) Density. The number of *manufactured/mobile homes* shall be based upon the standard *residential density* of the corresponding overlay district, where one (1) *dwelling unit* shall correspond to one (1) *manufactured/mobile home*.
 - (17) Manufactured Home Spaces. Manufactured home spaces shall be:

- a. Sized so as to ensure that *manufactured/mobile homes* shall meet all *setback* and separation requirements for a *manufactured/mobile home* to be placed on said space;
 - b. Prepared and graded so that there is a *slope* of no more than three (3) percent where the home is to be placed;
 - c. Required to contain one (1) concrete pad (porous concrete is encouraged) or treated deck, a minimum of 100 square feet, that shall be accessible at a door location of any *manufactured/mobile home* placed thereon;
 - d. Required to contain a well-constructed set of steps, made of a material other than loosely stacked brick or block, that shall be accessible at a door location of any *manufactured/mobile home* placed thereon, and which may be a part of/connected to the required pad or deck;
 - e. Assigned a property address as approved by the Property Addressing Office;
 - f. Identifiable by a permanent number, visible from the *road* or drive, to identify the space; and
 - g. Clearly marked at all corners so that visual establishments of boundaries can be made during inspection/approval processes.
- (18) *Manufactured Home Dwelling Age*. The movement of pre-1976 *manufactured homes* (hereinafter "*mobile homes*") into the County shall not be permitted. Pre-1976 *mobile homes* currently located within the County may be installed, moved or relocated provided:
- a. The *mobile home* is not currently located within an *MHP*;
 - b. Relocation shall only be to an approved *manufactured home park*; and
 - c. A permit has been issued by the *Zoning Administrator* authorizing such installation.
- Where the *mobile home* is set up within a *manufactured home park* the *mobile home* may be sold but cannot be relocated and installed elsewhere within the County.
- (19) *Percentage of Manufactured Home Park in Mobile Homes*. No more than 25 percent of spaces in a new *MHP* shall be occupied by *mobile homes*, as defined by this Chapter.
- (20) *Manufactured/Mobile Home Use*. A *manufactured/mobile home* shall not be used as a storage unit, and shall only be occupied as a dwelling (or office as permitted herein).
- (21) *Manufactured/Mobile Home Setup*. Each *manufactured/mobile home* shall be installed, placed and setup:
- a. On an approved manufactured home space;
 - b. In accordance with the standards set by the North Carolina Department of Insurance Regulations for *manufactured/mobile homes*;
 - c. So as to be separated from any other *manufactured/mobile home* a minimum of 20 feet short end to short end, 30 feet short end to long end and/or 30 feet long end to long end;
 - d. So as to be *setback* (as required) from any adjacent *roads*;
 - e. So as to be *setback* a minimum of 25 feet from any adjacent property;
 - f. With (at the time of placement) continuous underpinning, uniform in appearance in terms of its type, color, size and age, unpierced except for openings required by the North Carolina State Building Code or North

Carolina Department of Insurance Regulations for ventilation, utilities and access; and

- g. With a property address number (as assigned by the Property Addressing Office) affixed so as to be clearly visible from the *internal road/driveway* serving the manufactured home space (in accordance with Chapter 142 of the Henderson County Code, *Property Addressing*).

(22) Signage. *Signs* shall adhere to all standards outlined in Article VII of this Chapter.

The *applicant* for an *MHP* shall provide:

- a. A minimum of one (1) *community identification sign* at each entrance, but no more than two (2) entrances, a minimum of one (1) foot in height by three (3) feet in width;
- b. *Road name signs* in accordance with Chapter 142 of the Henderson County Code, *Property Addressing*; and
- c. *Governmental signs* of a regulatory nature (including “stop” signs) in accordance with applicable local and state policies.

(23) Lighting. *Lighting mitigation* required.

SR 1.14. Nursing Home

(1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

(2) Lighting. *Lighting mitigation* required.

(3) Certification, Licensure and Permitting. *Certificate of Need* (in accordance with NCGS §131E-178) required.

(4) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access (in accordance with 10A NCAC 13F .0303).

(5) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, Solid Waste) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182(Screen Classification).

SR 1.15. Rooming and Boardinghouse

(1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

(2) Lighting. *Lighting mitigation* required.

(3) Development Size Restrictions. The total number of *bedrooms* in a *rooming and boardinghouse* shall not exceed 12.

(4) Structure. The *rooming and boardinghouse* shall contain:

- a. One (1) *bathroom* for every two (2) *bedrooms*;
- b. One (1) kitchen facility; and
- c. Not over 75 percent of the heated *floor area* in *use* for sleeping quarters.

(5) Residential Character. The *rooming and boardinghouse* shall be located in a *structure* originally constructed as and adhering to the standards of a *single-family dwelling*.

(6) Operations. The *rooming and boardinghouse* shall be:

- a. The permanent residence of the *owner* or the manager of the business; and
- b. Permitted to contain *home occupations* and adhere to the additional standards outlined therefore (see SR 2.7. (*Home Occupation, General*)).

2. ACCESSORY USES

SR 2.1. Childcare Facility (as an accessory use for a principal business) (A *childcare facility* as an *accessory use* shall adhere to the standards outlined for *childcare facility* as a *principal use* (see SR 5.4 (*Childcare Facility*)).

- (1) Operations. A minimum of 60 percent of the children served by the facility shall be of a parent, legal guardian or grandparent serving as an on-site *owner*/employee of the principal business.

SR 2.2. Drive-Thru Window

- (1) Maximum Number Permitted Per Lot. Two (2) per business, three (3) per restaurant and/or five (5) per financial institution.
- (2) Structure Orientation. The drive-thru window, any communications equipment and menu *signs* shall be located so as not to be seen from any adjacent *residential zoning district* property.
- (3) Stacking Lanes. Stacking lanes shall:
 - a. Be a minimum of 100 feet in length (where window access is provided directly from a *road* of low volume);
 - b. Be distinctly marked (striping, pavement markings, parking islands, etc.);
 - c. Be separate from a passage lane (located to the outer edge of the stacking lane); and
 - d. Not placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Passage Lanes. Passage lanes shall be provided to the outer edge of the stacking lane to ensure the adequate flow of traffic on the site.
- (5) Landscaping Standards. Drive-thru windows, stacking lanes and circulation areas shall be treated as components of on-site parking for the purposes of landscaping requirements.

SR 2.3. Dumpster(s)

- (1) Associated Principal Use. Dumpsters are allowed as an accessory use to a non-residential or multi-family residential use.
- (2) Operations. The use of dumpsters shall be installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, Solid Waste).
- (3) Screening. Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (4) Temporary Dumpsters. Temporary dumpsters may be used for single-family residential uses up to 12 months. A 12 month extension is permitted if construction is not complete. All other residential and non-residential uses, including multi-family dwellings, may use temporary dumpsters for up to 24 months. A 12 month extension

may be permitted if construction is not complete. Screening is not required for temporary dumpsters.

SR 2.4. Dwelling, Single-Family (as an accessory use for the principal business)

- (1) Maximum Number Permitted Per Lot. One (1) per business.
- (2) Structure Requirements. The *single-family dwelling* shall be attached to or contained within the principal *building*.
- (3) Open Space. The site shall provide an area of *open space* equivalent to the *floor area* of the *single-family dwelling*, and located on the same *lot* as the *principal use*.
- (4) Locational Requirements. The residential unit shall not be located on the front of the *principal structure* except where the *structure* is constructed in the manner of a principal business.
- (5) Operations. The *single-family dwelling* shall be occupied by the *person* engaged in the *principal use* (*owner/employee/agent* and/or his/her family member(s)).

SR 2.5. Fuel Pumps

- (1) Structure Requirements. Fuel pumps may be covered by a canopy which shall not exceed 25 feet in height.
- (2) Separation Requirements. Fuel pumps shall not be placed within 100 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *school*, *library*, day care facility, healthcare facility, *park*, and/or *religious institution*.
- (3) Location of Drives. *Driveways* shall not be located closer than 50 feet to one another and no more than two (2) on a single *road*.

SR 2.6. Home Occupation, Adult Day Care. A *home occupation adult day care* shall adhere to standards for a *general home occupation*.

- (1) Certification, Licensure and Permitting. All adult day care homes shall be issued a certificate by the Division of Aging.
- (2) Size of Operations. An adult day care home shall house a maximum of six (6) residents.
- (3) Structure Residential Character Requirements. An adult day care home shall be located in a *structure* originally constructed as and adhering to the standards of a *single-family dwelling*.
- (4) Structure Requirements. An *adult day care facility* shall (in accordance with NCAC 10A 06R.0401-.0701 and 06S.0301):
 - a. Provide a minimum of 40 square feet of indoor space (excluding hallways, offices and restrooms) for each participant;
 - b. Provide a minimum of one (1) toilet for each 12 adults (participants and staff) in attendance at the facility;
 - c. Provide a minimum of one (1) hand lavatory for each two (2) toilets; and
 - d. Be located in a one-story *building* (OR) be located in a two-story *building* provided neither story is greater than 1,800 square feet.

SR 2.7. Home Occupation, Childcare Facility. A *home occupation (childcare)* shall adhere to standards for a *general home occupation*.

- (1) Certification, Licensure and Permitting. All *childcare* facilities shall be licensed as required by *NCGS* §110-91.
- (2) Development Size Restrictions. A *childcare facility* operated in a *structure* occupied by the *owner/operator* shall serve a maximum of (in accordance with *NCAC* 10 09 .1304):
 - a. Twelve (12) children when any preschool-aged children are in care; or
 - b. Fifteen (15) children when only school-aged children are in care.
- (3) Structure Residential Character Requirements. The *childcare* home shall be located in a *structure* originally constructed as and adhering to the standards of a *single-family dwelling*.
- (4) Structure Requirements. A *childcare facility* shall provide a minimum of:
 - a. Twenty-five (25) square feet of indoor space (excluding closets, hallways, kitchens and restrooms) for each child; and
 - b. Seventy five (75) square feet of outdoor play area for each child, surrounded by a fence at least four (4) feet in height.

SR 2.8. Home Occupation, General

- (1) Site Plan. A *home occupation* shall require the submittal of a minor *site plan* only if the *home occupation* requires the:
 - a. Building of an *accessory structure* to house the occupation;
 - b. Building of outdoor play areas as required for in-home *childcare facilities*;
 - c. Placement of additional parking; and/or
 - d. Need for *outdoor storage*.
- (2) Development Size Restrictions. A *home occupation* shall either:
 - a. Take up no more than 25 percent of the *gross floor area* of the principal dwelling; or
 - b. Be housed completely in one (1) *accessory structure* (with the exception of any *outdoor storage* requirements).
- (3) Retention of Residential Character. A *home occupation* shall be:
 - a. Conducted entirely within the principal dwelling or one (1) *accessory structure*; and
 - b. Clearly incidental and secondary to the *use* of the dwelling or *structure* for residential purposes.
- (4) Operations. A *home occupation* shall:
 - a. Be conducted by a resident of the principal dwelling;
 - b. Engage no more than two (2) on-site employees (other than those residing in the home) in the occupation;
 - c. Not incorporate on-premise retail sales as the primary function of the *home occupation*; and
 - d. Not involve equipment or processes used that shall create noise, vibration, glare, fumes, odor or electrical interference off the premises.
- (5) Parking. A *home occupation* generating any additional need for parking shall:
 - a. Meet any additional parking needs off-street (but not in the required *front yard*); and
 - b. Be permitted a maximum of two (2) additional standard parking spaces and one (1) handicapped parking space.
- (6) Outdoor Storage. A *home occupation* which requires *outdoor storage* shall:

- a. Identify the storage requirements at the time of permit application;
- b. Locate the storage in the *rear yard* (not in the *front* or *side yard*);
- c. Cover no more than 10 percent of the property on which the *home occupation* is located with *outdoor storage*; and
- d. Adhere to any additional standards for *outdoor storage*.

SR 2.9. Outdoor Storage 5,000 square feet or less

- (1) Locational Requirements. Storage areas shall not be placed in a *front yard*.
- (2) Screening. Screen Class One (1) or Two (2) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 2.10. Outdoor Storage greater than 5,000 square feet

- (1) Locational Requirements. Storage areas shall not be placed in a *front yard*.
- (2) Screening. Screen Class Three (3) or Four (4) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 2.11. Rural Family Occupation

- (1) Site Plan. A *rural family occupation* shall require the submittal of a minor *site plan* where the *rural family occupation* requires:
 - a. The building of an *accessory structure*(s) to house the occupation;
 - b. The placement of additional parking; and/or
 - c. The need for *outdoor storage*.
- (2) Development Size Restrictions. A *rural family occupation* shall be housed completely in no more than two (2) *accessory structures*. The total *floor area* of all *structures* occupied by the *rural family occupation* shall not exceed 5,000 square feet.
- (3) Retention of Residential Character. A *rural family occupation* shall be incidental and secondary to the *use* of the property for residential and agricultural purposes.
- (4) Operations. A *rural family occupation* shall:
 - a. Be conducted by a resident of the principal dwelling;
 - b. Engage no more than ten (10) on-site employees (other than those residing in the home) in the occupation; and
 - c. Not involve equipment or processes used that shall create noise, vibration, glare, fumes, odor or electrical interference off premises.
- (5) Parking. A *rural family occupation* generating any additional need for parking shall be permitted a maximum of ten (10) additional standard parking spaces and two (2) handicapped parking spaces.
- (6) Outdoor Storage. A *rural family occupation* which requires *outdoor storage* shall:
 - a. Identify the storage requirements at the time of permit application;
 - b. Cover no more than the lesser of ten (10) percent of the property or 10,000 square feet, with *outdoor storage*; and
 - c. Adhere to any additional standards for *outdoor storage*.

SR 2.12. Solar Panels

- (1) Location. Panels:
 - a. May be placed on the roof of a residential, commercial or industrial *structure*;
 - b. Shall be placed on the *lot* on which a *structure* is located;

- c. Shall be designed to produce no more than 150 percent of the on site use's energy consumption.

3. ACCESSORY STRUCTURES

SR 3.1. Airport (Private Accessory). (See SR 9.1 (*Airport (Private)*)).

SR 3.2. Automatic Teller Machine

- (1) Setbacks. An automatic teller machine shall be permitted in the *front yard setback*; however, no automatic teller machine shall be permitted closer than 20 feet to any *residential zoning district* property.
- (2) Additional Height Restrictions. No freestanding automatic teller machine shall have a *structure* height which exceeds 15 feet.
- (3) Lighting. *Adequate lighting* shall be provided for automatic teller machines during all hours of operation.

SR 3.3. Boathouse, Private

- (1) Water Dependent Structure Standards. *Water dependent structures* may extend over the water for a distance of no more than forty (40) feet from the shore as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for lakes). In no event shall a *water dependent structure*, when located in a cove or river, extend more than one-third (1/3) the width of the cove or river measured from the shore (as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for lakes)) at the point of the proposed construction to the nearest point on the opposite shore. The *water dependent structure* shall extend into the water so as to remain confined within a projection of *side lot lines* of the *lot* on which the *structure* is accessed. Where there is conflict between this and Article VIII (Natural Resources), Subpart A (Flood Damage Prevention), the most restrictive standards shall apply.
- (2) Waterway Restriction. Boathouses shall be permitted only on waterways which are navigable for recreational boats/watercraft.
- (3) Structure Requirements. No *private boathouse* shall have more than one (1) enclosed level above the boat storage area, and the enclosed level shall be no greater than the boat storage below (open decks, docs and stairways shall not be counted for this purpose).
- (4) Additional Height Restrictions. No *private boathouse* shall have a height which exceeds 25 feet measured from *mean sea level* (for rivers) and *full pond elevation* (for lakes).

SR 3.4. Bulkhead

- (1) Water Dependent Structure Standards. *Water dependent structures* may extend over the water for a distance of no more than forty (40) feet from the shore as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for lakes). In no event shall a *water dependent structure*, when located in a cove or river, extend more than one-third (1/3) the width of the cove or river measured from the shore (as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for

- lakes)) at the point of the proposed construction to the nearest point on the opposite shore. The *water dependent structure* shall extend into the water so as to remain confined within a projection of *side lot lines* of the *lot* on which the *structure* is accessed. Where there is conflict between this and Article VIII (Natural Resources), Subpart A (Flood Damage Prevention), the most restrictive standards shall apply.
- (2) Waterway Restriction. *Bulkheads* shall be permitted on all waterways.

SR 3.5. Dock/Pier

- (1) Water Dependent Structure Standards. *Water dependent structures* may extend over the water for a distance of no more than forty (40) feet from the shore as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for lakes). In no event shall a *water dependent structure*, when located in a cove or river, extend more than one-third (1/3) the width of the cove or river measured from the shore (as measured from *mean sea level* elevation (for rivers) and *full pond elevation* (for lakes)) at the point of the proposed construction to the nearest point on the opposite shore. The *water dependent structure* shall extend into the water so as to remain confined within a projection of *side lot lines* of the *lot* on which the *structure* is accessed. Where there is conflict between this and Article VIII (Natural Resources), Subpart A (Flood Damage Prevention), the most restrictive standards shall apply.
- (2) Waterway Restriction. Docks and piers shall be permitted on all waterways.
- (3) Structure Requirements. Where a dock is connected to a boathouse the dock will be considered as the one (1) permitted dock per lot.

SR 3.6. Dwelling, Accessory Residential

- (1) Maximum Number Permitted Per Lot. No more than one (1) *accessory dwelling* shall be permitted on a single deeded *lot* in conjunction with the principal *dwelling unit*.
- (2) Structure Requirements.
- a. An *accessory dwelling* may be attached, within, or separate from the principal dwelling.
 - b. The *principal use* of the *lot* shall be a detached or attached dwelling, built to the standard of the Henderson County Housing Code. *Manufactured homes* are permitted as *accessory dwellings* where such are permitted as a *principal use* in the general use zoning district. *Mobile homes, park model homes and recreational vehicles* shall not be used as *accessory dwellings*.
- (3) Size. A detached *accessory dwelling* shall be housed in a *building* not exceeding 50 percent of the *gross floor area* of the principal dwelling or 1,200 square feet, whichever is greater; the structure may be a dwelling only or may combine a dwelling with a *garage, workshop, studio or similar use*.
- (4) Accessibility. The *accessory dwelling* shall not be served by a *driveway* separate from that serving the principal dwelling unless the *accessory dwelling* is accessed from a rear *alley* or *side road* and the principal dwelling is accessed from a *road*.
- (5) Location. A detached *accessory dwelling* shall be located in the established *rear yard* and shall meet the standards for the applicable *building* and *lot* type.

SR 3.7. Gate and/or Guardhouse

- (1) Operations. *Gates and/or guardhouses* shall be for the purpose of serving residents/occupants and visitors to a private property, complex, development, *manufactured home park* or *subdivision*.
- (2) Accessibility. The developer and homeowners' association shall:
 - a. Provide unfettered access to all private *roads* by emergency and law enforcement *vehicles*. Access procedures must ensure immediate access through the *entry gates* for emergency and law enforcement *vehicles* responding to emergencies without need of special keys or codes. This may be done by *access control device* approved by the County. As an alternative the developer or homeowners association may provide a *person* to provide immediate access to emergency service personnel on a 24 hour basis. The developer and homeowner's association shall provide and annually update documentation necessary to provide this access to the Henderson County Fire Marshal and Sheriff's Department that proposed *entry gates* and access procedures meet all County standards for access by emergency and law enforcement *vehicles*. If the homeowner's association fails to maintain reliable access for the provision of emergency or other public services, the County may enter the gated *residential development* and open, disable or remove any gate or device, which is a barrier to access, at the sole expense of the homeowners' association. The declaration of covenants, conditions and restrictions and any other relevant documents of the homeowners' association shall include a statement to this effect.
 - b. Reasonably guarantee access to all private *roads* by Henderson County and State of North Carolina employees operating within the scope of their official duties to perform zoning, inspections and other governmental regulatory activities, and to all public utility companies to perform installation and maintenance activities of public utility infrastructure. A statement to this effect shall be filed with the Henderson County Sheriff's Department and appear on the *final plat* of all new development.
- (3) Structure. Gates and/or guardhouses shall:
 - a. Be *setback* sufficiently far from *public road* access to allow for the stacking of at least three (3) *vehicles* out of the public travel lanes on the *public road*;
 - b. Have an additional *setback* between the point of the *access control device* and the *entry gate* to allow a *vehicle* which is denied access to safely turn around and exit onto a *public road*;
 - c. Be provided adequate *setbacks* and proper alignment of approach and departure areas on both sides of a gated entrance to allow free and unimpeded passage of emergency *vehicles* through the entrance area;
 - d. Have sufficient minimum gate widths and openings to allow safe passage of all *vehicles*;
 - e. Where the gate crosses a travel way which permits:
 1. Two-way travel, such gate shall open so as to provide a minimum width of 18 feet of passage; or
 2. One-way travel, such gate shall open so as to provide a minimum width of 12 feet of passage; and

- f. Provide a minimum thirteen feet six inches (13.5 feet) *vertical clearance* at its lowest point.

SR 3.8. Greenhouse

- (1) Best management practices for managing irrigation runoff are encouraged. The nutrient level in *stormwater runoff* should be no higher than pre-development levels.

SR 3.9. Heliport (Private Accessory).

- (1) Certification, Licensure and Permitting Requirements. Private accessory heliports must be constructed in accordance with Federal Aviation Administration regulations and provide proof of approval.

SR 3.10. Outdoor Sale Display Areas

- (1) Display Area Restrictions. Display areas shall not:
 - a. Be located in the *sight visibility triangle*;
 - b. Be located on sidewalks or parking areas; and
 - c. Exceed 25 feet in height.

SR 3.11. Parking Garages. (See SR 7.12 (Parking Garage or Lot)).

SR 3.12. Planned Seasonal Agricultural Worker Development

- (1) Principal Structure/Use Requirement. A *planned seasonal agricultural worker development* shall be permitted only on property in recognized agricultural *use* with a minimum of ten (10) acres in such *use*.
- (2) Development Size Restrictions. No more than one (1) accessory residential dwelling may be sited for each ten (10) acres in agricultural *use* or two-and-one-half (2 ½) acres in *greenhouse use*. Accessory residential dwellings must be set back from property lines and *roads* as follows: three (3) to 10 units (100 foot *setback*); 11 to 15 units (150 foot *setback*). Accessory residential dwellings in a *planned seasonal agricultural worker development* shall be for the express purpose of housing seasonal workers performing seasonal agricultural work on the property of the farm/orchard.
- (3) Structure Requirements. A *planned seasonal agricultural worker development* shall consist of accessory residential dwellings and shall adhere to the standards therefore (excluding the maximum number permitted per lot; the restrictions in this subsection shall apply with regard to maximum number permitted (see (4) Maximum Number Permitted Per Lot).
- (4) Maximum Number Permitted Per Lot. Fifteen (15).

SR 3.13. Produce Stand, Accessory

- (1) Setbacks. *Produce stands* may be established in the *front yard setback*, but shall be placed outside the *right-of-way*.

SR 3.14. Storage Shed

- (1) Maximum Number Permitted Per Lot. Three (3) on a *lot* in a *residential zoning district*. No maximum is established on a *lot* in a nonresidential zoning district.

- (2) Structure Requirements. A storage shed may be attached to, or separate from, the *principal structure*.
- (3) Size. A detached storage shed shall not exceed 25 percent of the heated *floor area* of the *principal structure*.

SR 3.15. Wastewater Treatment Plant, Small Accessory

- (1) Security. The operations of a *package wastewater treatment plant* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof building. Entrances and exits should be secured and locked.
- (2) Screening. Screen Class Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 3.16. Wind Mill/Turbine, Accessory \leq 40 ft height

- (1) Principal Structure/Use Requirement. Accessory wind mills/turbines shall only be permitted in conjunction with a principal residential dwelling unit or business.
- (2) Height. Wind turbine height shall be no more than 40 feet.
- (3) Rotor Blades. Rotor blades shall not exceed eight (8) feet in radius measured from the center of the support structure and shall maintain a minimum ground clearance of ten (10) feet. Wind turbines proposing a rotor blade exceeding eight (8) feet in radius shall require a special use permit and shall also meet the requirements for SR 3.17.
- (4) Setback. The base of the wind turbine shall be at least ten (10) feet from surrounding property lines and setback a distance equivalent to 110 percent of the height of the wind turbine at its highest point from the property line.
- (5) Color. Wind turbines must be a color that is consistent with *existing development* or natural conditions.
- (6) Compliance with FAA Regulations. Wind turbines must comply with applicable FAA regulations, including any necessary approvals for installation close to *airports*. Evidence of compliance or non-applicability shall be submitted to the *Zoning Administrator*.
- (7) Compliance with FCC Regulations. Wind turbines must comply with applicable FCC regulations. Evidence of compliance or non-applicability shall be submitted to the *Zoning Administrator*.
- (8) Structure Requirements. Wind turbines shall require a building permit to insure that the foundation is designed and constructed with a concrete foundation per the manufacturing requirements. Sealed engineering drawings shall be required prior to the issuance of a building permit. These standards shall not preempt the State Building Code standards or requirements to insure structural stability.
- (9) Survival Wind Speed. Wind turbines shall be designed to withstand wind speeds as required by the State Building Code.

SR 3.17. Wind Mill/Turbine, Accessory $>$ 40 ft height

- (1) Principal Structure/Use Requirement. Accessory wind mills/turbines shall only be permitted in conjunction with a principal residential dwelling unit or business.

- (2) Height. Wind turbine height shall be no more than 40 feet above any obstruction (*structure, tree, etc. (excluding communication towers)*) within a 200 foot radius of the base of the wind turbine. In no case shall the height exceed 100 feet.
- (3) Rotor Blades. Rotor blades shall maintain a minimum ground clearance of ten (10) feet.
- (4) Setback. The base of the wind turbine shall be at least ten (10) feet from surrounding property lines and setback a distance equivalent to 110 percent of the height of the wind turbine at its highest point from the property line.
- (5) Color. Wind turbines must be a color that is consistent with *existing development* or natural conditions.
- (6) Compliance with FAA Regulations. Wind turbines must comply with applicable FAA regulations, including any necessary approvals for installation close to *airports*. Evidence of compliance or non-applicability shall be submitted to the *Zoning Administrator*.
- (7) Compliance with FCC Regulations. Wind turbines must comply with applicable FCC regulations. Evidence of compliance or non-applicability shall be submitted to the *Zoning Administrator*.
- (8) Structure Requirements. Wind turbines shall require a building permit to insure that the foundation is designed and constructed with a concrete foundation per the manufacturing requirements. Sealed engineering drawings shall be required prior to the issuance of a building permit. These standards shall not preempt the State Building Code standards or requirements to insure structural stability.
- (9) Survival Wind Speed. Wind turbines shall be designed to withstand wind speeds as required by the State Building Code.
- (10) Other Considerations. In addition to the standard review for special use permits, the Zoning Board of Adjustment shall consider noise and appearance criteria as factors when reviewing special use permit applications for wind turbines.

4. RECREATIONAL USES

SR 4.1. Amusement Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Perimeter Setback. One hundred (100) feet (equipment, machinery and/or mechanical devices shall not be placed within 200 feet of an existing *dwelling unit* and/or *residential zoning district*).
- (4) Security. The operations of an *amusement park* shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
- (5) Hours of Operation. 8:00 a.m. to 12:00 midnight.

SR 4.2. Camp

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) Operations. The *camp* may contain *structures* ancillary to the use.
- (5) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (6) Common Area Recreation and Service Facilities. Those facilities within the *camp* shall be for the sole purpose of serving the overnight guests in the *camp*, and shall adhere to the development standards established therefore in SR 4.6 (*Common Area Recreation and Service Facilities*).

SR 4.3. Campground

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Size. No *campground* located on/adjacent to a *residential zoning district* shall contain more than 200 campsites. Individual campsites shall be a minimum of 500 square feet.
- (4) Perimeter Setback. Fifty (50) feet.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: campsites, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the *use* and enjoyment of *campground* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *campground*:
 - a. May contain *structures* ancillary to the use; and
 - b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs.
- (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (8) Common Area Recreation and Service Facilities. Those facilities within the *campground* shall be for the sole purpose of serving the overnight guests in the *campground*, and shall adhere to the development standards established therefore in SR 4.6 (*Common Area Recreation and Service Facilities*).

SR 4.4. Coin Operated Amusements

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 4.5. Common Area Recreation and Service Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Structure. Where the *common area recreation facility* is a swimming pool, spa or hot tub, it shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and shall have controlled access.
- (3) Operations. Common area service facilities shall be for the purpose of serving residents and visitors within the complex, development, *manufactured home park* or *subdivision*, and shall not be considered a commercial operation for *use* by those outside of the complex, development, *manufactured home park* or *subdivision*.

SR 4.6. Golf Course and/or Country Club

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 4.7. Governmental Recreational Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. All *buildings* shall be 100 feet from a *residential zoning district* property.
- (4) Structure. For activities which present potential safety hazards (batting cages, baseball fields, driving tees, etc.) fencing, netting or other control measures shall be required.
- (5) Operations. A recreational facility may contain on-site food sales for patrons of the recreational facility only, provided they obtain all necessary permits.
- (6) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (7) Public Address/Loud Speakers. Public address and loud speaker systems shall not be operated before 8:00 a.m. or after 12:00 midnight.

SR 4.8. Marina

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Lighting mitigation* required.

SR 4.9. Miniature Golf Course & Driving Tees/Range (operated for commercial purposes)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Structure. Fencing, netting or other control measures shall be placed around the perimeter of any driving range area for safety purposes.
- (3) Perimeter Setback. Fifty (50) feet.

SR 4.10. Motor Sports Facilities, Major

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adversely affects to adjacent properties.
- (4) Separation. A *major motor sports facility* shall not be constructed or newly located within:
 - a. One and one-half (1 ½) miles of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*; and
 - b. Fifteen hundred (1,500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Size. A *major motor sports facility* shall have seating or standing capacity of 500 or more patrons/spectators. Standing capacity shall be computed based on three (3) *persons* for each 200 square feet of space intended for spectator *use*.
- (6) Security. The operations of a *major motor sports facility* shall be totally enclosed by:
 - (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (7) Perimeter Setback. Three hundred (300) feet.
- (8) Perimeter Buffer. One hundred fifty (150) feet.
- (9) Public Address/Loud Speakers. Public address and loud speaker systems shall not be operated before 6:00 a.m. or after 12:00 midnight.
- (10) Racing Events.
 - a. Length of Event. An event shall be held for no more than:
 1. Three (3) consecutive days;
 2. Five (5) days in a calendar week; and
 3. Six (6) hours in a day (falling within the permitted hours of operation).
 - b. Emergency Preparedness. Employees specifically trained for fire and medical response must be located on-site during all hours of operation.
- (11) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on-site.
- (12) Hours of Operation. 6:00 a.m. to 12:00 midnight.

SR 4.11. Motor Sports Facilities, Minor

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *minor motor sports facility* shall not be constructed or newly located within:
 - a. One (1) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Lot Size. No more than 50 acres.
- (6) Size. A *minor motor sports facility* shall have a seating or standing capacity of less than 500 patrons/spectators and will not be considered a *recreational motor sports facility*. Standing capacity shall be computed based on three (3) *persons* for each 200 square feet of space intended for spectator *use*.
- (7) Security. The operations of a motor sports facility shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (8) Perimeter Setback. One hundred fifty (150) feet.
- (9) Public Address/Loud Speakers. Public address and loud speakers systems shall not be operated before 8:00 a.m. or after 12:00 midnight.
- (10) Number of Tracks Restrictions. A *minor motor sports facility* shall have no more than three (3) tracks.
- (11) Racing Events. A racing event shall be limited in accordance with the following:
 - a. Length of Event. An event shall be held for no more than:
 1. Three (3) consecutive days;
 2. Three (3) days in a calendar week; and
 3. Six (6) hours in a day (falling within the permitted hours of operation).
 - b. Emergency Preparedness. Employees specifically trained for fire and medical response must be located on-site during all hours of operation.
- (12) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on-site.
- (13) Hours of Operation. 8:00 a.m. to 12:00 midnight.

SR 4.12. Motor Sports Facilities, Recreational

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

- (3) Separation. A *recreational motor sports facility* shall not be constructed or newly located within 500 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Size. A *recreational motor sports facility* shall have a capacity of less than 100 spectators and/or riders.
- (5) Security. The operations of a *recreational motor sports facility* shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. Fifty (50) feet.
- (7) Public Address/Loud Speakers. Public address and loud speaker systems are prohibited.
- (8) Screening. Screen Class One (1) shall be provided consistent with the requirements of §42-182 (Screen Classification)).
- (9) Number of Tracks Restrictions. A *recreational motor sports facility* shall contain only one (1) racing track utilizing non-paved surfaces.
- (10) Racing Events. A racing event shall be limited in accordance with the following:
 - a. Number per Calendar Year. Five (5) or fewer.
 - b. Length of Event. An event shall be held for no more than:
 1. Three (3) consecutive days;
 2. Three (3) days in a calendar week; and
 3. Six (6) hours in a day (falling within the permitted hours of operation).
 - c. Number of Contestants. Each event may include no more than 20 total contestants; with no more than 10 contestants allowed on the track at a given time.
 - d. Emergency Preparedness. Employees specifically trained for fire and medical response must be located on-site during all hours of operation.
- (11) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adversely affecting adjacent properties.
- (12) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on-site.
- (13) Hours of Operation. 8:00 a.m. to 8:00 p.m.

SR 4.13. Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 4.14. Recreational Facilities (Indoor/Outdoor)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Perimeter Setback. One hundred (100) feet (equipment, machinery and/or mechanical devices shall not be placed within 200 feet of a *residential zoning district*. All *structures* shall be 100 feet from a *residential zoning district* property).

- (4) Structure. For activities which present potential safety hazards (batting cages, baseball fields, driving tees, etc.) fencing, netting or other control measures shall be required.
- (5) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, Solid Waste) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification)).
- (6) Public Address/Loud Speakers. Public address and loud speaker systems shall not be operated before 8:00 a.m. or after 12:00 midnight.
- (7) Hours of Operation. For outdoor *uses*, 6:00 a.m. to 12:00 midnight.

SR 4.15. Recreational Vehicle Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) Recreational Vehicle Spaces. *Recreational vehicle* spaces shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet. A *recreational vehicle* space may contain up to four (4) campsites for tent set-up. No *recreational vehicle* space is permitted in the 100-year *floodplain*.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: *recreational vehicle/park model home* spaces, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the use and enjoyment of *recreational vehicle park* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *recreational vehicle park*:
 - a. Shall provide rental spaces:
 - 1. For the location of *recreational vehicles, park model homes* and/or tent set-up,
 - 2. Which may contain an open or covered porch not exceeding 15 feet in height and not to exceed 400 square feet in area, and
 - 3. Which have no point of direct access not indicated on the *site plan*;
 - b. May contain *structures* ancillary to the use;
 - c. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and
 - d. Shall provide, at the time of application, an evacuation plan for a natural disaster event.
- (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where

- dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (8) Sewage System. *Recreational vehicle/park model home* spaces shall not be provided individual hookups to a septic tank, *approved public or community sewage disposal system* or *municipal sewage disposal system*; instead, a central dump station shall be provided for the *use* of all occupants. A *recreational vehicle park* shall connect to a *municipal sewage disposal system* when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the *recreational vehicle park*. If a *park* is located more than 2,500 feet from an existing *municipal sewage disposal system*, such connection shall not be required.
 - (9) *Common Area Recreation and Service Facilities*. Those facilities within the *recreational vehicle park* shall be for the sole purpose of serving the overnight guests in the *park*, and shall adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).

SR 4.16. Riding Stables

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

SR 4.17. Shooting Ranges, Indoor

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Structure. Indoor *shooting ranges* shall be designed to contain all projectiles fired within portions of the *structure* specifically designated for firearm discharge.

SR 4.18. Shooting Ranges, Outdoor

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. An outdoor *shooting range* shall not be constructed or newly located within:
 - a. One-half (½) mile of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*; and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of an outdoor *shooting range* shall be totally enclosed by:
 - (1) a security fence at least eight (8) feet in height; or
 - (2) a wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.

- (6) Perimeter Setback. Two hundred (200) feet. (Storage of debris, equipment and other materials shall not be permitted in the *perimeter setback*).
- (7) Perimeter Buffer. Fifty (50) feet.
- (8) Structure. Outdoor *shooting ranges* must be designed to contain all projectiles fired on-site.
- (9) Hours of Operation. 9:00 a.m. to 8:00 p.m.

5. EDUCATIONAL AND INSTITUTIONAL USES

SR 5.1. *Adult Day Care Facility*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Certification, Licensure and Permitting. Certified by the Department of Health and Human Services (in accordance with *NCGS* §131D-6).
- (4) Structure. An *adult day care facility* shall (in accordance with *NCAC* 10A 06R.0401-.0701 and 06S.0301):
 - a. Provide a minimum of 40 square feet of indoor space (excluding hallways, offices and restrooms) for each participant;
 - b. Provide a minimum of one (1) toilet for each 12 adults (participants and staff) in attendance at the facility;
 - c. Provide a minimum of one (1) hand lavatory for each two (2) toilets; and
 - d. Be located in a one (1) story *building* (OR) be located in a two (2) story *building* provided neither story is greater than 1,800 square feet.

SR 5.2. *Ambulance Services*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access.
- (4) Operations. No drills are to be held before 8:00 a.m. or after 12:00 midnight. No ambulances or other emergency *vehicles* are to be permanently stored outdoors.

SR 5.3. *Cemetery, Family*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Plot Setback. Plots shall be:
 - a. Twenty (20) feet from any property line.
 - b. One hundred (100) feet from any structure.
 - c. One hundred (100) feet from an existing well.

- d. One hundred (100) feet from the high-water mark of any spring, stream, lake, reservoir or other know source of water. Family cemeteries shall not be located in *a special flood hazard area*.
- (3) Security. The family cemetery shall be enclosed by a fence or wall at least four (4) feet in height constructed of metal, masonry or stone.
- (4) Private/Public Easement. A minimum twenty (20) foot private or public *easement* shall be recorded to provide access to a family cemetery.
- (5) Certification, Licensure and Permitting. A family cemetery shall comply with all applicable local, state and federal environmental and public health laws (including the requirements of N.C.G.S. 65-Cemeteries).
- (6) Plat. A family cemetery shall be recorded on a plat in the Register of Deeds office.
- (7) Marker. Each container of human remains shall be buried beneath the surface of the ground and shall be indicated by a permanent visible marker or monument. The marker or monument should be made of granite or bronze, mounted on at least a four inch concrete base and have a minimum dimension of one (1) foot wide by two (2) feet tall and be four (4) inches thick. The marker should be placed as soon as practicable after the remains are interred and shall bear the name, year of birth and year of death of the deceased.
- (8) Responsibility. The owner of any property which contains all or part of a family cemetery is responsible for maintaining the family cemetery in compliance with local, state and federal regulations.

SR 5.4. Cemetery/Mausoleum/Columbarium (excluding Crematoriums)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Plot Setback. Plots shall be 20 feet from any property line.
- (3) Parking/Drive. No parking or drive shall be located closer than 20 feet to a *residential zoning district*.

SR 5.5. Childcare Facility

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Certification, Licensure and Permitting. All *childcare facilities* shall be licensed by the appropriate agency (in accordance with NCGS §110-91).
- (4) Structure. A *childcare facility* shall provide a minimum of (in accordance with NCGS §110-91(6)):
 - a. Twenty-five (25) square feet of indoor space (excluding closets, hallways, kitchens and restrooms) for each child; and
 - b. Seventy five (75) square feet of outdoor play area for each child, surrounded by a fence at least four (4) feet in height.

SR 5.6. Club/Lodge

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Operations. A *club/lodge* may operate bars and restaurants for its members provided it obtains all necessary permits.
- (3) Lighting. *Lighting mitigation* required.
- (4) Public Address/Loud Speakers. Public address and loud speaker systems shall not be operated before 8:00 a.m. or after 12:00 midnight at any *club/lodge* located on/adjacent to a *residential zoning district*.

SR 5.7. College or University

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 5.8. Community Club

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 5.9. Correctional Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adversely affects to adjacent properties.
- (4) Separation. A correctional facility shall not be constructed or newly located within:
 - a. One-half (1/2) mile of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*; and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a correctional facility shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.

SR 5.10. Fire and Rescue Station

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access.
- (4) Operations. No drills are to be held before 8:00 a.m. or after 10:00 p.m. on an existing *residential zoning district*. No fire trucks or other emergency *vehicles* are to be permanently stored outdoors.

SR 5.11. Funeral Home or Crematorium

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 5.12. Government Offices

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 5.13. Homeless Shelter

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Location. No new homeless shelter shall be located within a one-half (½) mile radius of an existing homeless shelter or *family care home*.
- (4) Structure. A homeless shelter shall provide a minimum of 50 square feet of indoor space (excluding closets, hallways, kitchens and restrooms) for each individual to be sheltered.
- (5) Operations. The *owner/operator* of the shelter shall provide continuous, on-site supervision by him/herself, employee(s) and/or volunteer(s) during the hours of operation.

SR 5.14. Hospital

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 5.15. Museum, *Library/Archive*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

SR 5.16. *Place of Assembly, Large*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Structure. A *structure* shall be designed to accommodate a minimum of 500 *persons*.

- (4) Perimeter Setback. Fifty (50) feet.

SR 5.17. Place of Assembly, Small

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Structure. A *structure* shall be designed to accommodate a minimum of 40 and a maximum of 499 persons.
- (4) Perimeter Setback. Fifty (50) feet.

SR 5.18. Police Station

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access.
- (4) Operations. No drills are to be held before 6:00 a.m. or after 10:00 p.m.

SR 5.19. Religious Institution

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Operations. A *religious institution* shall be permitted *accessory uses* provided the requested *accessory use* is permitted as a *principal/accessory use* in the district in which the *religious institution* is located.

SR 5.20. School (Public/Private/Charter)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Operations. A *school* shall be permitted *accessory uses* provided the requested *accessory use* is permitted as a *principal/accessory use* in the district in which the *school* is located. Additional signage shall not be permitted for the *accessory use*.
- (4) Public Address/Loud Speakers. Public address and loud speaker systems shall not be operated before 7:00 a.m. or after 12:00 midnight when on/adjacent to a *residential zoning district*.

SR 5.21. Youth Center

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.

6. BUSINESS, PROFESSIONAL, AND PERSONAL USES

SR 6.1. Animal Shelter

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Animal Control. An *animal shelter* shall adhere to the standards outlined for such in Chapter 66A of the Henderson County Code, *Animal Control Ordinance*.

SR 6.2. Automobile and Equipment Service (Including all car service related uses with bays)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. An *automobile and equipment service* shall not be constructed or newly located within 50 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *school*, *library*, day care facility, healthcare facility, *park*, and/or *religious institution*.
- (4) Operations. Auto inspection stations and tire recapping shall be permitted as *accessory uses* provided each is conducted within an enclosed *structure* and that neither is the principal business.

SR 6.3. Automotive Towing

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Security. The operations of an automotive towing *use* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (4) Dust Reduction. Unpaved *roads*, *travelways* and/or parking areas shall be treated to prevent dust from adversely affecting adjacent properties.
- (5) Outdoor Storage. Storage of more than four (4) *vehicles* on site for a period greater than 24 hours constitutes an *outdoor storage* (see SR 2.8 and SR 2.9 (Outdoor Storage)).

SR 6.4. Broadcasting and Communications Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 6.5. Car Wash (Automatic and Self Service)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Structure. All associated lanes and *driveways* shall be covered with an all-weather surface.
- (4) Parking/Drive. Parking areas/stacking facilities shall be designed to ensure parked/waiting *vehicles* do not block sidewalks, *driveways* or *roads*.
- (5) On-Site Drainage System. Provisions shall be made for an on-site drainage system to capture water used to wash *vehicles*. The drainage plan shall be evaluated by the *Zoning Administrator* to determine that the water from the facility will not have a detrimental effect on adjacent property, *roads* and/or surface waters.
- (6) Operations. Storage or repair of *vehicles* shall not be permitted within the car washing facility.
- (7) Screening. Screen Class Two (2) shall be provided consistent with the requirements of §42-182 (Screen Classification)).

SR 6.6. Exterminating and Pest Control Services

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 6.7. Kennel (A *kennel* shall adhere to the standards outlined for such in Chapter 66A of the Henderson County Code, *Animal Control Ordinance*.)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. A *kennel* shall not be constructed or newly located within 200 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Structure. The *kennel* shall provide pens which are enclosed and adequately ventilated.
- (5) Operations. Limited outdoor exercise runs/facilities shall be permitted, however, hours of use shall be restricted to from 8:00 a.m. to 8:00 p.m. Food and animal refuse shall be kept in airtight containers.

- (6) Screening. Screen Class Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification)).
- (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification)).

SR 6.8. Motel/Hotel

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Lot Size. One or more acres.

SR 6.9. Office: Business, Professional and Public

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 6.10. School (Technical, Trade and Business)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. Mechanical equipment shall not be placed within 300 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Outdoor Training Facilities. A *school* which contains an outdoor training facility shall place such facility in the *side* or *rear yard*.

SR 6.11. Theatre, Drive-In

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Operations. A drive-in theatre may contain on-site food sales for patrons of the drive-in theatre only, provided they obtain all necessary permits. The property may be used for other permitted *uses* of the zoning district through the *special use* permit process.
- (5) Lighting. *Lighting mitigation* required.
- (6) Public Address/Loud Speakers. Public address and loud speakers systems shall not be permitted.
- (7) Hours of Operation. 8:00 a.m. to 2:00 a.m.

SR 6.12. Urgent Care Clinic

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Accessibility. *Roads* shall be maintained for motor/emergency *vehicle* access. Points of ingress/egress shall be designed so as to allow for ease of entrance/exit for emergency *vehicles* in relation to the surrounding development, roadways and traffic patterns.

7. RETAIL TRADE

SR 7.1. Adult Book and Retail Merchandise Store

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. An *adult book and/or retail merchandise store* shall not be constructed or newly located within 1,000 feet (measurements from the property line of the proposed store to the property line of the district/use) of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *residential zoning district, school, library, day care facility, park, religious institution* (including *accessory uses* not located on the same lot, but contiguous to the principal place of worship) and/or another adult establishment (stores or entertainment) in straight-line distance.
- (4) Structure Requirements. The *principal* or any *accessory structure* to the principal business shall not contain any sleeping quarters. Where viewing booths are provided such are to be designed as to allow the *person* or occupants to be completely visible from a portion of the premise open and available to the public.
- (5) Operations. No *person* shall be employed nor be allowed on premise if they are less than 18 years of age.
- (6) Perimeter Setback. Thirty (30) feet.

SR 7.2. Adult Theatres and Live Entertainment

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. An *adult theatre and/or live entertainment* venue shall not be constructed or newly located within (measurements from the property line of the proposed theatre/venue to the property line of the district or use):
 - a. Fifteen hundred (1,500) feet of an existing *school, library, day care facility, park* and/or *religious institution* (including *accessory uses* not located on the same *lot*, but contiguous to the principal place of worship); and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *residential zoning district* and/or another adult establishment (stores and entertainment) in straight-line distance.
- (4) Structure Requirements. The *principal* or any *accessory structure* to the principal business shall not contain any sleeping quarters. Where viewing booths are provided such are to be designed as to allow the *person* or occupants to be completely visible from a portion of the premise open and available to the public.
- (5) Operations. No *person* shall be employed nor be allowed on premise if they are less than 18 years of age.
- (6) Perimeter Setback. Fifty (50) feet.
- (7) Hours of Operation. 12:00 noon to 2:00 a.m.

SR 7.3. Cinema Complex

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 7.4. Convenience Store

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 7.5. Entertainment Complex

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Perimeter Setback. One hundred (100) feet.

- (4) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 7.6. Flea Market

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 7.7. Fuel Oil Distribution and Sales

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 7.8. Landscaping Materials Sales and Storage

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 7.9. Manufactured/Mobile Home Sales

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. A *manufactured home sales* site shall not be constructed or newly located within 100 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Lot Size. One or more acres.
- (5) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (6) Structure. Display homes shall:
 - a. Have a minimum separation of at least ten (10) feet from one another;
 - b. Be level and blocked;
 - c. Be provided with continuous underpinning or landscaping; and

- d. Be accessible via a well-constructed set of steps, made of a material other than loosely stacked brick or block.

SR 7.10. Motor Vehicle Sales or Leasing (Including automobile, motorcycle, boat and recreational sales and rental cars)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 7.11. Open Air Market

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 7.12. Parking Garage or Lot (requiring payment)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Structure. A parking garage shall not exceed five (5) (above ground) levels.
- (4) Perimeter Setback. Twenty-five (25) feet.
- (5) Perimeter Buffer. A minimum of a *Buffer B1* shall be required for a parking garage (see §42-182 (Screen Classification)).

SR 7.13. Produce Stand

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 7.14. Retail Sales and Services Less than or Equal to 50,000 Square Feet (of Gross Floor Area)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 7.15. Retail Sales and Services Greater than 50,000 Square Feet but Less than or Equal to 100,000 Square Feet (of Gross Floor Area)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. *Structures* shall not be placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Road Frontage. One hundred (100) or more feet.
- (5) Sign Areas. A minimum of 100 square feet of planted area (minimum five (5) foot width) shall be provided around the base of any freestanding *sign*.
- (6) Pedestrian Facilities. Sidewalks shall be a minimum of five (5) feet wide, excluding curb width.

SR 7.16. Retail Sales and Services Greater than 100,000 Square Feet but Less than or Equal to 150,000 Square Feet (of Gross Floor Area)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. *Structures* shall not be placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Road Frontage. One hundred (100) or more feet.
- (5) Sign Areas. A minimum of 100 square feet of planted area (minimum five (5) foot width) shall be provided around the base of any freestanding *sign*.
- (6) Pedestrian Facilities. Sidewalks shall be a minimum of five (5) feet wide, excluding curb width.

SR 7.17. Retail Sales and Services Greater than 150,000 Square Feet (of Gross Floor Area)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. *Structures* shall not be placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Road Frontage. One hundred (100) or more feet.

- (5) Sign Areas. A minimum of 100 square feet of planted area (minimum five (5) foot width) shall be provided around the base of any freestanding *sign*.
- (6) Pedestrian Facilities. Sidewalks shall be a minimum of five (5) feet wide, excluding curb width.

SR 7.18. Shopping Mall

- (1) *Site Plan*. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. *Structures* shall not be placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Road Frontage. One hundred (100) or more feet.
- (5) Sign Areas. A minimum of 100 square feet of planted area (with a minimum width of five (5) feet) shall be provided around the base of any freestanding *sign*.
- (6) Pedestrian Facilities. Sidewalks shall be a minimum of five (5) feet wide, excluding curb width.

SR 7.19. Truck Stop

- (1) *Site Plan*. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. Truck stop facilities shall not be constructed or newly located within 100 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *school, library, day care facility, healthcare facility, park* and/or *religious institution*.
- (5) Lot Size. Two (2) or more acres.
- (6) Operations. Those *uses* which may be contained within the principal *building* shall include: convenience store, restaurant, TV/recreational lounge(s), restroom facilities and *dormitory* space.

8. WHOLESALE TRADE

SR 8.1. Wholesale Trade

- (1) *Site Plan*. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *wholesale trade structure* or storage area shall not be constructed or newly located within 100 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).

9. TRANSPORTATION, WAREHOUSING, AND UTILITIES

SR 9.1. Airport (Private)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *private airport* shall not be constructed or newly located within one-quarter (1/4) mile of an existing *school, library, day care facility* and/or *religious institution*.

SR 9.2. Airport (Public)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Certification, Licensure and Permitting. A *public airport* must provide proof of development approval from the Federal Aviation Administration.
- (5) Separation. A *public airport* shall not be constructed or newly located within:
 - a. One-quarter (1/4) mile of an existing *school, library, day care facility* and/or *religious institution*; and
 - b. Five hundred (500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (6) Security. The aircraft movement areas of a *public airport* shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.

SR 9.3. Communication Facilities

- (1) General Standards.
 - a. Site Plan. Communication Facility *Site Plan* in accordance with §42-328 (Communication Facility Site Plan Review).
 - b. Certification, Licensure and Permitting. Prior to erecting, installing or operating a communication facility, a structural engineering certification

certifying the integrity of the communication facility, shall be signed and sealed by a professional engineer.

- c. Minor Modifications. Minor modifications are permitted and include any of the following:
 - 1. Increasing the existing vertical height of the structure by less than ten (10) percent or less than the height of one additional antenna array to the tower with separation from the nearest existing antenna not to exceed twenty (20) feet.
 - 2. Increasing the tower by twenty (20) feet or less in width or no more than the width of the support structure at the level of the new appurtenance (except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable).
 - 3. Increasing the existing equipment compound by 2,500 square feet or less.
 - d. Communication facilities proposed to be constructed in areas designated as *Protected Mountain Ridges* shall not exceed 100 feet in height.
 - e. Lighting. No permanent strobe lights shall be permitted on the *communication tower* unless required by local, state or federal laws pertaining to the establishment and operation of a communications facility. Ground level security lighting may be permitted if designed to minimize impacts on adjacent properties.
 - f. Noise. Unusual sound emissions, including but not limited to buzzers and alarms, shall not be permitted.
 - g. Screening. Screen Class Four (4) shall be provided consistent with the requirements of §42-182 (Screen Classification)).
 - h. Sign Standards. A *sign* which includes the name of the communication facility owner(s)/operator(s), emergency telephone numbers and the assigned communication facility registration number shall be displayed in a visible location near the *structure*. A minimum of two (2) “warning/no trespassing” signs are required. The *Communication Facilities Administrator* may require additional signage (of the type described above) as needed. No other signage shall be permitted on the *communication tower site*.
 - i. Option to County on Collocation Opportunity. For all new *communication towers*, the *applicant* shall give the County the option of collocating, for governmental use, an *antenna* on the new *communication tower* at fair *market value*, if technically feasible and if requested by the County in writing within 30 days of the submission of a permit application.
- (2) Communication Facility Types. Communication facilities shall be broken into three (3) distinctive classes, as follows:
- a. *Category One (1) Communication Facilities* include the following:
 - 1. Towers and/or *antennas* constructed or permitted prior to the effective date of this Chapter; towers for residential, *amateur radio* or governmental use which are less than 90 feet in height; and towers less than 50 feet in height; and
 - 2. *Collocation antennas* on existing communications towers.
 - b. *Category Two (2) Communication Facilities* include the following:

1. The location of *antennas* on *alternative structures*;
 2. Replacement towers; and
 3. Towers used for residential, *amateur radio* and/or governmental purposes 90 feet or greater in height; and all other towers 50 feet or greater in height.
- c. *Category Three (3) Communications Facilities* include any and all towers 200 feet or greater in height.
- (3) Communication Facility Specific Standards. The following standards shall apply to the three categories of communication facilities:
- a. *Category One (1) Communication Facilities*:
 1. A *category one (1) communication facility* is permitted by right in all zoning districts.
 2. Height. In no case will a *collocation* be permitted where the additional *antenna* height would cause category classification change of the proposed host *communication tower*.
 - b. *Category Two (2) Communication Facilities*:
 1. Height. In no event shall a replacement *communication tower* exceed the height of the existing *communication tower*. No tower shall exceed 200 feet in height. In addition, no communication facility (tower and/or *antenna*) affixed on an *alternative structure*, shall exceed 50 feet in height above the maximum height of the *alternative structure*. Final height of the *communication tower* and/or *antenna*, including *structure* height above highest grade level, must not exceed 200 feet.
 2. Replacement. Replacement *communication towers* must be placed as close to the existing *communication tower* as feasible, but in no case further than 100 feet from the existing *communication tower base*. The existing *communication tower* shall be removed within 90 days of completion of the replacement *communication tower*.
 3. Communication Tower Site. All *category two (2) communication facilities* must be located on a designated *communication tower site* or an approved *alternative structure*. At a minimum a *communication tower site* must: (1) encompass all components of the proposed project; (2) consist of a *lot of record* or deeded *easement*; and (3) accommodate all-weather movement of construction, maintenance and emergency response equipment to and from the site.
 4. Separation from Existing Communication Facilities. *Category two (2) communication facilities* must be a minimum of one-half ($\frac{1}{2}$) mile from any existing *communication facility category two (2) or three (3)* unless constructed on the same *communication tower site* (a *lot of record* or deeded *easement*) or *alternative structure*. A proposed *category two (2) communication facility (antenna)* will only be permitted on the same *communication tower site* or *alternative structures* as an existing communication facility when it has been proven that the proposed site is the only feasible location for providing coverage to the anticipated service area and all existing communication facilities are incapable of accommodating the proposed *antenna*.

5. Separation from Existing Occupied Buildings. *Communication towers* must be constructed a minimum distance equivalent to 110 percent of the height of the proposed *communication tower* from existing occupied *structures*. *Communication towers* unable to conform to *occupied building* separation requirements may submit affidavits of understanding from the *owners* of property and/or *structures* within the 110 percent height radius in place of conforming to the separation standards. Affidavits of understanding shall state that the property *owners* do not object to the construction of the *communication tower* as proposed in the application, and agree to hold the County harmless from any and all liability for the location and construction of the *communication tower* as proposed in the application. Such affidavits should also site the specific plan or drawing reviewed by the property *owner*.
 6. Stealth Designs. Communications towers and *antennas* on *alternative structures* in *residential zoning districts* must be constructed as stealth designs.
 7. Color. *Communication towers* not constructed as stealth designs must be a color that is consistent with *existing development* or natural conditions.
 8. Security. Adequate measures must be taken to ensure *antennas* on *alternative structures* are not potential sources of physical danger to the public.
 9. Design to Accommodate Additional User. All new *category two (2) communication towers* shall be designed to accommodate a minimum of three (3) communication *antenna* arrays.
- c. Category Three (3) Communication Facilities:
1. Communication Tower Site. All communication facilities must be located on a designated *communication tower site*. At a minimum a *communication tower site* must: (1) encompass all components of the proposed project, (2) consist of a *lot of record* or deeded *easement* and (3) accommodate all-weather movement of construction, maintenance and emergency response equipment to and from the site.
 2. Separation from Existing Communication Facilities. *Category three (3) communication facilities* must be a minimum of one (1) mile from any existing *communication facility category two (2) or three (3)* unless constructed on the same *communication tower site* (a *lot of record* or deeded *easement*). A proposed *category three (3) communication facility* will only be permitted on the same *communication tower site* as an existing communication facility when it has been proven that the proposed site is the only feasible location for providing coverage to the anticipated service area, and all existing communication facilities are incapable of accommodating the proposed *antenna*.
 3. Separation from Existing Occupied Buildings. *Communication towers* must be constructed a minimum distance equivalent to 110 percent of the height of the proposed *communication tower* from existing occupied *structures*. *Communication towers* unable to conform to *occupied building* separation requirements may submit affidavits of understanding

from the *owners* of property and/or *structures* within the 110 percent height radius in place of conforming to the separation standards.

Affidavits of understanding shall state that the property *owners* do not object to the construction of the *communication tower* as proposed in the application, and agree to hold the County harmless from any and all liability for the location and construction of the *communication tower* as proposed in the application. Such affidavits should also site the specific plan or drawing reviewed by the property *owner*.

4. Stealth Designs. *Communication towers* in *residential zoning districts* must be constructed as stealth designs.
5. Color. *Communication towers* not constructed as stealth designs must be a color that is consistent with *existing development* or natural conditions.
6. Design to Accommodate Additional User. All new *category three (3) communication facilities* shall be designed to accommodate a minimum of four (4) *communication antenna* arrays.

SR 9.4. Hazardous Waste Disposal Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Location. Hazardous waste disposal facilities are prohibited in a *Water Supply Watershed* Overlay District.
- (5) Separation. Hazardous waste disposal facilities shall not be constructed/newly located within:
 - a. One-and-one-half (1 ½) mile of an existing *residential zoning district, school, library, day care facility, extended care facility, healthcare facility and/or religious institution*; and
 - b. One (1) mile of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (6) Security. The operations of hazardous waste disposal facilities shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (7) Perimeter Setback. Fifteen hundred (1,500) feet.
- (8) Perimeter Buffer. Five hundred (500) feet.
- (9) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on site.

SR 9.5. Land Clearing Debris and Inert Debris Storage or Disposal

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Certification, Licensure and Permitting. The *owner* of a land clearing debris and inert debris *landfill* shall file with the Henderson County Registrar of Deeds Office, a certified survey depicting the property on which the *landfill* is located, including the site and extent of the actual debris deposit.
- (5) Location. *Land clearing debris and inert debris landfills* may be permitted in the *Water Supply Watershed Protection Overlay District* if the *applicant* can demonstrate that there will be no adverse effects from the *landfill* on public water supplies. *Land clearing debris and inert debris landfills* shall not be permitted in the 100-year *floodplain*.
- (6) Perimeter Setback. One hundred (100) feet.
- (7) Operations. Where feasible, debris reduction methods such as chipping and mulching (using portable equipment) shall be utilized to reduce the amount of debris permanently withheld on site.
- (8) *Sedimentation Control*. Permanent control measures are required to retain all non-compacted soils on-site.
- (9) Future Development. No *structure* shall be constructed within 100 feet of a debris deposit following the closure of a land clearing debris and inert debris *landfill*.
- (10) Hours of Operation. 6:00 a.m. to 10:00 p.m. (except where requested by the Henderson County Emergency Management Coordinator in response to a period of inclement weather).

SR 9.6. Rail Transportation Facilities and Support Activities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 9.7. Self Storage Warehousing, Mini-Warehouses (for Commercial District)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. Self storage warehousing, mini-warehouses *structures* shall not be constructed within 100 feet of any adjacent existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Structure. Garage/storage bays shall be oriented away from the public *right-of-way* where possible.

- (5) Operations. The mini-warehouse units shall be used for “dead” storage only (no commercial enterprise can be conducted from an individual unit or units and no *wholesale trade* or retail sales shall be permitted).
- (6) Lighting. Exterior lighting shall not exceed ten (10) feet in height.
- (7) Street Trees. Street *trees* shall be provided in accordance with Article V. Landscape Design Standards, Subpart C. Street Tree Requirements (Major Subdivisions).
- (8) Outdoor Storage. Open storage of *recreational vehicles* and dry storage of pleasure boats shall constitute an *outdoor storage* (see SR 2.8 and SR 2.9 (Outdoor Storage)).

SR 9.8. Septic Tank and Related Services

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 9.9. Solar Energy Generation Facility

- (1) Site Plan. Major *Site Plan* required in accordance with §42-299 (Major Site Plan Review). The site plan shall include ground level profile drawings of the typical structures proposed and the designed wind and ground snow loads.
- (2) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (3) Perimeter Setback. All structures and components shall be a minimum of twenty (20) feet from property lines. Necessary ingress and egress for vehicles and utility & transmission lines may be located within the perimeter setback. Fences may be placed within the perimeter setback.
- (4) Height. Systems, equipment and structures shall not exceed twenty-five (25) feet in height when ground mounted. Roof mounted systems shall not exceed the maximum height for the applicable zoning district.
- (5) Screening. Screen Class One (1), Two (2), Three (3), or Four (4) shall be provided along sides of the facility which are adjacent to a residential use (as identified in Section 1 of 200A-62, Table of Permitted and Special Uses) on a separate parcel, consistent with 200A-182 (Screen Classification). Where screening is required, screening shall be placed on the exterior side of fencing. Buffer Requirements, as specified by Article V Subpart A, shall not apply to Solar Energy Generation Facilities unless the Solar Energy Generation Facility is not permitted in the zoning district adjacent to the site.
- (6) Scenic Byways. Solar energy Generation Facilities shall not be permitted on sites visible from Scenic Byways as designated by the North Carolina Department of Transportation or Henderson County.
- (7) Security. Solar Energy Generation Facilities shall be completely enclosed within:
 - a. a woven wire fence; or
 - b. a masonry wall; or
 - c. a wooden fence that contains spacing no greater than six (6) inches.Such fences shall be at least six (6) feet in height.

- (8) Power Transmission Lines. To the extent practical, all new power transmission lines to any building, structure or utility connection shall be located underground. Existing above ground utility lines shall be allowed to remain in their current location.
- (9) Electrical Disconnection Switch. The electrical disconnect switch shall be clearly marked and unobstructed. Switches are permitted to be secured within a fenced area or building.
- (10) Wind and Snow Loads. All equipment and structures shall comply with the N.C. State Building Code requirements for survival wind speeds and ground snow loads for buildings. Although the N.C. State Building Code may require such load designs for only buildings, all structures and equipment associated with this use shall meet those same wind and snow load requirements. Note that such requirements vary based on the elevation and location of the site. The Zoning Administrator shall require a certification from a structural engineer, licensed in North Carolina as a professional engineer, stating the designed wind and snow load standards for equipment and structures have been constructed according to the State Building Code and will meet the following:
 - a. Structures and buildings will meet a minimum wind survival speed of 90 m.p.h.; and
 - b. Structures and buildings will meet a minimum snow load of 15 lbs. per square foot.
- (11) Principal Structure. A principal structure, other than the solar collectors, is permitted but not required.
- (12) *Special Flood Hazard Area*. No structures, equipment, storage or buildings shall be located within the *Special Flood Hazard Area*.
- (13) Lighting. *Lighting Mitigation* is required.

SR 9.10. Solid Waste Combustors and Incinerators

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A solid waste incinerator shall not be constructed or newly located within:
 - a. One (1) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. Fifteen hundred (1,500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a solid waste combustor and incinerator shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.

- (6) Perimeter Setback. Two hundred fifty (250) feet (for a public or private *landfill*) and 200 feet is required for a solid waste incinerator. (Storage of debris, equipment, and other materials shall not be permitted in the *perimeter setback*).
- (7) Perimeter Buffer. Seventy-five (75) feet.

SR 9.11. Solid Waste Facility, County Owned/Operated

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Security. The operations of a waste collection and transfer facility shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (5) Perimeter Setback. One hundred and fifty (150) feet from a *residential zoning district*. Necessary ingress and egress to the proposed use (s) may be located within the perimeter setback.
- (6) Perimeter Buffer. A B2 buffer as described in Article V (Landscape Design Standards), Subpart A (Buffer Requirements) is required around the perimeter boundary of the site, the operational area(s), or any combination thereof. Preserved existing trees may be credited toward the required buffer.
- (7) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on site.
- (8) Operations. Where feasible, debris reduction methods such as chipping and mulching (using portable equipment) shall be utilized to reduce the amount of debris permanently withheld on site.

SR 9.12. Transit and Ground Passenger Transportation

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 9.13. Truck Terminals

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 9.14. Utility Substations

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Separation. *Utility substations* shall not be placed within 75 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Security. Transformer stations shall be enclosed by a woven wire fence at least eight (8) feet in height. Other utility stations shall be completely enclosed either by a *building* or a wire fence at least eight (8) feet in height.
- (5) Screening. Screen Class One (1), Two (2), Three (3) or Four (4) shall be provided where the *structure footprint* exceeds 200 square feet if adjacent to an existing residential use, consistent with the requirements of §42-182 (Screen Classification).

SR 9.15. Warehousing and Storage (Excluding Warehousing of Hazardous Substances)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 9.16. Waste Collection and Transfer Facility (Hazardous)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Location. Hazardous *waste collection and transfer facilities* are prohibited in a *Water Supply Watershed Overlay Districts*.
- (5) Separation. *Hazardous waste collection and transfer facilities* shall not be constructed/newly located within:
 - a. One (1) mile of an existing *residential zoning district, school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. Fifteen hundred (1,500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (6) Security. The operations of a *hazardous waste collection and transfer facility* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (7) Perimeter Setback. Five hundred (500) feet.
- (8) Perimeter Buffer. Two hundred (200) feet.

- (9) Containment. The transfer facility must include a containment system designed to prevent the spread of contaminants onto other properties, waterways or drainageways.

SR 9.17. Waste Collection and Transfer Facility (Non-hazardous)

- (14) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (15) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (16) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adversely affecting adjacent properties.
- (17) Separation. A *non-hazardous waste collection and transfer facility* shall not be constructed or newly located within 1,000 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the use), *school, library, day care facility, healthcare facility* and/or *religious institution*.
- (18) Security. The operations of a *non-hazardous waste collection and transfer facility* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.

SR 9.18. Wastewater Treatment Plant

- (5) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (6) Security. The operations of a *wastewater treatment plant* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked.
- (7) Screening. Screen Class Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).

SR 9.19. Water Treatment Plant

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. A water treatment plant shall not be constructed or newly located within 500 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the use).

10. MANUFACTURING AND INDUSTRIAL USES

SR 10.1. Asphalt Plant

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. An *asphalt plant* shall not be constructed or newly located within:
 - a. One-half (1/2) mile of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*; and
 - b. Five hundred (500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Perimeter Setback. One hundred (100) feet.
- (6) Security. The operations of an *asphalt plant* shall be totally enclosed by: (1) a security fence or wall at least eight (8) feet in height; or (2) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.

SR 10.2. Battery Manufacturing Facility

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A battery manufacturing facility shall not be constructed or newly located within:
 - a. One-half (1/2) mile of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*; and
 - b. Five hundred (500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a battery manufacturing facility shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. One hundred (100) feet.

SR 10.3. Chip Mill

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *chip mill* shall not be constructed or newly located within:
 - a. One-quarter (1/4) mile of an existing *school, library, day care facility, healthcare facility, park* and/or *religious institution*; and

- b. Five hundred (500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a *chip mill* (including equipment) shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. Fifty (50) feet.
- (7) Disposal of Debris. Disposal of excess inert debris is prohibited on-site unless operation is in compliance with development standards for *land clearing debris and inert debris storage or disposal* operations (see SR 9.5 (Land Clearing Debris and Inert Debris Storage or Disposal) for standards).

SR 10.4. Concrete Batch Plant

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A concrete batch plant shall not be constructed or newly located within:
 - a. One thousand (1,000) feet of an existing *school, library, day care facility, healthcare facility, park* and/or *religious institution*; and
 - b. Three hundred (300) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a concrete batch plant shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 10.5. Junkyard

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Separation. A *junkyard* shall not be constructed or newly located within:
 - a. One-half (½) mile of an existing *school, library, day care facility, extended care facility, healthcare facility* and/or *religious institution*; and
 - b. Three hundred (300) feet of an existing *dwelling unit*.
- (4) Security. The operations of a *junkyard* shall be totally enclosed by: (1) a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
- (5) Perimeter Setback. Fifty (50) feet.

- (6) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (7) Screening. Screen Class Three (3) or Four (4) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (8) Hours of Operation. 6:00 a.m. to 10:00 p.m.

SR 10.6. Landfill (Public/Private)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Location. *Landfills* are prohibited in the *Water Supply Watershed* Overlay Districts.
- (5) Separation. A *landfill* shall not be constructed or newly located within:
 - a. One (1) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. Fifteen hundred (1,500) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (6) Security. The operations of a *landfill* shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
- (7) Perimeter Setback. Two hundred fifty (250) feet.
- (8) Perimeter Buffer. Seventy-five (75) feet.
- (9) *Sedimentation* Control. Permanent control measures are required to retain all non-compacted soils on-site.
- (10) Hours of Operation. 6:00 a.m. to 9:00 p.m.

SR 10.7. Machining and Assembly Operations

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 10.8. Manufacturing and Production Operations

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

SR 10.9. Materials Recovery Facilities (Recycling)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A materials recovery facility shall not be constructed or newly located within one-half (½) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*.
- (5) Security. The operations of a materials recovery facility shall be totally enclosed by:
(1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. One hundred (100) feet.
- (7) Hours of Operation. 6:00 a.m. to 9:00 p.m.

SR 10.10. Mining and Extraction Operations

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *mining or extraction operation* shall not be constructed or newly located within:
 - a. One-half (½) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of a *mining and extraction operation* shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. One hundred (100) feet.
- (7) Operations. A plan outlining rehabilitation procedures and financing options for restoration of the mining or extraction site is required. Within two (2) years after the cessation of a *mining or extraction operation*, rehabilitation processes must be complete.
- (8) Sedimentation Control. Permanent control measures are required to retain all non-compacted soils on site.

SR 10.11. Packaging and Labeling Services

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 10.12. Pesticide, Fertilizer and Other Agricultural Chemical Manufacturing

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *pesticide, fertilizer and other agricultural chemical manufacturing use* shall not be constructed or newly located within one-half (½) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*.
- (5) Security. The operations of a *pesticide, fertilizer and other agricultural chemical manufacturing use* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. One hundred (100) feet.

SR 10.13. Product Processing and Storage Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.

SR 10.14. Recycling Center, Drop-Off Facilities

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Security. The operations of a *recycling center with drop off facilities* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (4) Screening. Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (5) Hours of Operation. 6:00 a.m. to 9:00 p.m.

SR 10.15. Research and Development Operations (Hazardous or biological materials)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *research and development operation (hazardous or biological materials)* shall not be constructed or newly located within one-half (½) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*
- (5) Security. The operations of a *research and development operation (hazardous or biological materials)* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. One hundred (100) feet.

SR 10.16. Research and Development Operations (Non-hazardous)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Security. The operations of a *research and development operation (nonhazardous)* shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.

SR 10.17. Sawmill

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A *sawmill* shall not be constructed or newly located within one-quarter (¼) mile of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the use), existing *school, library, day care facility, healthcare facility, park and/or religious institution*.
- (5) Security. The operations of a *sawmill* (including equipment) shall be totally enclosed by: (1) a security fence at least eight (8) feet in height; (2) a wall at least eight (8) feet in height; or (3) a fireproof *building*. Entrances and exits should be secured and locked during non-operating hours.
- (6) Perimeter Setback. Fifty (50) feet.
- (7) Debris Disposal. Disposal of excess inert debris is prohibited on site unless operation is in compliance with development standards for *land clearing debris and inert debris*

- storage or disposal operations* (see SR 9.5. (Land Clearing Debris and Inert Debris Storage or Disposal) for standards).
- (8) Hours of Operation. 6:00 a.m. to 9:00 p.m.

SR 10.18. Slaughterhouse

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.
- (4) Separation. A slaughterhouse shall not be constructed or newly located within one-half (1/2) mile of an existing *school, library, day care facility, healthcare facility* and/or *religious institution*.
- (5) Perimeter Setback. One hundred (100) feet.
- (6) Hours of Operation. 6:00 a.m. to 9:00 p.m.

SR 10.19. Truck Wash

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Structure. All associated lanes and *driveways* shall be covered with an all-weather surface.
- (4) Parking/Drive. Parking areas/stacking facilities shall be designed to ensure parked/waiting *vehicles* do not block sidewalks, *driveways* or *roads*.
- (5) On-Site Drainage System. Provisions shall be made for an on-site drainage system to capture water used to wash *vehicles*. The drainage plan shall be evaluated by the *Zoning Administrator* to determine that the water from the facility will not have a detrimental effect on adjacent property, *roads* and/or surface waters.
- (6) Operations. Storage or repair of *vehicles* shall not be permitted within the truck washing facility.
- (7) Screening. Screen Class Two (2) shall be provided consistent with the requirements of §42-182 (Screen Classification).

11. TEMPORARY USES

SR 11.1. Christmas Tree Lot Sales

- (1) Duration and Frequency. Temporary Christmas tree lot sales may be operated for no longer than forty-five (45) days.

SR 11.2. Circuses, Carnivals, Fairs, Religious Services (or similar types of events)

- (1) Duration and Frequency. Not more than two (2) temporary events shall be held in a 12 month period.
 - a. Temporary circuses, fairs, and similar types of events may be operated for no longer than eight (8) days.
 - b. Carnivals may be operated for no longer than 10 days.
 - c. Religious services may operate for up to twelve (12) weeks.
- (2) Hours of Operation. Where a circus, carnival, fair, religious service or similar types of events and being held in a *residential zoning district* or within 500 feet of a *residential zoning district*, the hours of operation shall be limited to between 7:00 a.m. and 11:00 p.m.
- (3) Application. The application shall depict the locations of pedestrian circulation areas and equipment storage areas.
- (4) Separation Requirements. The *use* shall not be placed within 50 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Solid Waste Collection System Requirements. Arrangements shall be made for suitable garbage disposal and site clean-up.

SR 11.3. Model Home/Sales Office, Temporary

- (1) Duration and Frequency. *Temporary model homes/sales offices* shall be permitted within a new *residential development*, provided that the model home/sales office: (1) is located on a *lot* that was approved as part of an approved preliminary or master plan; and (2) will be converted to a *dwelling unit* or taken down after its *use* as a sales office/model home. *Temporary model homes/sales offices* may initially be approved for a period of up to three (3) years, which may be extended for additional one (1) year terms so long as development is continuing. If the *Temporary Model Home/Sales Office* was noted on an approved Preliminary or Master Plan, a *temporary use permit* is not required.

SR 11.4. Portable Sawmill

- (1) Duration. A portable sawmill may be permitted as a temporary use not to exceed ninety (90) days. The Zoning Administrator may allow for ninety (90) day extension upon request by the applicant.

SR 11.5. Yard Sale

- (1) Duration and Frequency. The duration of a *yard sale* may be for no more than three (3) days at a time and for no more than 12 days in a 12 month period. *Yard sales* are expressly prohibited as a permanent *use* and shall be regulated as Retail Trade and Food Service should the *use* continue over a longer period of time.

12. TEMPORARY STRUCTURES

SR 12.1. *Portable Storage Containers*

- (1) Maximum Number Permitted Per Lot. One (1) for *residential zoning district* property.
- (2) Duration and Frequency. *Portable storage containers* shall be placed on *residential zoning district* property for no more than 30 days, no more than four (4) times in a 12 month period.
- (3) Permanent Structures. *Portable storage containers* may be permitted as *accessory structures*. In no case shall more than one (1) container be permitted on a single property or shall any permanent accessory *portable storage container* be permitted on *residential zoning district* property.

SR 12.2. *Produce Stand, Temporary*

- (1) Setbacks. Temporary stands may be established in the *front yard setback*.
- (2) Duration and Frequency. Temporary stands may be operated for no longer than 180 days in a 12 month period.

SR 12.3. *Temporary Construction Project Buildings*

- (1) Duration and Frequency. Temporary construction project *buildings* shall be permitted only for those time periods for which a building permit has been issued.

SR 12.4. *Tent Sale*

- (1) Duration and Frequency. Temporary tent sales may be operated for no greater than two (2) weeks. Not more than two (2) temporary tent sales shall be held in a 12 month period.
- (2) Locational Requirements. Temporary tent sales shall not encroach on the public *right-of-way*, parking spaces or required loading spaces.

§42-64.	Reserved
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§42-73.	Reserved