

CHAPTER 8. SPECIFIC USE STANDARDS

The use standards in this chapter include standards applied to principal uses, accessory uses, and temporary uses. These standards shall apply to the listed use types regardless of whether the use type is listed in the summary table in Chapter 6.

SECTION 8.1. ACCESSORY DWELLING LOCATED WITHIN A SINGLE-FAMILY DWELLING

A. DEFINITION

An addition (such as a mother-in-law suite) to an existing single-family dwelling, containing separate sleeping, kitchen, and bathroom facilities.

B. STANDARDS

1. No more than one accessory dwelling located within a principal dwelling per lot.
2. Two dwelling units can be connected by a passageway or breezeway but shall be considered two separate buildings.

SECTION 8.2. ACCESSORY DWELLING LOCATED WITHIN A NON-RESIDENTIAL BUILDING

A. DEFINITION

An accessory dwelling, containing separate sleeping, kitchen, and bathroom facilities, located within a non-residential building.

B. STANDARDS

1. No more than two accessory dwellings may be located within the principal non-residential building.
2. Fire resistance separation may be required per the NC Building Code.

SECTION 8.3. ACCESSORY MANUFACTURED HOME

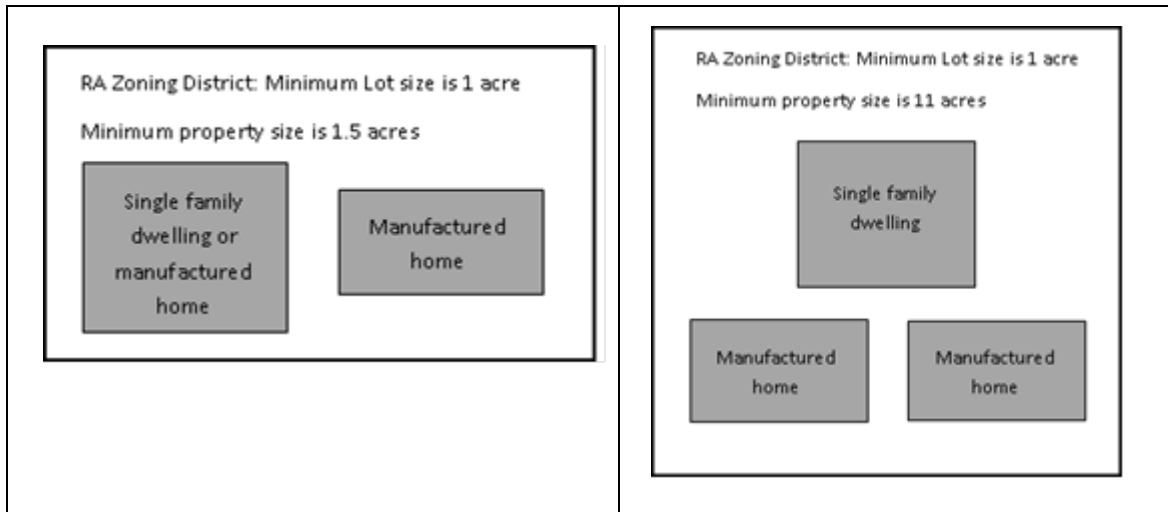
A. DEFINITION

An accessory manufactured home located on the same lot as the principal single-family dwelling or principal manufactured home.

B. STANDARDS

1. There shall be no more than two manufactured homes per lot. There shall be a minimum of 1.5 times the minimum lot size requirement for the applicable zoning district for an accessory manufactured home.
2. There shall be an additional 10 acres of land beyond the minimum lot size for the applicable zoning district allotted for the second accessory manufactured home, in addition to a dwelling. Accessory dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994, may be developed for single-family residential purposes without being subject to watershed regulations.)

ACCESSORY MANUFACTURED HOME CONFIGURATIONS



SECTION 8.4. ACCESSORY SINGLE-FAMILY DWELLINGS

A. DEFINITION

An accessory (second) single-family dwelling may be located on the same lot as the principal single-family dwelling. The accessory dwelling may be combined with a detached garage, workshop, barn (barn apartments), etc.

B. STANDARDS

1. There shall be no more than two accessory dwellings per lot.
2. There shall be an additional 10 acres of land allotted for the third dwelling.
3. Accessory dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings.
4. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994, may be developed for single-family residential purposes without being subject to watershed regulations.)

SECTION 8.5. ACCESSORY SWIMMING POOLS

A. DEFINITION

All permanent or temporary public, commercial, or private above-ground or in-ground water containment areas more than two feet deep, designed for recreational use involving wading, swimming, and/or diving and including all structures, walks or patio areas of cement, stone, or wood at or above grade, built for, and used in conjunction with the swimming pool.

B. RESIDENTIAL LOT LAYOUT STANDARDS

Swimming pools shall be located in side or rear yards and shall meet the accessory building setbacks.

C. MULTI-FAMILY AND NON-RESIDENTIAL LOT LAYOUT STANDARDS

Indoor and outdoor facilities shall be a minimum of 100 feet inside the property lines abutting to a residential zoning district and a minimum of 50 feet from any other property line.

D. OTHER STANDARDS

1. No water may be discharged directly into natural streams or public waterways or on abutting properties.
2. All swimming pools shall comply with the latest and applicable version of the NC Building Code, including but not limited to fencing requirements, building, mechanical, or electrical related work.

3. The NC Rules Governing Public Swimming Pools may apply when public or commercial activities are involved.

SECTION 8.6. ADULT GAMING ESTABLISHMENT

A. DEFINITION

1. Any establishment deemed legal by State law, featuring one or more stand-alone electronic or conventional gaming units, skill-based or otherwise, or serving one or more patrons in such a capacity at any one time, which also rewards patrons with cash or other monetary payments, goods or certificates for services which are redeemable for cash or other monetary payment on or off premise and including on-line redemptions, as well as any rewards which cannot be legally obtained, consumed, or otherwise used by minors. Any use meeting this definition shall be considered a primary use regardless of association or location in conjunction with other permissible primary uses.
2. State of North Carolina sanctioned lottery functions shall not be considered as adult gaming establishments for the purposes of this Ordinance.

B. STANDARDS

1. All buildings, outdoor seating/ entertainment, and parking areas shall be 50 feet from any residentially zoned property line.
2. Adult gaming establishments shall provide at least one off-street parking space for every two persons of total building capacity.
3. An adult gaming establishment shall have no more than four machines per location.

SECTION 8.7. AGRICULTURAL USES AND BUILDINGS (NOT A BONA FIDE FARM)

The following types of agricultural uses of land and related buildings, being a principal use or accessory to residential or non-residential uses, when not associated with a bona fide farm, shall receive zoning and building approval, in addition to complying with all applicable local, State, and federal regulations.

A. ANIMAL & POULTRY

Feeding (including grazing), breeding, managing, selling, or producing livestock (such as cattle, hog, poultry, sheep, horses; not including dogs and cats), bee hives, fish, poultry, dairying and the sale of dairy products, animal and poultry husbandry.

B. BUILDINGS

Any farmhouse, barn, poultry house or other farm buildings, including tenant or other dwellings units for persons working on said farms, so long as such dwellings shall be in the same ownership as the farm and located on the farm.

C. EQUINE INDUSTRY

Stabling, boarding, or training equines, providing riding lessons, training clinics, schooling shows, and similar uses.

D. PLANT RELATED

Pasturage, horticulture, orchards, raising, harvesting, and on-site selling of crops, plants, fruits and vegetables of all kinds, Christmas trees, viticulture, silviculture, forestry, hydroponics, floriculture, aquaculture, orchards, vineyards, and plant nurseries.

E. PRIVATE FARMS

The owning, breeding, leasing, recreational usage and training of any farm animals, bees and aviary products.

F. SALES OF AGRICULTURAL PRODUCTS

A principal or accessory building or structure erected for the display and sale of on-site or off-site agricultural products. Additional products not of an agricultural nature shall not exceed 10% of merchandise. In no case

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SECTION 8.8. AIRPORTS, PUBLIC OR PRIVATE

shall a recreational vehicle be used as part of this facility. "Sales of Agricultural Products" include the terms: road side stand, produce stand, and farmer's market. A winery or brewery may be permitted as an agricultural use only if operated in association with an on-site existing vineyard or grain farm. Wineries or breweries selling imported wine or beer are separate definitions.

G. ACCESSORY

Necessary accessory uses for packing, treating, or storing the produce, provided that the operation of the accessory use is clearly incidental to the agricultural activity. Examples may include offices, storage areas, barns, stables, irrigation systems, and repair facilities related to agricultural use.

H. COMBINATION

Any combination of the above uses or activities.

SECTION 8.8. AIRPORTS, PUBLIC OR PRIVATE

A. DEFINITION

Any place which is used or intended for use for the landing and taking off of aircraft, and airport buildings, taxiways, aircraft storage, hangars, and other necessary buildings and open spaces.

B. STANDARDS

1. There shall be a minimum of 300 feet between any runway or taxiway to the nearest property zoned for residential purposes.
2. Applications to establish these uses shall conform to current FAA design standards and the location, type, and height of any building or structure, including towers, over 200 feet in height and within a five-mile radius.
3. FAA permits are required before the Certificate of Occupancy is issued.
4. Airports shall provide at least one off-street parking space for every four seats for waiting passengers, plus two parking spaces for every three employees, plus one parking space for each vehicle used in the operation.

SECTION 8.9. AIRSTRIP, SMALL PRIVATE

A. DEFINITION

The use of a field or grassed runway, on a non-commercial basis, for privately owned airplanes when the owner of at least one of the planes lives on the premises.

B. STANDARDS

1. Up to one building may be constructed for storage of planes.
2. The building cannot be used or rented for storage of planes that do not belong to the property owner or lessee.
3. There shall be a minimum of 300 feet between any runway or taxiway to the nearest property zoned for residential purposes, except that a residence may be located on the property of a small private airfield.

SECTION 8.10. AMATEUR RADIO AND RECEIVE-ONLY ANTENNAS

A. DEFINITION

Any antenna used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

B. STANDARDS

1. Amateur radio and receive-only antennas may be installed and operated as permitted uses, up to 100 feet tall.

2. Towers may be up to 100 feet tall and shall be setback from all lot lines a distance equal to the structure's total height.
3. The applicant shall provide certification from a professional engineer licensed in North Carolina that the tower design is such that it will not fall on abutting property or on any building on the property on which it is located.

C. SUPPLEMENTAL

1. Operation of an amateur station requires an amateur operator license grant from the FCC.
2. Proposed towers shall be forwarded to the Regional Land Use Advisory Commission for review prior to establishment.

SECTION 8.11. ANIMAL SHELTER**A. DEFINITIONS**

A facility that is owned, operated, or maintained by a public body, an established humane society, or other private or nonprofit organization used to house and care for stray, abandoned, or neglected animals.

B. STANDARDS

1. All outdoor facilities such as play areas, cages, kennels, or pens shall be a minimum of 100 feet from any residentially zoned property line.
2. A separate six-foot perimeter fence is required if any animals have access to an outdoor enclosure, including unsupervised exercise areas.
3. An animal shelter shall provide one off-street parking space for each employee plus one off-street parking space for every three kennels.
4. All operations, including the provision of waste disposal and the removal of carcasses, shall comply with all federal, state, and local requirements.

SECTION 8.12. ANIMAL TRAINING FACILITY, MILITARY**A. DEFINITION**

A facility utilized for the military or law enforcement training of animals beyond commonly accepted definitions of obedience training intended for household domesticated animals. Such facilities include both indoor and outdoor training, offices for the management and supervision of the facility, medical care facilities for the animals residing onsite and may include living quarters or dormitories for trainers and/or individuals being trained with the animals.

B. STANDARDS

A military animal training facility shall comply with the standards for an animal shelter.

SECTION 8.13. ASSEMBLY HALL**A. DEFINITION**

A fully or partially enclosed facility, or open area used or intended to be used primarily for spectator sports, entertainment events, expositions, public or private gatherings, conferences, and conventions and accessory uses such as snack bars, restaurants, and retail sales of related items, and other support facilities. "Assembly Hall" includes the terms amphitheater, arena, banquet hall, coliseum, convention center, exhibition hall, receptionist hall, retreat center, sports arena, and stadium.

B. STANDARDS

1. Fully-enclosed assembly hall buildings and parking shall be a minimum of 50 feet from any residentially zoned property line.
2. Partially enclosed or open recreational facilities shall be a minimum 100 feet from any property line.

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SECTION 8.14. AUCTION HOUSE

3. Off-street parking for assembly hall uses with no spectators shall be provided at a rate of at least one parking space for every two participants at full capacity.
4. Off-street parking for assembly hall uses with spectators shall be provided at a rate of at least one parking space for every four spectator seats (one seat is equal to two feet of bench length).

SECTION 8.14. AUCTION HOUSE

A. DEFINITION

A fully enclosed building used for the sale of goods, equipment, livestock, or vehicles, to the highest bidder.

B. STANDARDS

1. Outdoor vehicle auctions shall utilize type 3 screening (see Section 7.11).
2. One time estate auctions, tax sales, or court ordered sales at the site of the estate or other property being sold are exempt from zoning requirements.
3. Auction houses shall provide at least one off-street parking space for every 300 square feet of gross floor area, minus storage areas.

SECTION 8.15. AUTOMATIC TELLER MACHINE (ATM)

A. DEFINITION

A machine or device through which a customer can conduct certain banking transactions and which may or may not be located on the same lot as the bank or financial institution with which the machine is associated.

B. STANDARDS

1. An ATM shall be located so as not to interfere or conflict with sidewalks, pedestrian ways, parking areas, loading areas, or driveways.
2. All side and rear setback requirements shall be five feet, and other setbacks shall comply with the underlying zoning district requirements.
3. An ATM shall include at least two off-street parking spaces.

SECTION 8.16. BAR / TAVERN

A. DEFINITION

An establishment, or part of an establishment, having as its principal or predominant use the serving of beer, wine, or liquor for consumption on the premises, and which sets a minimum age requirement for entrance, consistent with state law. Such uses may also provide on-site entertainment in the form of live performances, dancing, billiards, or other entertainment activities.

B. STANDARDS

1. All buildings, outdoor seating/ entertainment, and parking areas shall be 50 feet from any residentially zoned property line.
2. Bar and tavern uses shall provide at least one off-street parking space for each two people at full capacity.
3. Additional temporary overflow off-street parking of at least one parking space per every 200 square feet of building area shall be required for establishments providing dancing and/or live entertainment.

C. SUPPLEMENTAL

Such establishment shall obtain applicable Alcohol Beverage Control Commission (ABC) permits.

SECTION 8.17. BEAUTY / BARBER SHOP / NAIL SALON

A. DEFINITION

Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

B. PARKING

A beauty salon, barber shop, or nail salon shall provide at least two off-street parking spaces per operator or station.

SECTION 8.18. BED & BREAKFAST**A. DEFINITION**

Any dwelling occupied by the owner or operator in which not more than eight guest room accommodations are offered for a period of less than 30 days per 60 day period for compensation, and where food may not or may be served such as a bed and breakfast.

B. STANDARDS

1. The use must be located in a building that was constructed as a single-family dwelling which serves as the permanent residence of the owner or the manager of the business.
2. There shall be no less than one bathroom, consisting of a bath or shower, water closet, and lavatory for each two guestrooms, with not more than one guestroom permitted in a detached structure on the same property.
3. Meals may be provided to overnight guests only and no cooking facilities may be provided in guest rooms.
4. No off-street parking shall be allowed in any front yard.
5. Bed and breakfast uses shall provide at least one off-street parking space per unit, plus one off-street parking space per employee on a normal shift.

SECTION 8.19. BOAT & RV STORAGE**A. DEFINITION**

The storage of boats and recreational vehicles indoors or outdoors on a property.

B. PARKING

Such uses shall provide at least five off-street parking spaces per employee.

SECTION 8.20. BONA FIDE FARM**A. DEFINITION**

In accordance with NCGS 160D-903 and 106-581.1, a bona fide farm is any tract of land where the land is used for one or more of the below classifications when performed on the farm and includes any other farm owned or leased to or from others by the bona fide farm operator, no matter where located:

1. The production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, swine, poultry.
2. The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
3. The planting and production of trees and timber.
4. Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing. The raising, management, care, and training of horses includes the boarding of horses.
5. Aquaculture as defined in NCGS 106-758.
6. The operation, management, conservation, improvement, and maintenance of a farm and the buildings and structures on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
7. When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops,

livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm.

8. Any structure used or associated with equine activities, including, but not limited to, the care, management, boarding, or training, or horses, the instruction and training of riders, and therapeutic equine facilities operated by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code that provides therapeutic equine-related activities for persons who are physically, intellectually, or emotionally challenged.
9. A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain.

B. STANDARDS

1. EXEMPT FROM ZONING

Farms that obtain bona fide farm status by the Moore County Department of Planning become exempt from the provisions of this Ordinance. Any of the following shall constitute sufficient evidence for classification of a bona fide farm:

- i. A farm sales tax exemption certificate issued by the Department of Revenue;
- ii. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to NCGS 105-277.3;
- iii. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return; or
- iv. A forest management plan.

2. AGRICULTURAL TOURISM (AGRI-TOURISM)

In accordance with NCGS 160D-903 and 99E-30, agritourism is any:

- i. Activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions, and an activity involving any animal exhibition at an agricultural fair licensed by the Commissioner of Agriculture pursuant to G.S. 106-520.3. An activity is an agritourism activity whether or not the participant paid to participate in the activity. Examples of agri-tourism may include sales of agricultural and/or plant products (u-pick operations or road side stands), hay rides, horse farms (breeding, boarding, riding lessons, training, buying selling, showing, racing, etc.), corn mazes, tours, class field trips, wineries, and breweries. It does not include: shooting ranges, rides on non-farm recreational equipment including motorcycles or all-terrain vehicle (ATV).
- ii. A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that is owned by a person who holds a qualifying farmer sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) OR is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to maintain the requirements of this subsection for a period of 3 years after the date the building or structure was originally classified as a bona fide purpose pursuant to this subdivision shall subject the building or structure to applicable zoning and development regulation ordinances adopted by Moore County in effect on the date the property no longer meets the requirements of this subsection. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

3. ACCESSORY USES

Accessory uses to bona fide farms are also exempt including buildings and structures that are associated with farming activities, including, but not limited to, free standing or attached sheds, greenhouses, or other

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SECTION 8.21. BREWERY / WINERY (NOT A BONA FIDE FARM)

structures that are utilized to store any equipment, tools, commodities, or other items that are maintained or used in conjunction with farming activities. Existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation.

4. SUPPLEMENTAL REQUIREMENTS

Certain building code and environmental health requirements such as subdivision (see Chapter 19), flood damage prevention (see Chapter 17), and watershed protection standards (see Chapter 16) still apply to bona fide farms but zoning permits are not required.

SECTION 8.21. BREWERY / WINERY (NOT A BONA FIDE FARM)

A. DEFINITION

An establishment for the manufacture, blending, brewing, fermentation, processing, and packaging of beer or wine that may or may not be in association with an existing vineyard or hops and grain farm located on the same property.

B. STANDARDS

1. Retail sales, banquet hall, tasting facility, and restaurant may be permitted as an accessory use with all applicable Alcohol Beverage Control Commission (ABC) commission permits.
2. All buildings, outdoor seating, entertainment, and parking areas shall be 50 feet from any residentially zoned property line.
3. Such uses shall provide at least one off-street parking space for every two people at full capacity.

SECTION 8.22. CAMP OR CARE CENTERS, NONPROFIT

A. DEFINITION

Land used by a nonprofit organization that consists of one or more buildings, located on a minimum 20 acres of land that provides accommodations for more than nine individuals and where the activities of those individuals predominantly occur in supervised groups for recreational, religious, and/or educational purposes, including but not limited to retreat events and summer camps for children, groups or families and transitional living facilities. Accessory uses may include, but are not limited to, tents or cabins, staff housing, worship areas, dining areas, horse stables, ball fields, amphitheaters, retreat center, or swimming pools.

B. PARKING

Such uses shall provide at least one off-street parking space for each employee and one parking space for every five beds.

C. UTILITIES

All water and sewage facilities shall be designed and installed according to the standards of the Moore County Department of Public Works, Department of Environmental Health, and NC Department of Environmental Quality.

D. PROHIBITED ACTIVITIES

Unless associated with a transitional living facility, no one shall remain at the campground for more than 30 continuous days within a 60-day period with the exception of staff.

SECTION 8.23. CAMPGROUND

A. DEFINITION

A lot in single ownership that has been developed or is intended to be developed for occupancy by tents, cabins, and all types of recreational vehicles, including tent trailers, for transient dwelling purposes.

B. LOT LAYOUT

A campground shall be configured in accordance with the table below:

CAMPGROUND CONFIGURATION	
FEATURE	REQUIREMENT
Minimum Property Size	20 acres
Maximum Density	24 campsites per acre
Peripheral Buffer including Street Rights-of-Way	Type 3 Screening (see Section 7.11)
Minimum Campsite Size	1,000 square feet
Minimum Space Width	20 feet
Minimum Setback of Buildings from Any Property Line	50 feet
Minimum Common Open Space or Recreation Area	10% of gross site

C. EXISTING CAMPGROUND

All new campgrounds and all expansions to existing campgrounds shall meet all standards set forth in this Ordinance.

D. SITE PLAN

1. The site plan shall be prepared by a North Carolina licensed engineer, architect, or surveyor, which depicts the proposed general design and arrangement of uses and buildings.
2. In addition to the site plan requirements in Chapter 4 the following shall be included on the site plan:
 - i. Lighting;
 - ii. Streets;
 - iii. Peripheral buffer;
 - iv. Campsite spaces; and
 - v. Phase lines.

E. OFF-STREET PARKING

1. Each tent campsite shall have two off-street parking spaces.
2. The minimum parking space dimensions shall be 9 feet by 18 feet.
3. Each recreational vehicle space shall have off-street parking for one recreational vehicle and parking space at least one automobile in a tandem configuration.

F. LIGHTING

1. Interior lighting is required in any building open at night.
2. Lighting shall be provided for all recreation areas, bathrooms, and dumping areas, and parking areas (other than at each campsite), shall be lit at night, either with a light mounted on the building or as a pole light.

G. UTILITIES

1. Drinking water and sanitary (bathrooms and showers) facilities shall be available within twelve hundred (1,200) feet.
2. For recreational vehicle campgrounds, a minimum of one central sewage dumping station shall be provided for removing and disposing of waste from waste holding tanks.
3. Sanitary facilities and dumping stations shall be separated from any campsite by a minimum of 50 feet.
4. All water and sewage facilities shall be designed and installed according to the standards of the Moore County Department of Public Works, Department of Environmental Health, and NC Department of Environmental Quality.
5. No provision of utilities or "hookups" shall be constructed on tent-only campsites.

H. STREETS

1. No space shall have direct access to a public street.
2. All roadways within a campground shall be located outside of the campsite spaces.
3. Unpaved streets or easements shall be a minimum width of 20 feet, depth of four inches, with a minimum vertical clearance of 13 feet six inches for accessibility by service and emergency vehicles before a Certificate of Occupancy is issued.
4. Gates or barricades installed on fire apparatus access roads shall comply with the adopted NC Fire Prevention Code.
5. All dead-end roadways shall be provided with a turn-around, pursuant to Chapter 18.
6. Permanent roadway name signs and stop signs shall be installed at intersections to all internal roadways.
7. Paved roadways shall be designed and constructed in compliance with NCDOT's Subdivision Roads Minimum Construction Standards as certified by a professional NC Engineer.

I. ACCESSORY USES

Customary accessory uses may be provided by the property owner, shall be only for the use of campers, and shall not have direct access to a public road, but shall abut the internal roadway as approved by the Administrator, including:

1. Service buildings such as an administrative office, bathhouses, laundry facilities, and a camp store may be provided, for the use of campground users only, which may sell camping supplies, e.g., food, ice, personal supplies, etc.
2. Recreational uses such as walking trails, lakes, swimming pools, and game rooms.
3. A house or manufactured home may be located within the campground for the owner, manager, or caretaker of the campground.

J. PHASING

1. When a campground is to be developed in phases, the proposed plan must be submitted for the entire development, and application for a zoning permit shall be made for each phase and spaces may then be rented upon issuance of the building permit.
2. The first phase shall include no less than three spaces, NCDOT required or other applicable utilities and infrastructure shall be installed.

K. PROHIBITED ACTIVITIES

1. Storage of recreational vehicles, cars, boats, lumber, or other construction materials is prohibited.
2. No recreational vehicle site shall be used as a permanent residence.
3. No tent or recreational vehicle shall remain at the campground for more than 30 continuous days within a 60-day period.
4. Selling of individual campsites are prohibited.
5. Room additions and porches are not allowed in campsite spaces.
6. Any action toward removal of wheels of an recreational vehicle is prohibited.

L. SUPPLEMENTAL

The owner shall submit the facility's emergency action plan as deemed necessary by the Moore County Department of Public Safety.

SECTION 8.24. CAMP, RECREATIONAL DAY

A. DEFINITION

Land located on a minimum 20 acres that provides low impact daytime activities for more than nine individuals and where the activities predominantly occur in supervised groups for recreational, religious, and/or educational purposes, including but not limited to daytime retreat events for children, work groups,

organizations, or families. Active recreational uses may include, but are not limited to outdoor archery, ziplines, swimming pools, and low impact obstacle courses.

B. STANDARDS

1. All buildings and active recreational uses shall be constructed a minimum of 50 feet from any residentially zoned lot.
2. Such uses shall provide at least one off-street parking space for each employee plus one parking space for every four participants at maximum occupancy.

SECTION 8.25. CAR WASH OR AUTO DETAILING**A. DEFINITION**

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, using production line method or, water, equipment, or soap for the complete or partial hand washing of automobiles, whether washing is performed by the operator or by the customer.

B. STANDARDS

1. Car wash and auto detailing uses shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements, as illustrated on the site plan.
2. Such uses shall provide at least one off-street parking space per bay or washing station.

SECTION 8.26. CEMETERY OR MAUSOLEUM, COMMERCIAL**A. DEFINITION**

A place used or to be used and dedicated or designated for earth interments of human remains.

B. STANDARDS

1. The minimum yard required for all in ground interment plots is 10 feet and above ground interment facilities and any buildings shall conform to principal building setbacks.
2. Such uses shall provide at least one off-street parking space for each employee.

SECTION 8.27. CEMETERY, FAMILY**A. DEFINITION**

Privately-owned family place used or to be used and dedicated or designated for earth interments of human remains.

B. STANDARDS

The development must meet all applicable environmental health regulations for wells and septic tanks.

SECTION 8.28. CHILD CARE FACILITY**A. DEFINITION**

A child day care facility includes a program or arrangement where, at any one time, three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of a minimum once per week for more than four hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption, in accordance with NCGS 110-86.

B. STANDARDS

1. The size of the outdoor activity or play areas shall be installed as required by the NC Department of Health & Human Services before the Certificate of Occupancy is issued.
2. The facility shall have ingress and egress directly onto a public street and shall provide entrance to and exit from the property without backing onto the street right-of-way.

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SECTION 8.29. CHILD CARE HOME FACILITY

3. Child care facilities shall provide at least one off-street parking space for each employee plus one parking space for every five students.
4. State licensure is required before a Certificate of Occupancy is issued.

SECTION 8.29. CHILD CARE HOME FACILITY

A. DEFINITION

1. A child care home facility is a child care arrangement located in a residence where child care is provided in accordance with NCGS 110-91 (7) b.
2. The number of children present at any one time in a family child care home, will be in accordance with NCGS 110-86(3)b and 91(7) b.

B. CHILD CARE IN A MANUFACTURED HOME

1. The home shall have underpinning consisting of a brick curtain wall or have galvanized metal sheeting, ABS, or PVC plastic color skirting with interlocking edges, installed around the perimeter of the home.
2. Skirting shall be in good condition and unpierced except for ventilation and access.
3. Singlewide manufactured homes are limited to a maximum of three preschool-age children where not more than two children may be two years of age or less and two school-age children.

C. STANDARDS

1. The child care provider shall live in the residence full-time.
2. Each play space shall be enclosed by a chain link or solid fence at least four feet high.
3. Such uses shall provide at least one off-street parking space for each employee plus at least one parking space for every five students.
4. State licensure is required before a Certificate of Occupancy is issued.

SECTION 8.30. CIVIC / SOCIAL CLUB, LODGE, & ORGANIZATION (PRIVATE NON-PROFIT)

A. DEFINITION

A nonprofit organization whose members holds regular indoor meetings and pay dues, and that may maintain dining facilities and serve alcohol, provided it is secondary to the common objective of the organization and is in compliance with applicable local, State, and federal laws, for the enjoyment of dues paying members and their guests. This definition shall not include dance clubs or night clubs.

B. STANDARDS

1. No sleeping facilities are permitted.
2. Such uses shall provide at least one off-street parking space for every four seats in the assembly room(s), plus one parking space per every employee, or one parking space for every four persons at full occupancy, whichever is greater.

SECTION 8.31. COLLEGES, BUSINESS & TRADE SCHOOLS

A. DEFINITION

An institution that provides full-time or part-time education beyond high school.

B. STANDARDS

Such uses shall provide at least:

1. One off-street parking space for every six students based upon the maximum number attending classes at any one time;
2. One off-street parking space for each administrative office; and
3. One off-street parking space for each professor.

SECTION 8.32. COMMERCIAL TRUCK WASH

A. DEFINITION

The use of a site for the washing, waxing, and vacuuming of heavy equipment, trucks, and buses.

B. STANDARDS

Commercial truck wash uses shall provide off-street parking in accordance with the standards for a car wash or auto detailing use.

SECTION 8.33. COMMISSARY KITCHEN**A. DEFINITION**

An establishment operated under permit from the Moore County Environmental Health Department where food is stored, prepared, portioned, or packaged, or any combination of these, where such food is intended for consumption at another establishment or place. It may also include a food establishment that services a mobile food unit or a pushcart.

B. STANDARDS

1. No food shall be consumed or sold at the site unless associated with a permitted restaurant or other use that allows the consumption or sale of food.
2. The establishment shall obtain all applicable permits from the Moore County Environmental Health Department before a zoning permit is issued.

SECTION 8.34. CONSTRUCTION OFFICE, TEMPORARY**A. DEFINITION**

Construction trailers and storage of materials are permitted in conjunction with the construction of a building, subdivision, infrastructure, or development when limited to the duration of the construction.

B. STANDARDS

1. Such temporary buildings shall be removed after construction ceases for a period of three months or 30 days after the issuance of the certificate of occupancy.
2. Such use shall be located a minimum 10 feet off all road rights-of-way and property lines in a residential district.
3. In all other districts the office may be placed in any required setbacks.
4. Temporary uses shall comply with all other appropriate provisions of this Chapter and the State Building Code.

SECTION 8.35. CONTRACTORS STORAGE YARD AND OFFICE**A. DEFINITION**

An establishment used for the repair, maintenance, or storage of a contractor's vehicles, equipment, or materials and in which may maintain include accessory offices and workshops related to such activities, including but not limited to a construction contractor, welder, earth moving contractor, or mulching business.

B. STANDARDS

1. All storage buildings and outdoor storage areas shall be located a minimum 50 feet from any residentially zoned property line.
2. Such uses shall provide at least one off-street parking space per employee and one parking space for each 300 square of office space.

SECTION 8.36. CONVENIENCE STORE

A. DEFINITION

1. A small retail establishment (principal use) that may be in a rural area, designed and stocked to sell primarily food, ice cream, beverages, other household supplies, locally grown produce, gardening supplies, fishing tackle, and the similar items to customers who purchase only a relatively few items.
2. Refer to "Vehicle Service Stations" for convenience stores associated with gas stations.

B. STANDARDS

1. A small grill or restaurant may be permitted within the building as an accessory use.
2. Off-street parking shall be provided at a rate of at least one parking space for every 150 square feet of gross floor area, minus storage areas.

SECTION 8.37. CREMATORIUM FACILITY**A. DEFINITION**

A facility containing furnaces for the reduction of dead bodies to ashes by fire.

B. PARKING

Crematoria shall provide at least one off-street parking space for every three employees on the largest shift.

SECTION 8.38. DANCE CLUB, NIGHT CLUB, BILLIARD**A. DEFINITION**

An establishment that stays open after 10:00 PM on weekends or on more than an occasional basis, that offers food and beverages, including alcoholic beverages to persons 21 years of age and older, in conjunction with dancing or live performances, and which sets a minimum age requirement for entrance.

B. STANDARDS

Such uses shall be subject to the standards applicable to an adult gaming establishment.

SECTION 8.39. DEBRIS MANAGEMENT FACILITIES**A. DEFINITIONS****1. COMPOST FACILITY**

A facility which utilizes a controlled biological process of degrading non-hazardous solid waste. This definition does not include backyard composting, accessory uses to a bona fide farm, farming and silvicultural operations.

2. YARD WASTE FACILITY

A facility which stores or processes yard trash and land clearing debris. "Yard trash" is a solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, and similar vegetative material. "Land-clearing debris" is solid waste generated solely from land-clearing activities, including stumps, limbs, leaves, grass, and untreated wood.

3. LAND CLEARING AND INERT DEBRIS LANDFILL (LCID)

A facility for the disposal of land clearing waste, concrete, asphalt, brick, concrete block, uncontaminated soil, gravel, rock, untreated/unpainted wood, and yard trash that is buried on-site.

4. MULCHING FACILITY

A facility that processes, distributes, or otherwise engages in the commercial sale of mulch and ancillary mulching products. Not to include landscaping businesses, woodworking shops, lumber manufacturing or wood products or pine straw lots. Mulch is any material such as leaves, bark, chipped and/or grounded wood or other organic materials left loose and applied to the soil surface to reduce evaporation.

5. CONCRETE RECYCLING FACILITY

A facility that deals with the processing (crushing, sorting, storing, stockpiling, grading, and washing) of hardened structural concrete to produce a reusable concrete product.

6. SAWMILLS

A facility where logs are processed to produce wood products, including pallet recycling and production, and not including the processing of timber for use on the same lot by the owner or resident of that lot.

B. STANDARDS**1. GENERALLY**

- i. Facilities shall be in accordance with Chapter 130A Article 9 of the North Carolina General Statutes, Title 15A Subchapter 13B of the North Carolina Administrative Code (Solid Waste Management).
- ii. All buildings, storage sheds, structures and parking or storage areas for vehicles, equipment, or supplies shall be set back from all property lines and public rights-of-way a minimum 30 feet or the building setbacks for the underlying zoning district, or as required by the North Carolina Department of Environmental Quality, whichever is greater.
- iii. Such uses shall provide at least one off-street parking space for each employee plus one parking space for each vehicle used in the operation.
- iv. Dust, dirt, and sawdust shall be disposed of in a manner that is acceptable by the North Carolina Department of Environmental Quality.
- v. The owner(s) shall ensure the facility remains in compliance with local, State, and federal regulations regarding air and water quality.

2. ADDITIONAL STANDARDS FOR YARD WASTE FACILITIES

- i. This facility is limited to two acres or 6,000 cubic yards per every three-month period.
- ii. Debris shall not be buried and the facility may not be used to stockpile material.
- iii. No less than 75% of material received must be removed within the same year.

3. ADDITIONAL STANDARDS FOR CONCRETE RECYCLING FACILITIES

Beginning on January 1st of each calendar year, a minimum of 75% by weight or volume of the recovered material stored at a facility shall be removed from the facility through sale, use, or reuse by December 31st of the same calendar year.

SECTION 8.40. DISTILLERY**A. DEFINITION**

A legal establishment for the manufacture, blending, fermentation, processing and packaging of distilled alcohol spirits (including but not limited to rum, vodka, and whiskey). Such facility does not provide on-site retail sales or samples and must comply with all Alcohol Beverage Control Commission (ABC) laws and permits.

B. PARKING

A distillery shall provide at least one off-street parking space for every four people at full capacity.

SECTION 8.41. DROP-IN CHILD CARE FACILITY**A. DEFINITION**

In accordance with NCGS 110- 86(2)(d)(d1), drop-in or short-term child care provided while parents participate in activities that are not employment related and where the parents are on the premises or otherwise easily accessible, such as drop-in or short-term care provided in health spas, bowling alleys, shopping malls, resort hotels, or churches. Drop-in or short-term child care can also be provided by an employer for its part-time employees where the child is provided care not to exceed 2 ½ hours during that day, the parents are on the premises, and there are no more than 25 children in any one group in any one room.

SECTION 8.42. DRY CLEANING AND LAUNDROMAT**A. DEFINITION**

1. Dry cleaning is a business which launders or dry cleans clothes dropped off on the property by the customer or a location to pickup and drop-off items to be laundered or dry cleaned.
2. Laundromat is a facility where patrons wash or dry clothing or other fabrics in machines operated by the patron.

B. PARKING

Off-street parking spaces shall be provided at a rate of at least one space per every three washing machines plus one space for every employee on the largest shift.

SECTION 8.43. DWELLING, DUPLEX**A. DEFINITION**

A residential building originally designed for two dwellings of two separate families living independently of each other. Each unit is completely separate from the other by a wall extending from the ground to the roof.

B. STANDARDS

1. Up to one duplex dwelling (consisting of two separate housing units) shall be permitted per lot.
2. More than one duplex per lot may only be approved as a multi-family dwelling (three or more units per lot).
3. At least one off-street parking space is required for each individual housing unit in a duplex.

SECTION 8.44. DWELLING, SINGLE FAMILY**A. DEFINITION**

A detached dwelling unit containing sleeping, kitchen, and bathroom facilities constructed in accordance with the standards set forth in the NC Building Code, used as a permanent residence by one family.

B. PARKING

At least one off-street parking space is required for each dwelling.

C. PROHIBITED ACTIVITIES

Permanent single-family dwellings shall not include a travel trailer, park model, recreational vehicle, motel, hotel, or other buildings designed for transient residence unless specified elsewhere in this Ordinance.

SECTION 8.45. EQUESTRIAN COTTAGE**A. DEFINITION**

Equestrian cottages provide accommodations for visitors, with equestrian needs, to the "Horse Country" area of Moore County.

B. STANDARDS

1. Accommodations for the cottage may be offered for a period of less than 30 days per any 60-day period.
2. Cottages shall not include manufactured homes.
3. There shall be no more than two cottages per property with the exception of a third unit if the property is comprised of at least 11 acres of land.
4. The permanent residence of the owner or the manager of the business may also be located on the property but shall be counted as one of the total units permitted.
5. Facilities related to the horse industry such as horse pastures, trails, run in sheds, barns, and stables may be permitted as accessory use.

SECTION 8.46. FAMILY CARE HOME

A. STANDARDS

1. A maximum of six handicapped persons, as defined by NCGS 168-21(2), may occupy a family care home.
2. A family care home shall be in a building designated and constructed as a single-family dwelling.

B. MINIMUM SEPARATION

in accordance with NCGS 168-22, a family care home may not be located within 1/2 mile of another family care home as measured by a straight line distance, from property line to property line. It shall be the responsibility of the applicant to supply such information.

C. RESIDENTS RESTRICTED

The term "handicapped" does not include the following:

1. Mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b;
2. Those who present a direct threat to other people or to the property of others;
3. Persons receiving treatment for illegal use of a controlled substance in accordance with 42 U.S.C. GS 3601-3631;
4. Persons convicted of the illegal manufacture or distribution of a controlled substance;
5. Sex offenders;
6. Halfway home for homeless people; or
7. Children from juvenile court or juvenile offenders.

SECTION 8.47. FEED AND SEED SALES**A. DEFINITION**

An establishment engaged in retail sales of primarily agricultural products, related to the day-to-day activities of agricultural production, lawn furniture, including the bulk storage of fertilizers and related agrichemicals subject to the NC Fire Prevention Code.

B. PARKING

Feed and seed sales uses shall provide at least one off-street parking space for every 150 square feet of gross floor area, minus storage areas.

SECTION 8.48. FLEA MARKET**A. DEFINITION**

1. A building or open area in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old obsolete, or antique, and may include the selling of new or used goods at retail by businesses or individuals who are generally engaged in retail trade.
2. Residential yard sale is a separate definition.

B. STANDARDS

1. All outdoor display tables and/or racks, tents, tarps, shelters, coverings of any type, or vehicles used shall be removed within 72 hours from the time of opening unless otherwise approved by the Board of Commissioners.
2. All outside retail areas shall be a minimum of 30 feet from any residentially zoned property line.
3. All items shall be stored indoors when the flea market is not open for business or removed from the site at the close of each business day.
4. Flea markets shall provide at least one off-street parking space for every 300 square feet of gross floor area, minus storage areas.
5. Sales involving fruits, vegetables, and other eatable items shall be permitted through the Moore County Department of Environmental Health.
6. Sale or trade of exotic, domestic, or farm animals shall be prohibited.

7. Any buildings or structures shall meet the current NC Building Code.
8. Tents of 700 square feet or more in size and tents 400 square feet with wall enclosures shall be approved by the Moore County Department of Public Safety.
9. Flea markets not contained within a fully-enclosed building in the B-2 zoning district shall obtain a special use permit (see Chapter 12).

SECTION 8.49. FLORIST**A. DEFINITION**

A retail business whose principal activity is the selling of plants which are not grown on the site and conducting business within an enclosed building.

B. PARKING

Florist uses shall provide at least one off-street parking space for every 150 square feet of gross floor area, minus storage areas.

SECTION 8.50. FREIGHT TERMINALS**A. DEFINITION**

1. A facility designated for the loading, unloading, and transshipment of goods from and to trains or other modes of transportation.

B. STANDARDS

1. All structures, loading areas, parking areas, outdoor storage, and staging areas shall be located a minimum of 100 feet from any residentially zoned property line, and meet the industrial zoning district setbacks from any non-residentially zoned property lines.
2. The use shall be screened using type 3 screening along residentially zoned property lines and type 2 screening along any non-residentially zoned property lines. Wherever security fencing or type 1 screening is desired, it shall be placed on the interior side of the vegetative buffer.
3. Such uses shall provide at least 1 parking space for each employee plus one parking space for each vehicle used in the operation.
4. Truck terminals shall be located on or directly accessible to a major roadway as listed in the adopted Comprehensive Transportation Plan.

SECTION 8.51. FUNERAL HOME**A. DEFINITION**

An establishment that provides human funeral services, including embalming and memorial services. Accessory uses may include a crematorium.

B. STANDARDS

A funeral home shall provide at least one off-street parking space for every four seats in the chapel or parlor, plus one parking space for each funeral vehicle, plus one parking space for each employee.

SECTION 8.52. GARDEN CENTER**A. DEFINITION**

1. A place of business where retail and wholesale products and produce are sold to the consumer.
2. Garden centers may include a nursery and/or greenhouses, import most of the plants sold, nursery products and stock, potting soil, garden tools, and lawn furniture.

B. PARKING

Garden centers shall provide at least one off-street parking space for each employee.

SECTION 8.53. GOLF COURSES (INCLUDING PAR 3)**A. DEFINITION**

A tract of land laid out for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse and shelters as accessory uses. This definition does not include miniature golf.

B. STANDARDS

1. No maintenance building or clubhouse shall be closer than 50 feet from any residentially zoned property line.
2. Golf courses shall provide at least four off-street parking spaces for each hole.

SECTION 8.54. GOLF DRIVING RANGE**A. DEFINITION**

A limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee.

B. STANDARDS

1. Driving ranges shall have a minimum depth of 1,000 feet from the tees to the end of the driving area or the end shall be controlled with netting and/or berms to prevent golf balls from leaving the property.
2. No maintenance building or clubhouse shall be closer than 50 feet from any residentially zoned property line.
3. Golf driving ranges shall provide at least two off-street parking spaces for each tee.

SECTION 8.55. GOVERNMENT FACILITY**A. DEFINITION**

A building or land use owned, operated, or occupied by a local, state, or federal governmental agency to provide a governmental service to the immediate area and needs of the County's citizens. Examples include, but are not limited to, emergency service facilities, county offices, county utilities, county solid waste convenience site, libraries, post offices, employment offices, public assistance offices, vehicle registration and licensing services, and public recreational facilities, open space, and parks.

A convenience site is a small county-maintained facility, typically a satellite location, provided for convenience to citizens, used for the collection, separation, and short-term storage of waste, recyclables, and/or hazardous materials.

B. PARKING

Government facilities shall provide at least one off-street parking space per employee and one parking space for every four seats provided for patron use.

SECTION 8.56. GROUP CARE FACILITY**A. DEFINITION**

An inpatient facility which provides supervision, medical care, behavioral and rehabilitation services, counseling, and may include outpatient follow-up care, for juveniles or adults including, but not limited to the mental or physically disabled, runaways, persons addicted to drugs, children undergoing rehabilitation or extended care, or battered spouses. This definition includes the terms homeless shelters, group homes for ex-convicts, halfway/transitional houses, boarding homes for children, psychiatric facilities, and drug and alcohol rehabilitation facilities.

B. STANDARDS

1. Facilities including halfway/transitional houses, homeless shelters, psychiatric facilities, or facilities serving individuals with drug addictions or prior criminal conduct shall be in accordance with the table of uses (Chapter 6).
2. A minimum habitable floor space of 100 square feet shall be provided for each individual in the facility.
3. Each group care facility shall provide at least one parking space per every two beds plus one space for each employee on the largest shift.

C. SUPPLEMENTAL REQUIREMENTS

The applicant shall submit a security plan outlining management, on-site supervision, security provisions, maximum occupancy, crime prevention, alcohol, and drug use policies.

SECTION 8.57. HAZARDOUS/TOXIC WASTE DISPOSAL OR PROCESSING**A. DEFINITION**

As defined in NCGS Chapter 9 of Chapter 130A, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste including any substance listed as such in SARA Section 302 Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances). This category includes manufacturing uses associated with hazardous characteristics or significant negative impacts, including frequent noxious fumes, dust, significant amounts of caustic or flammable materials, or radioactive materials. Examples of use types of hazardous manufacturing include oil refineries; hazardous or radioactive waste disposal or storage, linseed oil, shellac, turpentine manufacture or refining; ammonia, bleaching powder or chlorine processing; and manufacture of chemicals; storage in bulk quantities above or below ground of flammable and combustible liquids, hazardous substances as provided in N.C.G.S. 143-215.77A, Chapter 18 of Chapter 95 and hazardous chemicals as provided in N.C.G.S. 95-174 but not storage at gasoline service stations in quantities for retail sales to the general public not storage for consumption on the premise.

B. STANDARDS

1. Any building or land used for hazardous/toxic waste disposal or processing shall be located a minimum 100 feet from any property used or zoned for residential purposes and any street right-of-way.
2. Type 3 screening (see Section 7.11) shall be provided along any boundary with another property not zoned industrial.
3. Proposed mitigation and hazard management plans shall be provided with the submittal of the preliminary site plan. The applicant shall provide a hazard management plan approved by local emergency service agencies addressing hazards associated with movement of materials to or finished products from the site and shall provide for public safety and for mitigation of negative impacts that may include but are not limited to noise, odor, dust, chemicals, excessive vibration, and plans for public notifications and evacuations as may be necessary in the surrounding area.
4. Such uses shall provide at least three off-street parking spaces for every four employees on the largest shift plus one parking space for each vehicle used in the operation.

C. SUPPLEMENTAL REQUIREMENTS

1. Documentation regarding the specific materials to be manufactured or stored and the potential hazard which may be encountered in an emergency due to these materials must be provided with required application.
2. Buildings must meet all requirements for Hazardous Occupancy under the NC Building Code.
3. All storage facilities shall comply with the latest edition of the "Flammable and Combustible Liquids Code, NFPA 30" of the National Fire Protection Association.

SECTION 8.58. HOME OCCUPATION, LEVEL 1

A. DEFINITION

Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the single-family dwelling.

B. STANDARDS

1. Up to one home occupation shall be permitted per lot.
2. Level 1 Home Occupations shall be limited to a maximum of 25% of 1 floor of the principal building, the entirety of an accessory building, or a combination thereof.
3. The accessory building shall be less than or equal to the square footage of the principal building and shall be located in the rear yard.
4. The operator of the home occupation must reside on the same lot.
5. Only one person not a resident of the dwelling may be employed.
6. Home occupations involving instruction, teaching, or training shall be limited to five students or participants at one time.
7. Signage shall be limited to one sign of up to four square feet in area.
8. At least one off-street parking space is required for a home occupation in addition to residence requirements.
9. The following uses are those that have been determined to be suitable as a Level 1 Home Occupation:
 - i. Beauty / Barber Shop / Nail Salon;
 - ii. Commissary Kitchen;
 - iii. Office (no licensed medical office);
 - iv. Produce Stand;
 - v. Small Appliance Repair Shop (no outdoor storage); or
 - vi. Trade Contractor Office and Workshop (no outdoor storage).
10. Any use that exceeds one or more of the standards in this section shall be considered a Level 2 Home Occupation.

C. PROHIBITED ACTIVITY

1. No element of any home occupation may create odors, light, noises, or interference in radio or television reception detectable to adjoining properties.
2. No outside, window, or any other display of products is permitted.
3. No outside storage shall be used in connection with the home occupation.

D. EXEMPTION

1. Home occupation activities consisting of all of the following attributes are exempted from zoning permit requirements:
 - i. The activity uses no more than one room within the dwelling for no more than one computer or one desk-type activity;
 - ii. It does not include any signage or display of products;
 - iii. It does not typically generate more traffic volume beyond one customer per day; and
 - iv. Is limited to no more two residents of the dwelling who are employed in connection with the home occupation.
2. Examples may include online sales businesses (jewelry making or embroidery), tax preparer, or scrapbooking.

SECTION 8.59. HOME OCCUPATION, LEVEL 2

A. DEFINITION

Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the single-family dwelling. Level 2 Home Occupations are of a more intensive nature due to the types of uses operated.

B. STANDARDS

1. Up to one home occupation may be permitted per lot.
2. Level 2 Home Occupations shall be limited to a maximum of 50% of the gross floor area of the principal building, the entirety of an accessory building, or a combination thereof.
3. The operator of the home occupation must reside on the same lot as the operation.
4. More than one individual who is not a resident of the dwelling may be employed.
5. The specific use to be operated as the home occupation must comply with the specific use's standards, signage, parking, outdoor storage, screening, and other applicable regulations.
6. The following uses are those that have been determined to be suitable as a Level 2 Home Occupation:
 - i. Animal Shelters;
 - ii. Kennels, Overnight;
 - iii. Pet Day Care, Grooming, Obedience Training;
 - iv. Small Appliance Repair Shop (may include outdoor storage);
 - v. Trade Contractor Office and Workshop (may include outdoor storage);
 - vi. Feed and Seed Sales;
 - vii. Florist;
 - viii. Garden Center;
 - ix. Taxi Service;
 - x. Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, Service;
 - xi. Child Care Facility (for accessory buildings only);
 - xii. Recreation, Low Impact Outdoor; and
 - xiii. Commissary Kitchen.

C. PROHIBITED

No element of any home occupation may create odors, light, noises or interference in radio or television reception detectable to adjoining properties. No outside, window or any other display of products.

SECTION 8.60. HOSPITAL**A. DEFINITION**

An institution providing human health services primarily for in-patient medical and surgical care for the physically or mentally sick and injured and including related support facilities such as laboratories, out-patient departments, staff offices, food services, and gift shop.

B. STANDARDS

Hospitals shall provide at least one off-street parking space per every three patient beds, plus one parking space for each staff or visiting doctor, plus one parking space for every two employees on shift of average greatest employment.

SECTION 8.61. HOTEL AND MOTEL**A. DEFINITION**

Building(s) containing sleeping accommodations and providing a temporary abode of persons who have their residences elsewhere.

B. STANDARDS

1. All buildings, outdoor recreational activities such as swimming pools, and parking shall be located a minimum 50 feet from any residentially zoned property line.
2. Off-street parking spaces shall be provided at rate of at least one parking space per room plus one parking space per employee on a normal shift.

SECTION 8.62. ITINERANT MERCHANT**A. DEFINITION**

The temporary sales of merchandise and/or food on premises which the vendor does not have a permanent retail operation.

B. STANDARDS

1. The owner of the property shall authorize, in writing, the temporary use to be held on the property.
2. The temporary use shall be located so that it does not encroach on required setbacks or street right-of-way.
3. The use may be permitted for a maximum of 90 consecutive days.
4. These restrictions shall not be applicable to special events recognized by the County where mobile food vendors are permitted or nonprofit fundraising events of five or fewer days.
5. A maximum of one building/display booth shall be allowed.
6. The building/display booth must be portable and completely removed when the use ends or is removed.
7. Sales shall be limited to the daylight hours.

C. SUPPLEMENTAL REQUIREMENTS

1. Itinerant merchants are exempt from the Highway Corridor Overlay district standards, screening requirements, and off-street parking requirements of this Ordinance.
2. NCDOT driveway approval is required.
3. Portable food sales shall be approved by the Moore County Department of Environmental Health.

SECTION 8.63. KENNELS, OVERNIGHT**A. DEFINITION**

A facility where dogs, cats, or other domestic animals are trained, boarded, bred, or raised for compensation. Such a facility may have an indoor and outdoor component. Such a facility may have an indoor and outdoor component.

B. STANDARDS

An overnight kennel facility shall comply with the standards for an animal shelter.

SECTION 8.64. LAND CLEARING AND SAWMILLS, TEMPORARY**A. DEFINITION**

Removal of stumps, limbs, leaves, concrete block, brick, rock, gravel, wood, and uncontaminated earth.

B. SUPPLEMENTAL

Temporary land clearing is exempt from zoning standards but may require approval by the NC Department of Environmental Quality for projects that require a sedimentation and erosion control plan or resulting in the disturbance of one acre or more of land area, the US Army Corp of Engineers for projects requiring 404 Permits for the discharge of fill material into streams, wetlands and open waters, and by the NC Division of Water Resources (DWR) for projects requiring 401 water quality certification which are required for any licensed activity that may result in a discharge to waters of the U.S.

SECTION 8.65. LANDFILL

A. DEFINITIONS**1. MUNICIPAL SOLID WASTE MANAGEMENT FACILITY (MSWF)**

A facility that receives municipal solid waste for processing, treatment, or disposal but does not accept hazardous waste, sludge, industrial waste, and/or solid waste from mining or agricultural operations.

2. CONSTRUCTION AND DEMOLITION LANDFILL FACILITY (C&DLF)

A facility that receives construction, remodeling, repair, and/or demolition waste for burial. C&D waste does not include yard waste, municipal, and/or industrial wastes.

3. INDUSTRIAL SOLID WASTE LANDFILL

A facility that receives solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of Resource Conservation and Recovery Act.

4. MATERIAL RECOVERY FACILITY

A facility that receives non-hazardous solid waste which is collected, separated, processed, and/or reused or returned to use in the form of raw materials or products.

B. STANDARDS**1. GENERALLY**

- A. Facilities shall be in accordance with Chapter 130A Article 9 of the North Carolina General Statutes, Title 15A Subchapter 13B of the North Carolina Administrative Code (Solid Waste Management).
- B. Except for a freestanding office, all buildings shall be located a minimum 100 feet from any property used or zoned for residential purposes and any street right-of-way.
- C. The use shall be totally enclosed by a security fence with a minimum height of six feet and topped with 3-strand barbed wire or razor wire.
- D. Type 3 screening (see Section 7.11) shall be installed around the entire perimeter, including street right-of-way lines.
- E. Such uses shall provide at least three off-street parking spaces for every four employees on the largest shift plus one parking space for every vehicle used in the operation.

2. ADDITIONAL STANDARDS FOR MATERIAL RECOVERY FACILITIES

Beginning on January 1st of each calendar year, a minimum of 75% by weight or volume of the recovered material stored at a facility shall be removed from the facility through sale, use, or reuse by December 31st of the same calendar year.

C. SUPPLEMENTAL REQUIREMENTS

The applicant shall demonstrate that the stored materials will not pose a danger to surrounding properties, or residents, due to noise, light, runoff, animal or insect populations, or other factors.

SECTION 8.66. MANUFACTURED HOME**A. DEFINITION**

A factory built single-family dwelling, which is manufactured under the authority of the Federal Manufactured Home Construction and Safety Standards Act of 1976.

B. STANDARDS

1. A building permit shall be issued prior to expiration of a zoning permit.
2. Before a certificate of occupancy is issued, all manufactured homes shall have either a solid foundation or skirting that fully encloses the crawl space and all utilities per NC Building code.

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.67. MANUFACTURED HOME PARK

3. All manufactured homes placed or located on any lot, if constructed after June 15, 1976 must display the HUD label indicating that the unit meets or exceeds the construction standards approved by the U.S. Department of Housing and Urban Development.
4. A manufactured home that was constructed prior to June 15, 1976 that is already located within Moore County may be moved within the County provided all permits are obtained for set-up.

C. PROHIBITED

No manufactured home (mobile home, trailer, manufactured office, etc.) shall be used in any manner for storage (personal or commercial), business or commercial purposes except when used for a sales office on a manufactured home sales lot, an administrative office for a manufactured home park, or for a temporary use approved by the Administrator.

SECTION 8.67. MANUFACTURED HOME PARK

A. DEFINITION

A parcel of land, with single control or ownership, designed and improved for three or more individual spaces that are leased for the placement of manufactured homes as a primary residence. Where properly regulated and located, manufactured home parks address the public need for alternative housing and achieve a satisfactory relationship to adjoining and nearby property.

B. EXISTING MANUFACTURED HOME PARKS

Removal and replacement of units on existing lots or spaces, existing at the time of adoption of this Ordinance, are permitted.

C. LOT LAYOUT

The lot layout within a manufactured home park shall be in accordance with the following table:

MANUFACTURED HOME PARK LAYOUT	
FEATURE	REQUIREMENT
Minimum Property Size	3 acres
Maximum Density	2 units per acre
Peripheral Buffer including any ROW	Type 3 Screening (see Section 7.11)
Minimum Street Frontage	100 feet
Minimum Home Space Size	10,000 square feet
Off-Street Parking	Each home space shall have 2 parking spaces

D. SITE PLAN

1. A site plan depicting the proposed general design and arrangement of uses and buildings shall be prepared by a licensed engineer, architect, or surveyor.
2. The site plan shall be submitted and reviewed in accordance with Chapter 4.
3. The following features shall be depicted on the site plan:
 - i. Lighting plan;
 - ii. Streets;
 - iii. Peripheral buffer;
 - iv. Home spaces;
 - v. Phase lines; and
 - vi. Land contours.

E. LIGHTING

Adequate lighting for the safe movement of vehicles and pedestrians at night shall be provided for all common areas, streets, walkways, and dead-end streets.

F. UTILITIES

1. All utilities shall be located underground.
2. There shall be easements dedicated for utilities including, but not limited to water, sewer, gas, and electrical as shown on the site plan.
3. For parks with more than 20 units, public water or wastewater shall be provided.
4. All water and sewage facilities shall be designed and installed according to the standards of the Moore County Department of Public Works, Department of Environmental Health, and NC Department of Environmental Quality.

G. STREETS

1. All roadways within a park shall be located outside of the home space.
2. No space shall have direct access to a public street.
3. A park having five or more spaces shall have paved roadways designed and constructed in compliance with NCDOT's Subdivision Roads Minimum Construction Standards as certified by a professional NC Engineer.
4. Unpaved roadways shall be graveled to a minimum width of 20 feet, depth of four inches, with a minimum vertical clearance of 13 feet six inches for accessibility by service and emergency vehicles before a Certificate of Occupancy is issued.
5. All dead-end roadways shall be provided with a turn-around (see Section 18.7).
6. Permanent roadway name signs and stop signs shall be installed at intersections to all internal roadways.
7. Maintenance of all internal streets and corresponding drainage facilities shall be the responsibility of the owner(s) of the park.

H. OPERATIONAL ACCESSORY USES

Customary accessory uses provided by the property owner, shall be only for the use of park tenants, and shall not have direct access to a public road, but shall abut the internal roadway, including laundry facilities, sanitation, vending machines, recreation buildings and areas, and similar uses.

I. ADMINISTRATIVE OFFICE

Administrative office may be located in a manufactured home which is used as a residence by the resident manager.

J. STORAGE BUILDINGS

Each manufactured home lot may be equipped with a storage building located to the rear of the manufactured home.

K. PHASING

When a park is to be developed in phases, the proposed plan must be submitted for the entire development, and application for a zoning permit shall be made for each phase and spaces may then be rented upon issuance of the building permit.

L. OCCUPANCY

1. No building permits shall be issued until the park has completed construction per the approved site plan.
2. In addition, the following shall be complete before a building permit for a manufacture home or accessory building is issued, as approved by the Administrator:
 - i. There shall be a minimum of three improved manufactured home spaces at first occupancy.
 - ii. The entrance either abuts an NCDOT street or shall be constructed pursuant to NCDOT's Subdivision Roads Minimum Construction Standards Manual before a building permit is issued.

- iii. Site inspection by all applicable departments and agencies.

SECTION 8.68. MANUFACTURED HOME SALES

A. DEFINITION

An establishment devoted to the retail sales of new or used manufactured homes, modular homes, and storage buildings.

B. STANDARDS

1. The display area shall be set back a minimum of 20 feet from the street right-of-way and 10 feet from all other property lines.
2. Such uses shall provide at least five off-street parking spaces per employee.

SECTION 8.69. MANUFACTURED HOME OR RECREATIONAL VEHICLE, TEMPORARY USE

A. DEFINITION

Temporary manufactured home or RV in conjunction with major renovation, construction of a single family or manufactured dwelling, or due to casualty damage.

B. STANDARDS

1. A temporary dwelling may be permitted concurrently with or after the issuance of the building permit for the principal dwelling for up to 12 months, which may be extended once by the Administrator for an additional six months.
2. Upon expiration of the eighteen-month period identified above, the expiration of the building permit for the dwelling, or within 30 days of the certificate of occupancy, the temporary permit shall become invalid.
3. In the event of a natural disaster, manufactured homes, RVs, and FEMA trailers may be permitted, including on a separate lot, without a building permit being issued for the damaged home, and may receive multiple extensions beyond the 12 months for the temporary use, as determined necessary by the Administrator.

SECTION 8.70. MANUFACTURING, LIGHT

A. DEFINITION

An establishment or activity primarily engaged in manufacturing, production, assembly and other uses which would not be inherently obnoxious and yield only very minimal heat, noise, odor, smoke, light, vibration, dust, and does not include processing of hazardous gases, chemicals, and materials. Examples may include asphalt / concrete plants, bottling plant, electronic equipment, feed or food processing, furniture, garment, heavy equipment, ice plant, publishing and lithography, small appliance, textile & hosiery mill, research laboratory & development, and related products and uses.

B. PARKING

Light manufacturing uses shall provide at least one off-street parking space for every three employees on the largest shift.

SECTION 8.71. MANUFACTURING, GENERAL

A. DEFINITION

- A. An establishment or activity primarily engaged in manufacturing, production, assembly and other uses having potential to produce heat, noise, odor, smoke, light, vibration, dust, and does not include processing of hazardous gases, chemicals, and materials. Examples may include manufacture or assembly of ammunition, fertilizer, vehicles, petroleum, biodiesel, electric

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.72. MARINA (FUEL SUPPLIES)

power generation plants, lumber mills, planning mills, pulp and paper mills, other wood products, and related products and uses.

B. STANDARDS

1. The site shall be utilized in a manner that shall not pose a hazard off-site, including air and water quality.
2. Documentation regarding the specific materials to be manufactured or stored and the potential hazard which may be encountered in an emergency due to these materials must be provided with required application.
3. All buildings and parking areas shall be located a minimum 50 feet from any residentially zoned property line.
4. All outdoor storage areas shall be located a minimum 100 feet from any residentially zoned property line.
5. The Board of Commissioners shall be authorized to increase this setback if the situation warrants, based on the specific substances that are to be manufactured or stored and in what specific quantities.
6. Manufacturing uses shall provide at least one off-street parking space for every three employees on the largest shift.

SECTION 8.72. MARINA (FUEL SUPPLIES)

A. DEFINITION

A facility where fuel supplies are available for watercraft.

SECTION 8.73. MASSAGE & BODYWORK THERAPY PRACTICE

A. DEFINITION

Any business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios, or massage parlors.

B. STANDARDS

1. Massage therapists shall comply with the standards in Section 9-46 of the Moore County Code of Ordinances.
2. Such uses shall provide at least one off-street parking space for every 150 square feet of building area, minus storage area.

SECTION 8.74. MINI-WAREHOUSE (SELF-SERVICE)

A. DEFINITION

A fully enclosed building divided into units that are leased individually for storage. Storage shall be limited to dead storage. A single caretaker's residence may be included.

B. STANDARDS

1. All outdoor storage areas shall be located a minimum 50 feet from any residentially zoned property line.
2. No business activity other than the rental of storage units shall be conducted on the premises.
3. Outside storage, with the exception of vehicles, recreational vehicles, and boats, shall be limited to 25% of the total area of the site and shall be enclosed by a chain link fence with a minimum height of six feet.
4. In no instance shall there be a more than 10 inoperable vehicles stored outdoors.
5. Mini-warehouse uses shall provide at least one off-street parking space per every 300 square feet.

C. PROHIBITED

1. On-site retail sales, flea market, manufacturing, and service operations are prohibited. However, once a month, the management of a mini-warehouse use may conduct a one-day auction or sale of abandoned or stored materials in accordance with State of North Carolina regulations.
2. The storage of hazardous, toxic, or explosive substances shall be prohibited.

SECTION 8.75. MINING / QUARRY OPERATION

A. DEFINITION

1. A land use meeting any of the following situations:
 - i. The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores or other solid matter;
 - ii. Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location; or
 - iii. The preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial or construction use.
2. Mining does not include:
 - i. Excavation or grading when conducted solely in aid of on-site farming or of on-site construction for purposes other than mining, such as constructing a residence, garage, commercial or industrial building; or
 - ii. Mining operations where the affected land does not exceed 1 acre in area.

B. STANDARDS

1. A vegetative buffer not less than 50 feet in width (unless a lesser width is approved by the Board of Commissioners) shall be provided along all boundaries of the affected land. This buffer area shall be left at all times in a natural vegetative state or planted with a Type 3 landscape buffer (see Section 7.11) that creates a visual screen.
2. Access roads leading to any part of the operation shall be located a minimum of 50 feet from any property line of a residential use or residential zoned district.
3. A plan shall be submitted showing truck routes to and from the site.
4. No digging or excavating shall occur within 50 feet of any property line.
5. The Board of Commissioners may approve an earthen berm(s) of at least six feet in height at the crown of the berm, that may or may not be located within the 50 foot buffer, with slopes sufficient to minimize erosion, planted with vegetation.
6. Such uses shall provide at least three off-street parking spaces for every four employees on the largest shift plus one parking space for each vehicle used in the operation.

C. RESTORATION

Before approval for an excavation use, the operator shall submit a detailed plan for restoration of the site, including information on the anticipated future use of the restored land, existing and proposed final contours, and number per acre of trees or shrubs to be planted.

D. SUPPLEMENTAL

1. Definitions as listed in the NCGS and The Mining Act of 1971, both of North Carolina and as amended, shall apply to this subsection.
2. No site disturbing activities are allowed until a mining permit has been issued by the State of North Carolina.
3. All mining activities in Moore County shall conform to the vibration policy adopted by the Land Quality Section of the North Carolina Department of Environmental Quality.

SECTION 8.76. MOBILE FOOD CAMPUS

A. DEFINITION

The sale of food and beverages by multiple individual mobile food vendors on a single parcel of land that provides shared parking, outdoor dining areas, waste receptacles, and restroom facilities, and that may include a mixture of uses such as mobile retail vendors and recreational vendors or facilities.

B. PERMITTING

1. Prior to construction, the property shall be rezoned to Planned Development Conditional Zoning (PD-CZ) district in accordance with Chapter 11 (Conditional Rezoning), and Section 3.18 (Additional Standards for PD-CZ).
2. The Master Plan shall be reviewed by the appropriate County departments as well as outside agencies such as, but not limited to, NCDOT and NCDEQ. The Master Plan shall be subject to the standards outlined in this section, as well as any additional conditions placed on the application by the Board.
3. Mobile food vendors shall obtain permitting from the County Environmental Health Department where their commissary is located and display such permit on the mobile food structure at all times.

C. OPERATIONS

1. Hours of operation shall be limited to the hours between 7AM and 12AM. If the Mobile Food Campus is located within 200 feet of a residential zoning district or building used for single-family or two-family dwelling, the hours of operation shall be limited to between 7AM and 10PM.
2. All vendors and accessory uses/structures shall be located a minimum of 100 feet from any dwelling in an adjacent residential district.
3. Mobile vendor vehicles, including those associated with mobile food vendors and/or mobile retail or recreational vendors, may remain on-site overnight for storage, but shall only be permitted to do so if operating on-site a minimum of four (4) consecutive days per week. Mobile food campuses shall not be utilized to permanently store mobile vendor vehicles that are not in use as an active vendor on the campus. Active use is described as operating a minimum of four (4) consecutive days per week on-site.
4. Mobile Food Campuses may be permitted as Commissary Kitchens, provided they meet the specific use standards in Section 8.33, and they obtain all applicable permits from the Moore County Environmental Health Department.
5. Mobile Food Campuses shall be limited in the quantity of stalls for vendors (including mobile food, retail, and recreational vendors) based on the calculations provided below:
 - i. A maximum of four (4) mobile vendors shall be permitted per acre for the first one (1) acre.
 - ii. Two (2) additional mobile vendors shall be permitted per one-half acre following the first acre.
 - iii. No more than fifteen (15) mobile vendors shall be permitted in total on one campus.

D. OUTDOOR DINING

1. The Mobile Food Campus shall include one (1) or more shared outdoor dining or seating areas. These areas shall be reflected on the Master Plan.
2. All outdoor dining and seating shall be Americans with Disabilities Act (ADA) compliant.
3. All outdoor dining areas shall provide appropriate outdoor lighting if hours of operation occur prior to 8AM and after 5PM.

E. UTILITIES AND WASTE

1. All waste must be disposed of properly and removed at the end of each day, or as needed to maintain the health and safety of the public.
2. Trash receptacles shall be provided at all outdoor dining areas and shall be properly emptied at the end of each day.
3. An on-site restroom facility shall be provided to service all mobile food vendors and visitors. These facilities shall be located entirely indoors and in accordance with the North Carolina Plumbing Code.

On-site restrooms shared with an associated principal use may be used to fulfill this requirement. Portable toilets are prohibited.

4. Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be in accordance with State building code. The use of portable generators is prohibited.
5. If operating after dark, the vehicle shall provide appropriate lighting.

F. ACCESS AND PARKING

1. All vendors shall be accessed by an internal private street and/or shared parking lot.
2. A minimum of five (5) parking spaces shall be provided per mobile food vendor to serve employees and customers. Additional parking shall be provided for accessory uses such as mobile retail vendors and/or recreational vendors/facilities. Final parking lot design and space count shall be determined during the review of the Master Plan and PD-CZ application.

G. SIGNAGE

1. Signage for the Mobile Food Campus shall be permitted subject to the requirements outlined in Section 7.15 of this ordinance.

SECTION 8.77. MULTIFAMILY DWELLINGS

A. DEFINITION

A building containing three or more dwellings per lot, including condominiums, or apartment complexes (including senior citizen apartment complexes). Multi-family dwellings do not include manufactured home parks, secondary detached dwelling units, planned unit developments, or nursing homes.

B. CONDITIONAL REZONING

Prior to the construction, the property owner shall apply to have the parcel rezoned to Multifamily Dwelling Conditional Zoning (MF-CZ) district in accordance with Chapter 11 (Conditional Rezoning), and Section 3.18.

C. SETBACKS

All buildings, outdoor recreational activities, and parking shall be located a minimum 50 feet from any residentially zoned property line. Refer to the specific use standards for swimming pool requirements.

D. UTILITIES

Applications including more than 20 units shall be accompanied by proposed solid waste storage facilities, sanitary sewage, proposed water system, and firefighting facilities such as hydrants and sprinkler connections.

E. PARKING

Off-street parking spaces shall be provided at a rate of at least two parking spaces per dwelling unit. Individual parking spaces shall not have direct access to the street serving the multi-family development's entry or exit.

F. RECREATION AREA

1. Recreational areas shall be clearly defined.
2. Any playground equipment shall be a minimum 10 feet from any property line and enclosed with permanent fencing a minimum five feet in height.

G. OWNERSHIP OF COMMON AREAS

1. In cases where no homeowners' association is created, the developer shall be responsible for continued maintenance of recreational open space areas.
2. In any multi-family development in which lots and/or units are individually sold, a homeowners' association (HOA) shall be required per the requirements set forth in Section 18.8.

SECTION 8.78. MUSEUMS AND ART GALLERIES

A. DEFINITION

Museums are institution devoted to the procurement, care, study, and display of objects of lasting interest or value. Art galleries include original works of art bought, sold, loaned, appraised, or exhibited to the general public.

B. PARKING

Such uses shall provide at least one off-street parking space for every four participants at full capacity.

SECTION 8.79. NEIGHBORHOOD PARK

A. DEFINITION

A public or private area of land designed to serve recreation needs of a community including a neighborhood park within a subdivision. Facilities may include a playground, benches, picnic shelters, walkways, greenways, or open fields. This definition does not include multi-use athletic fields or courts, swimming pools, or amphitheaters.

B. STANDARDS

1. Parks are not required to be screened.
2. Playground equipment and fenced areas for recreation shall be located no closer than 30 feet from an existing residential building.

SECTION 8.80. NURSING HOME

A. DEFINITION

1. A facility for more than six people, providing housing, food service, and may also provide individual assistance with some medical needs or housekeeping.
2. The facility may also provide recreation facilities and some personal service shops such as a gift shop and barber shop if located within the building and serves patrons of the facility and their visitors only.
3. An apartment complex for senior citizens is considered "multifamily."

B. STANDARDS

1. All buildings, outdoor recreational activities, and parking shall be located a minimum 50 feet from any residentially zoned property line.
2. Nursing homes shall provide at least one off-street parking space per every five beds.

SECTION 8.81. OFFICE

A. DEFINITION

1. An establishment providing direct services to consumers, conducted during normal business hours, in a fully enclosed building, including:
 - i. Financial offices (banks, brokers, insurance agents, accountants, appraisers);
 - ii. General business offices (adoption agency, catering, cell phone store, cleaning service office, fortune tellers);
 - iii. Instructional services (music, art and craft classes, and tutoring);
 - iv. Licensed medical offices (dentists, doctors, counselors, chiropractor, hospice and palliative care facility, massage therapist, medical/optical/scientific research facility, physical therapist, psychologists, psychiatrists, laboratories, blood banks);
 - v. Professional offices – office use only (architects, cartographers, engineers, lawyers, real estate agents, editors, publishers, journalists, graphic design, construction contractors, landscape design, surveyors, salespersons, travel agents);

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.82. PARKING LOT AS PRINCIPAL USE

- vi. Professional studios (artists, authors, sculptors, musicians, photographers, radio and television studios); and
- vii. Similar office uses.

2. This use does not include manufacturing, repair, or storage of materials or products.

B. PARKING

1. Off-street parking for office use types shall be provided at the following rates:

2. FINANCIAL OFFICES

At least one parking space for each 200 square feet of gross floor space plus one parking space for every two employees.

3. MEDICAL OFFICES

At least five parking spaces for each doctor plus one parking space for each employee who is not a doctor.

4. OTHER TYPES OF OFFICES

At least one parking space for every 300 square feet of gross floor area, minus storage areas.

SECTION 8.82. PARKING LOT AS PRINCIPAL USE

A. DEFINITION

Any building or premises used exclusively for the parking of vehicles for short and long-term fee parking.

B. STANDARDS

Parking spaces may be rented for parking, or otherwise used in accordance with an approved temporary event, but no other business of any kind shall be conducted on the lot, including repair service, sales, washing, display, or storage of vehicles or other goods.

SECTION 8.83. PAWN SHOP

A. DEFINITION

An establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the sale of such property. A pawn broker is any person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders.

B. STANDARDS

Pawn shops shall be subject to the standards applied to adult gaming establishments except that such uses shall provide at least one off-street parking space for every 150 square feet of building area, minus storage area.

SECTION 8.84. PERSONAL WORKSHOP

A. DEFINITION

A building to be used for personal workspace, owned and used solely by the owner of the property on which it is to be located. Such buildings cannot be rented and shall not be used in any manner that would not be allowed in the zoning district in which it is located.

B. STANDARDS

1. Only one personal workshop is allowed on the property.
2. The personal workshop must meet the principal building setbacks of the underlying zoning district.

SECTION 8.85. PET DAY CARE, GROOMING, OBEDIENCE TRAINING**A. DEFINITIONS**

An establishment where animals are dropped off and picked up daily and not boarded overnight. Animals may be bathed, clipped, and/or combed for the purpose of enhancing their aesthetic value or health, and a fee is charged. Animal grooming and obedience training may be accessory to pet day cares or the principal use.

B. STANDARDS

1. Any outdoor facilities shall require approval of a special use permit (see Chapter 12) and comply with the provisions for an animal shelter.
2. Pet day care, grooming, and obedience training uses shall provide one off-street parking space for each employee plus one off-street parking space for every three kennels.

SECTION 8.86. POTTERY MANUFACTURING AND SALES**A. DEFINITION**

The process of forming objects with clay and other ceramic materials.

B. STANDARDS

1. Potteries may be a principal use or an accessory use to residential or agricultural uses.
2. Potteries may include teaching workshops, studios, galleries, and retail sales.

SECTION 8.87. PUBLIC & PRIVATE UTILITY FACILITIES**A. DEFINITION**

1. Utility facilities include the following uses:
 - i. Public or private water distribution and sewer collection facilities;
 - ii. Treatment plants;
 - iii. Pump stations;
 - iv. Lift stations;
 - v. Electrical substations; and
 - vi. Wireless Telecommunications Towers Serving Electrical Substations (See Section 8.115.B.7)
2. Such uses also include public and private facilities and buildings that are or are not subject to county acceptance for operation and maintenance.

B. STANDARDS**I. GENERALLY**

01. Any component part(s) thereof are exempt from zoning standards in this Ordinance, but shall be designed and constructed in accordance with Moore County's Department of Public Work's policies, specifications, and standards.
02. Any septic related facilities shall be approved by the Department of Environmental Health.

II. ELECTRICAL UTILITY SUBSTATIONS

A premise which may or may not contain buildings, where the interconnection and usual transformation of electrical service takes place between systems shall meet the following standards:

01. The parcel on which the facility is located does not need to conform to minimum lot size requirements.
02. Substations or structures shall maintain standard setbacks applicable in the underlying zoning district and shall be enclosed with a fence of at least six feet in height.
03. Screening (Type 2 of Type 3, as specified in Section 7.11) shall be located between the fence and property line(s) and right-of-way.

- 04.** Any noise producing equipment or generator must be stored within a structure or must be setback a minimum 50 feet from any public right-of-way or property line.

III. WIRELESS TELECOMMUNICATIONS TOWERS SERVING ELECTRICAL SUBSTATIONS

Wireless telecommunications towers serving electrical substations shall meet the following standards.

01. COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

All wireless communication facilities shall comply with or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the federal government that regulates wireless communications facilities.

02. OBSTRUCTION LIGHTING

Lighting of a wireless communication facility shall be limited to that required for compliance with FAA minimum standards. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA. Nighttime strobing or flashing lights are prohibited, unless required by the FAA.

SECTION 8.88. REAL ESTATE OFFICE, TEMPORARY

A. DEFINITION

Residential and non-residential sales and leasing are permitted as a temporary use in a dwelling (model home) or tenant space or within a temporary building located in the same subdivision or development where the dwellings or non-residential buildings are to be located.

B. STANDARDS

- 1.** The sales use is permitted until the issuance of the last certificate of occupancy of open and valid building permits within the subdivision or development.
- 2.** A model home shall be converted to residential use after it used as a model home.
- 3.** The real estate sales office, or model home, shall be located on a lot that was approved as part of the subdivision or development and complies with the minimum yard and setback requirements of the zoning district in which it is located.

SECTION 8.89. RECREATION, INDOOR

A. DEFINITION

1. GENERALLY

A fully enclosed facility providing for one or several recreational uses including sport auditoriums (basketball, dance, martial arts, soccer, swimming, tennis, wrestling), batting cages, bowling alleys, skating rinks, and other recreational uses such as non-profit community centers, non-profit youth facilities, health and fitness clubs, gyms, movie theatres, gymnastics training, and general gaming establishments.

2. GAMING ESTABLISHMENT

Any establishment deemed legal by State law, excluding billiards halls, adult gaming establishments and any others similarly defined in this Chapter, whose primary use is to provide entertainment services to the general public in the form of electronic or conventional gaming units which provide either no reward to patrons or rewards of limited value such as children's toys, games, and novelties when all rewards can be legally obtained and used by all ages and are not redeemable for cash or any other kind of compensation or services on or off premises, including on-line redemptions. Examples include traditional video game arcades and children's and family game centers, whether stand-alone or in conjunction with a restaurant or other permissible uses. This shall be considered a primary use when occupying more than 50 percent of the gross floor area of an establishment or being used by more than 50 percent of the patrons at any time or representing more than 50 percent of the total sales of the establishment.

B. STANDARDS

1. All buildings and parking shall be located a minimum 50 feet from any residentially zoned property line.
2. Indoor recreation uses shall provide at least one off-street parking space for every two participants at full capacity.
3. Gymnastics training facilities, shall be permitted in an Industrial zoned district provided:
 - a) All activities associated with such use shall be conducted indoors. (i.e., no training events shall occur outside the enclosed facility)
 - b) There shall be one parking space for every two (2) participants, plus one parking space for each coach.

SECTION 8.90. RECREATION, LOW IMPACT OUTDOOR**A. DEFINITION**

Recreational activities open to the public or members that have a low potential for nuisance to abutting property owners. This generally includes one or more of the following passive recreational uses: parks (not including neighborhood parks), hiking, horseback riding, biking trails (non-motorized), and the following active recreational uses: three or fewer multi-use athletic fields or courts, model airplanes, and swimming pools.

B. STANDARDS**1. PASSIVE RECREATIONAL USES**

No setback or screening is required.

2. ACTIVE RECREATIONAL USES

- i. All runways, fields and outdoor recreational uses shall be located a minimum 100 feet from any residentially zoned property line.
- ii. Screening is not required.
- iii. All model airplane runways, fields, and lighted courts shall be screened with a Type 3 screening (see Section 7.11) from any abutting residential use on a different lot or residentially zoned property.

3. ALL RECREATION USES

- i. Recreation uses shall provide at least one off-street parking space for each employee plus one space for every four participants.
- ii. The use of public street rights-of-way for parking including overflow parking shall be prohibited.

SECTION 8.91. RECREATION, HIGH IMPACT OUTDOOR**A. DEFINITION**

Public or private recreational activities that have a high potential for nuisance to abutting property owners. This generally includes one or more of the following active recreational uses: batting cages, amusement park, waterpark, fairgrounds, drive-in theatre, open or partially enclosed arenas and amphitheaters, go-cart or motocross tracks, miniature golf, race tracks, or four or more multi-use athletic fields or courts.

B. STANDARDS**1. GENERALLY**

- i. Fully-enclosed buildings and parking shall be a minimum of 50 feet from any residentially zoned property line.
- ii. Partially enclosed or open recreational facilities shall be a minimum 100 feet from any property line.
- iii. The use shall be totally enclosed by a security fence with a minimum height of six feet and topped with three-strand barbed wire or razor wire.
- iv. The use of public street rights-of-way for parking including overflow parking shall be prohibited.
- v. Such uses shall have direct access to a paved street right-of-way.

- vi. Such uses shall provide at least one off-street parking space for every employee plus one parking space for every two participants at full capacity.

2. ADDITIONAL STANDARDS FOR A DRIVE-IN THEATER

- i. The picture screen shall be positioned and screened so that it cannot be seen from any public street or residentially zoned area.
- ii. Use of the theater property for any purpose other than displaying motion pictures, including but not limited to flea markets, shall require approval of a special use permit.

SECTION 8.92. RELIGIOUS INSTITUTIONS**A. DEFINITION**

A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

B. ACCESSORY USES

Includes pastor's housing, Sunday school buildings, recreational buildings utilized by congregation only, fellowship halls, food pantry, childcare facility, school, coffee house, bible school, and after-school facilities.

C. STANDARDS

1. Schools located on the same lot as the religious institution and located in residential zoning districts shall meet the applicable specific use standards.
2. Childcare facilities shall meet the applicable specific use standards and shall submit a copy of State licenses before a Certificate of Occupancy is issued.
3. The minimum yard required for all burial plots and any other building or structure associated with a cemetery is 30 feet from any exterior property line or the required district principal building setback, whichever is greater.
4. A cemetery shall be associated with the religious institution and be located on the same tract of land as a religious institution, or an immediately abutting parcel to a religious institution under the same ownership.
5. Religious institutions shall provide at least one off-street parking space for every four seats in the assembly room(s), plus one parking space per employee, or one parking space for every four persons at full occupancy, whichever is greater.

SECTION 8.93. RESTAURANT**A. DEFINITION**

1. An establishment where food and drink are served as a principal activity. Included in this definition are cafeterias, lunch counters, ice cream shops, bakeries, soda shops, drive-thru, and fast-food restaurants.
2. Per the NC Alcohol Beverage Control Commission, food sales must exceed 30% of total food and alcohol sales (including beer, wine, and mixed beverage sales) and food shall be available during all business hours.

B. STANDARDS

1. Drive-thru and fast food are not permitted in the CGWL zoning district.
2. Any outdoor seating or area used as part of the establishment shall maintain a minimum four-foot-wide walking path to any doorway and shall meet building setback requirements.
3. Restaurants shall provide at least one off-street parking space for each four seats at tables plus at least one parking space for each two seats at counters or bars plus at least one parking space for each two employees.
4. Restaurants serving alcohol must obtain applicable Alcohol Beverage Control Commission (ABC) licenses.

SECTION 8.94. RETAIL SALES**A. DEFINITIONS****1. GENERALLY**

Establishments where the principal use is for the sale or rental of goods or merchandise to the general public for personal or household consumption, where such goods are available for immediate purchase and removal from the premises by the purchaser, usually in small quantities, as well as services incidental to the sale of these goods, including but not limited to ABC stores, apparel stores, pharmacy & drug stores, furniture sales, hardware stores, grocery stores, ice machines (self service).

2. GROCERY STORE

A free-standing store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

3. ICE HOUSE / MACHINES

An unattended building or structure where ice is bagged automatically or dispensed in bulk to the consumer and is activated by the insertion of money, credit cards, check cards, token or similar means. This use can be a principal use or an accessory use to another approved commercial use.

B. ALCOHOLIC BEVERAGE PACKAGE (ABC) STORE

An establishment licensed by the State exclusively for the retail sale of alcoholic beverages, excluding beer and wine, in original packages for consumption off the premises where sold.

C. STANDARDS

1. Establishment of a grocery store over 25,000 square feet in square footage shall require approval of a special use permit (see Chapter 12).
2. Drive-thru lanes and service windows associated with alcoholic beverage package stores shall be screened and setback a minimum of 30 feet from property zoned for residential purposes.

D. PARKING

1. Grocery stores shall provide at least one off-street parking space for every 150 square feet of gross floor area, minus storage areas.
2. All other retail sales uses shall provide at least one off-street parking space for every 300 square feet of gross floor area, minus storage areas.

SECTION 8.95. SALVAGE YARDS**A. DEFINITION**

Any area, in whole or in part, where any type of equipment, including but not limited to vehicles, appliances and related machinery are bought, sold, exchanged, stored, baled, packed, disassembled, or recycled. A "salvage yard" includes the terms vehicle wrecking yard, automobile graveyard, and junk yard as defined in NCGS 136-143. Any property upon which six or more unlicensed, used motor vehicles which cannot be operated under their own power are kept or stored for a period of 15 days or more shall be deemed to be an "automobile graveyard."

B. STANDARDS

These uses shall comply with the standards applied to debris management facilities.

SECTION 8.96. SCHOOLS, ELEMENTARY, MIDDLE, HIGH**A. DEFINITION**

A public or private school offering general, technical, or alternative instruction at the elementary, middle, and/or high school levels.

B. STANDARDS

1. All buildings, outdoor recreational areas, and parking shall be a minimum 50 feet from any residentially zoned property line.
2. Screening is not required if all recreational uses are not lighted, including athletic fields, and are set back 100 feet from any residentially zoned property line.
3. Playgrounds shall be surrounded with a chain link or solid fence or wall of a minimum four feet in height.

C. PARKING

Off-street parking shall be provided in accordance with the following:

1. Elementary and middle schools shall provide at least one parking space for each classroom and administrative office, plus one parking space for each employee and one space capable of accommodating a bus for each bus serving the use.
2. High schools shall provide the same amount of parking as elementary schools plus one additional parking space for each 20 students.

SECTION 8.97. SECURITY TRAINING FACILITY**A. DEFINITION**

An indoor and/or outdoor training facility for military or law enforcement on a minimum of 50 acres in area that includes daytime and/or nighttime hours of operation.

B. STANDARDS**1. FIREARMS AND EXPLOSIVE TRAINING**

- i. Firearm training facilities shall comply with Section 8.89. The "Military Handbook – Range Facilities and Miscellaneous Training Facilities Other Than Buildings (MIL-HDBK-1027/3B)" may be utilized for designing the military training facility.
- ii. A listing of the type, amount, and physical location of all explosive material shall be provided by the applicant.
- iii. Any overnight or temporary storage of weapons, ammunition, and explosives shall meet the Department of Defense storage and stand-off safety standards.

2. BLANK AMMUNITION TRAINING

Facilities involving the use of blank ammunition and/or explosive simulators shall include the proposed noise decibels to existing dwelling units within ¼ of a mile (approximately 1,320) from the project site.

3. PROHIBITED ACTIVITIES

Military type activities or maneuvers, including but not limited to hand-to-hand combat training, maritime training, swamp, or guerilla warfare techniques, incendiary type firings, infiltration course type training, etc. is permitted for use by law enforcement, military, or federal agency groups only.

SECTION 8.98. SEXUALLY ORIENTED BUSINESS**A. DEFINITION**

An establishment which by law excludes minors by virtue of the fact that a substantial portion of its business is sexually explicit. Sexually oriented businesses include any place defined as an "adult establishment" by NCGS 14-202.10. Such uses include, but are not limited to, adult arcades, adult book stores, adult video stores, adult theaters (drive-in, picture and min-picture), adult cabarets, massage parlors, or adult entertainment establishments.

B. STANDARDS

1. All buildings and parking areas shall be 750 feet from any residentially zoned property line and a minimum 2,500 feet from another sexually oriented business, public park, nursing home, church, child care facility, or school as measured by a straight line distance, from property line to property line.

2. Such uses shall provide at least one off-street parking space for each employee plus at least one parking space for each client at full capacity.

SECTION 8.99. SHOOTING RANGE, INDOOR

A. DEFINITION

An enclosed, permanent building open to the public or to members of an organization, where firearms are discharged at targets regardless of whether a fee is paid to the owner or proprietor of the facility.

B. STANDARDS

1. Indoor shooting ranges shall be designed so projectiles cannot penetrate the walls, floor, or ceiling, or be designed so that all projectiles fired on the range are contained or redirected to the backstop. Ricochets or back splatter shall not harm range users.
2. A backstop shall be installed that extends from side to side and from ceiling to floor to protect the end of the range completely from penetration by direct bullet strikes and prevents ricochets.
3. The applicant shall include information in their application which demonstrates what measures will be implemented so the use will not pose a hazard off site, including backstops and guarantees that the walls will be lined with a sound absorbing material to a 65 dB rating at the adjoining property line. These guarantees shall be certified by an acoustical professional.
4. Indoor shooting ranges shall provide at least one off-street parking space per shooting lane.
5. All buildings or facilities shall be a minimum of 100 feet from any property line.

SECTION 8.100. SHOOTING RANGE, OUTDOOR

A. DEFINITION

A facility that is open to the public or members of an organization, where firearms are discharged at targets regardless of whether a fee is paid to the owner or proprietor of the facility.

B. MINIMUM SIZE

Outdoor shooting ranges shall be a minimum of 50 acres in area.

C. SETBACK

All shooting stations and targets on a range facility shall be setback a minimum 200 feet from all property lines.

D. SEPARATION DISTANCES

1. All shooting stations and targets on a range facility shall be setback a minimum distance of ½ mile (approximately 2,640 feet) from any existing occupied dwelling, nursing home, school, church, or child-care facility with exception to the owner's residence. Measurement shall be from property line to property line.
2. The distance requirement may be varied with written permission in the form of an affidavit from all adjoining property owners and all rightful leaseholders of dwelling located within the ½ mile surrounding area affected thereby.
3. In no case shall the distance requirement be less than ¼ of a mile (approximately 1,320 feet).

E. DESIGN

The facility shall be designed by a North Carolina professional engineer with demonstrated expertise in the subject matter in accordance with the NRA's Range Source Book: *A Guide to Planning and Construction*, current edition, and the US Department of Energy's *Range Design Criteria* (including but not limited to typical surface danger zone determination and backstop / barrier material thickness), whichever specific requirement from either document is most restrictive.

F. FENCE

1. The use shall be totally enclosed by a security fence with a minimum height of six feet and topped with 3-strand barbed wire or razor wire.
2. "No Trespassing – Danger – Shooting Range" signs shall be installed at 50-foot intervals around the perimeter.

G. LEAD MANAGEMENT

The applicant shall provide a plan outlining compliance with the guidelines specified by the Environmental Protections Agency's *Best Management Practices for Lead at Outdoor Shooting Ranges*, current edition.

H. BACK STOPS

1. All shooting stations must be oriented so firing trajectory is not directed toward a street right-of-way or dedicated access easement.
2. There shall be protection of abutting property assured by proper design, location, and orientation of structures, backstops, and firing lines.
3. A projectile-proof backstop, consisting of concrete, steel, earth, or a combination thereof, a minimum 20 feet high shall be erected and maintained behind all target areas.

I. INSURANCE

The permittee shall be required to carry a minimum \$1,000,000 per occurrence of liability insurance.

J. PARKING

Outdoor shooting ranges shall provide at least one off-street parking space per shooting lane.

K. SAFETY OFFICER

1. All outdoor shooting range facilities open to the general public that allow the discharge of firearms shall provide an NRA Certified Range Safety Officer or individual that possesses the knowledge, skills, and attitude essential to organizing, conducting, and supervising safe shooting activities and range operations.
2. This safety official shall be located at the firing line to aide in the proper discharge and safe handling of all weapons anytime live fire is being conducted.

L. SUPPLEMENTAL REQUIREMENTS

1. The applicant shall include the types of weapons proposed to be used.
2. The center or range must comply with all required permits and regulations, including but not limited to:
 - i. Alcohol, Tobacco, and Firearms (ATF) permits;
 - ii. National Fire Protection Association Standards; and
 - iii. International Building Code (Fire Prevention).
3. The outdoor shooting range and all individuals working with firearms or explosives at the facility shall be certified and permitted by Alcohol, Tobacco and Firearms (ATF) to conduct such operations in compliance with its permits.

M. EXEMPTIONS

Target practice areas on private property, hunter's safety course training activities (by a certified trainer), temporary seasonal turkey shoots (special event approval required), or government facilities are not considered outdoor shooting ranges and are exempted from these standards.

SECTION 8.101. SHOPPING CENTER**A. DEFINITION**

A group of two or more commercial establishments planned, developed, and managed as a unit with a unified design of buildings and with coordinated parking and service areas that will not be subdivided and designed for occupancy by separate businesses.

B. STANDARDS

1. All outparcels developed as part of a shopping center shall be accessed internally, via the permitted entrances for the shopping center itself.
2. Shopping centers shall provide at least one off-street parking space for every 300 square feet of gross floor area, minus storage areas.

SECTION 8.102. SMALL APPLIANCE REPAIR SHOP

A. DEFINITION

1. Repair establishments, where the principal activity includes, but is not limited to the repair of home appliances and equipment, bicycles, lawnmowers, shoes, clocks, watches, and jewelry, and also includes tailors, gunsmiths, locksmiths, and upholstery shops.
2. Vehicle repair shops and automobile service stations are not small appliance repair shops.

B. GUNSMITH

A gunsmith is a small appliance repair shop use type that repairs firearms. Gunsmith uses shall comply with the following requirements.

1. Up to one gun receiver manufacturing machine may be permitted as an accessory use.
2. Ammunition manufacturing is prohibited.
3. Facilities shall only discharge a firearm within an approved test fire vault.
4. Outdoor test firing requires approval of a special use permit (see Chapter 12).
5. Gunsmith shops shall comply with all required permits and regulations, including but not limited to Alcohol, Tobacco, and Firearms (ATF) permits.

SECTION 8.103. SOLAR COLLECTOR FACILITY

A. DEFINITION

A solar photovoltaic facility whose primary purpose is to generate power to sell for commercial gain and is typically sold to energy companies rather than end users.

B. SETBACKS

All structures and security fencing must meet a 100-foot front setback measured from the edge of the rights-of-way and 50-foot side and rear setbacks.

C. SCREENING

A landscape buffer/screen shall be provided along all exterior sides of the security fence and must consist of:

1. On-site mature vegetation at a minimum height of ten feet and depth of 75 feet between the security fence and abutting property including rights-of-way; or
2. A single row of evergreens in combination with mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of ten feet in five years; or
3. A double row of off-set evergreens, installed at a height of five feet achieving opaqueness and a minimum height of ten feet in five years; or
4. A berm combined with evergreen vegetation installed at a height of five feet achieving opaqueness and a minimum height of ten feet in five years.

D. TOPOGRAPHY

1. Where visibility of the solar farm is increased due to topography, the landscape buffer/screen must be planted on-site in an area that lessens the view of the solar farm from off-site areas.
2. Where visibility of the solar farm is decreased due to topography, the landscape buffer/screen may be reduced.
3. The location of screening shall be determined by the Administrator.

E. MAINTENANCE

Landscape buffer/screens, ground cover, security fences, gates, and warning signs must be maintained in good condition until the solar farm is dismantled and removed from the site.

F. SAFETY STANDARDS

1. All solar panels must be constructed to minimize glare or reflection onto abutting properties and abutting roadways and must not interfere with traffic or create a safety hazard.
2. A security fence equipped with a gate and a locking mechanism must be installed at a minimum height of eight feet along all exterior sides of the solar farm.
3. A warning sign concerning voltage must be placed at the main gate to include the name of the solar farm operator and a local phone number for the solar farm operator in case of an emergency.

G. EROSION CONTROL

1. Erosion control measures must be installed at construction entrances in order to minimize off-site soil damage.
2. Existing grass must be maintained in perpetuity sufficient to prevent erosion.

H. NUISANCE CONTROL

1. Power transmission lines must be located underground to the extent practical.
2. Inverter(s) shall be located a minimum 150 feet from any property line or public right-of-way.

I. CHANGE OF OWNERSHIP

The zoning permit is subject to revocation if the Moore County Department of Planning is not notified when the solar farm company holding the permit sells or otherwise transfers its interest to another entity or individual.

J. DECOMMISSIONING PLAN

Removal of solar farm equipment and site restoration shall be conducted in accordance with the following:

1. The application must include decommissioning plans that describe the anticipated life of the solar farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the solar farm project will be decommissioned and the site restored.
2. Following a continuous six-month period in which no electricity is generated, the permit holder will have six months to complete decommissioning of the solar farm.
3. Decommissioning includes removal of solar panels, buildings, cabling, electrical components, and any other associated facilities below grade as described in the approved decommissioning plan.
4. Prior to the issuance of a zoning permit, the applicant must provide the County with a performance guarantee as provided in the subsection below. The amount of the guarantee shall be one and one-quarter the estimated decommissioning cost minus the salvageable value, or \$50,000.00, whichever is greater. Estimates for decommissioning the site and salvage value shall be determined by a North Carolina professional engineer or a licensed contractor. It is the responsibility of the applicant to provide the county with the certified cost estimate.
5. The following types of performance guarantees are permitted:
 - i. A surety or performance bond that renews automatically, includes a minimum 60-day notice to the County prior to cancellation, is approved by the Planning Director, and is from a company on the U.S. Department of Treasury's Listing of Certified Companies. A bond certificate must be submitted to the Moore County Department of Planning each year verifying the bond has been properly renewed.
 - ii. A certified check deposited with the County Finance Director, as escrow agent, who will deposit the check in an interest-bearing account of the County, with all interest accruing to the applicant. Funds deposited with the County Finance Director will be returned when the solar farm is decommissioned and any necessary site restoration is completed.

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.104. SOLAR COLLECTORS, ON-SITE

- iii. A no-contest irrevocable bank letter of credit from a banking corporation licensed to do business in the State of North Carolina. The terms of the letter must include the absolute right of the County Finance Director to withdraw funds from the bank upon certification by the County Manager that the terms and conditions of the performance guarantee have been breached. The letter of credit must be valid up to 12 months from the date the performance guarantee was approved.
- iv. The full amount of the bond, certified check, or letter of credit must remain in full force and effect until the solar farm is decommissioned and any necessary site restoration is completed.
- v. The landowner or tenant must notify the county when the site is abandoned.

K. SUPPLEMENTAL REQUIREMENTS

1. The applicant must secure all necessary approvals and/or permits from NCDOT for the access points for project entrances prior to issuance of a zoning permit.
2. The applicant must provide written authorization from the local utility company acknowledging and approving connection to the utility company's grid.

SECTION 8.104. SOLAR COLLECTORS, ON-SITE

A. DEFINITION

Solar collector panels, ground-mounted or roof-mounted systems, permitted as an accessory use in any zoning district, that gather solar radiation, as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity.

B. GROUND MOUNTED SOLAR PANELS

1. On-site solar collectors shall be located in the side or rear yard, shall meet the required accessory building setbacks.
2. In the RE Zoning District, ground mounted solar panels shall be allowed in the front yard and must meet principal structures setbacks. Type 2 or Type 3 screening from all adjacent properties shall be provided in accordance with Section 7.11.

C. ROOF MOUNTED PANELS

On-site solar collectors are regulated pursuant to NCGS §160D-914.

D. SUPPLEMENTAL REQUIREMENTS

1. Elevation drawings shall be submitted in addition to the site plan.
2. Solar panels shall comply with NC Building Code and National Electric Code and shall be inspected by the Building Inspector.
3. The appropriate utility company shall approve an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

SECTION 8.105. TATTOO PARLOR, BODY PIERCING

A. DEFINITION

Any business, or any part of thereof, where tattooing and/or body piercing is practiced or where the business of tattooing and/or body piercing is conducted.

B. STANDARDS

Tattoo and body piercing establishments shall be subject to the standards applied to adult gaming establishments except that such uses shall provide at least one off-street parking space for every 150 square feet of building area, minus storage area.

SECTION 8.106. TAXI SERVICE

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.107. TEMPORARY EVENT (SPECIAL EVENT)

A. DEFINITION

A service that offers transportation in passenger automobiles and vans to persons including those who are handicapped in return for remuneration.

B. PARKING

Taxi service uses shall provide at least one off-street parking space per taxi.

SECTION 8.107. TEMPORARY EVENT (SPECIAL EVENT)

A. DEFINITION

A group activity including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, or non-routine activity, within the community that will bring together a large number of people including, but not limited to, cultural events, musical events, celebrations, festivals, fairs, carnivals, circuses, and communal camping.

B. STANDARDS

1. Special events cannot be held on the same lot for longer than 14 consecutive days or once every six months.
2. The owner of the property shall authorize in writing for the event to be held on the property.
3. The temporary parking lot can be located on the same site as the activity or as a satellite parking lot.
4. The use of public street rights-of-way for parking shall be prohibited.
5. Activities creating loud noises (horns, speakers, music) shall not be located within 1,000 feet of residences not located on the site.
6. Structures associated with the use shall be permitted provided they are removed at the end of the event.
7. Permanent signs are prohibited.
8. All temporary signs shall be approved in accordance with the standards for sign (see Section 7.15).

C. CAUSES FOR DENIAL

1. The application contains intentionally false or materially misleading information.
2. There is a finding that the special event would create an unreasonable risk of significant damage to public or private property, beyond normal wear and tear, injury to persons, and other adverse effects upon the public health, safety, or welfare.
3. The special event is of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event.

D. ADDITIONAL CONDITIONS

In approving the special event, the Administrator is authorized to impose such conditions to minimize any potential adverse impacts including the following:

1. Provision of temporary parking facilities, including vehicular ingress and egress.
2. Control of nuisance factors such as the prevention of direct illumination of abutting properties, noise, vibrations, smoke, and dust.
3. Location and size of temporary buildings, structures, and facilities.
4. Provision of sanitary, medical facilities, and solid waste collection, and disposal.
5. Provision of security and safety measures.
6. Modification or elimination of certain proposed activities including limitation of the duration of the special event to a shorter time period.

E. SUPPLEMENTAL REQUIREMENTS

Zoning approval is contingent on required approvals from the Moore County Department of Environmental Health, Department of Public Safety, NCDOT driveway permit approval, and other applicable State, local, and federal laws.

SECTION 8.108. TEMPORARY FAMILY HEALTH CARE STRUCTURES

One temporary family health care structure is permitted on a lot with a single-family detached dwelling, in accordance with the standards in NCGS Section 160D-915, and the following standards:

A. STRUCTURE

A temporary family health care structure is one that:

1. Is transportable and primarily assembled at a location other than the site of installation;
2. Is located on a lot with an existing single-family detached dwelling;
3. Is limited to one occupant who is a mentally or physically impaired person related to the caregiver;
4. Is used by a caregiver or legal guardian in providing care for one mentally or physically impaired person on property owned or occupied as the caregiver's or guardian's residence;
5. Has no more than 300 square feet of gross floor area;
6. Is connected with water, wastewater, and electrical systems by branching service from the single-family detached dwelling;
7. Has the same street address and mailbox as the existing single-family detached dwelling;
8. Uses the same driveway as the existing single-family dwelling, unless the structure is accessed from a right-of-way not used by the dwelling (e.g., a rear alley or separate street access on a corner or through lot);
9. Meets the dimensional standards of the zoning district for a single-family detached dwelling; and
10. Meets the applicable provisions in the North Carolina Building Code; however, is not located on a permanent foundation.

B. NEED AND RELATIONSHIP

1. The occupant of the structure must be a mentally or physically impaired person that is a resident of the State who requires assistance with two or more activities of daily living (bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating) as certified in writing by a physician licensed to practice in North Carolina.
2. The caregiver must be an individual 18 years of age or older who provides care for the mentally or physically impaired person and is a first or second degree relative of the impaired person. A first or second degree relative is a spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew or niece, including half, step, and in-law relationships.

C. PERMIT CONDITIONS

1. Once the applicant provides sufficient proof that the family health care structure meets all standards, then the structure shall be permitted for a period of 12 months.
2. The applicant may renew the prior approval for a 12-month period and continue to renew it provided the applicant provides evidence of continued need and compliance with these standards.
3. The County may make periodic inspections of the temporary family health care structure at reasonable times convenient to the applicant.
4. No signage shall be permitted on the exterior of the structure or on the lot that identifies or promotes the existence of the structure.
5. The structure shall not be subdivided or otherwise separated in ownership from the single-family detached dwelling.
6. The structure shall be removed within 60 days if the impaired occupant is no longer receiving or in need of assistance.
7. The approval may be revoked or other enforcement actions taken if these standards are violated.

SECTION 8.109. TRADE CONTRACTOR OFFICE AND WORKSHOP**A. DEFINITION**

1. An establishment used by special trade contractors for office space and may include the following accessory uses within the principal building:

CHAPTER 8. SPECIFIC USE STANDARDS

SECTION 8.110. VEHICLE, AUTO PARTS, TIRES, FARM EQUIPMENT, BOAT, RV - SALES, RENTAL, SERVICE

- i. The housing and/or operating of machinery; and
 - ii. The fabrication of products, and interior storage.
2. Special trade contractors include carpentry, septic installers, general contractors, subcontractors, grading, HVAC, electricians, plumbers, landscaping, woodworking, tree service, cabinetry, sign painting, metal work, and pool installation.

B. PARKING

Off-street parking spaces shall be provided at a rate of at least one parking space for every 300 square feet of gross floor area, minus storage areas.

SECTION 8.110. VEHICLE, AUTO PARTS, TIRES, FARM EQUIPMENT, BOAT, RV - SALES, RENTAL, SERVICE

A. DEFINITION

Buildings and premises where the primary activity is for vehicles, auto parts, tires, farm equipment, boats, and/or recreational vehicles to be sold, rented, or serviced.

B. SERVICE STANDARDS

1. All repair or service activity, excluding washing, shall be conducted entirely within a fully-enclosed building.
2. Vehicle service uses shall provide at least five off-street parking spaces per service bay.

C. SALES STANDARDS

1. The display area shall be a minimum of five from the street right-of-way and 10 feet from all other property lines.
2. Vehicle sales uses shall provide at least one off-street parking space per every 150 square feet, minus storage areas.

D. PROHIBITED ACTIVITIES

1. No more than a maximum of 10 inoperable vehicles may be stored outdoors.
2. Tire sales are not permitted in the Village Business (VB) district.

SECTION 8.111. VEHICLE SERVICE STATIONS (GAS STATIONS)

A. DEFINITION

An establishment where gasoline or diesel fuel is supplied at retail and where, in addition, convenience stores, car washes, tire sales and service, auto repair, and sale of auto accessories and supplies may be permitted as accessory uses, as indicated on the site plan.

B. STANDARDS

1. Buildings, gasoline pumps, tanks, pump islands, and fuel sales shall conform to all setback requirements in accordance with the NC Fire Prevention Code.
2. All accessory uses shall meet the applicable specific use standards.
3. Service stations shall provide at least one off-street parking space per pump plus one parking space per employee.

SECTION 8.112. VEHICLE WRECKER SERVICE

A. DEFINITION

1. An establishment operated for the purpose of temporary storage on-site of no more than 15 unstacked inoperable vehicles at one time.
2. The use shall be considered a salvage yard when exceeding the minimum requirements.

B. PARKING

Wrecker service uses shall provide at least one off-street parking space per employee on a regular shift.

SECTION 8.113. VETERINARY CLINIC**A. DEFINITION**

A facility for the provision of surgical or other medical treatments to animals. Animals may be kept in the facility overnight only during the recovery period or while under medical treatment without adhering to additional specific use standards.

B. STANDARDS

1. Veterinary clinics with indoor or outdoor kennels or overnight boarding (not for medical reasons) shall require approval of a special use permit (see Chapter 12).
2. Veterinary clinics shall provide at least five off-street parking spaces for each doctor plus one off-street parking space for each employee.

SECTION 8.114. WAREHOUSE, DISTRIBUTION CENTER**A. DEFINITION**

The indoor or outdoor / open storage of goods and materials for a specific commercial establishment or a group of establishments in a particular type of industry or commercial activity.

B. STANDARDS

1. All outdoor storage areas shall be located a minimum of 50 feet from any residentially zoned property line.
2. Such uses shall provide at least one off-street parking space for each employee plus one parking space for each vehicle used in the operation.

SECTION 8.115. WHOLESALE SALES**A. DEFINITION**

1. An establishment primarily engaged in selling durable and nondurable goods to retailers; to industrial, commercial, institutional, farm, construction contractors, or professional business uses; or to other wholesalers. Businesses may or may not be open to the general public, but sales to the general public are limited. Accessory uses may include offices, product repair, warehouses, minor fabrication services, outdoor storage, and repackaging of goods.

B. STANDARDS

1. Indoor facilities over 25,000 square feet in floor area or outdoor storage/display areas occupying more than 30% of the lot shall require approval of a special use permit (see Chapter 12).
2. Wholesales sales uses shall provide at least one off-street parking space for each employee on the largest shift plus one parking space per vehicle used in the operation.

SECTION 8.116. WIRELESS COMMUNICATION FACILITY**A. PURPOSE AND INTENT**

This section establishes general standards for the siting of wireless communication facilities that will provide for the public health, safety, and welfare. The standards are intended to ensure that residents, businesses, and public safety operations in the County's planning jurisdiction have reliable access to wireless communications services. More specifically, the provisions of this section are intended to:

1. Ensure adequate protection of residential areas and uses from potential adverse impacts of communications facilities, and to generally encourage the location of these facilities in areas where adverse impact on the community is minimal;
2. Encourage the placement of telecommunications facilities in non-residential areas;

3. Minimize the number of new major telecommunications towers generally;
4. Create conditions where telecommunications service providers are able to provide telecommunications services effectively and efficiently in accordance with State and federal law;
5. Strongly encourage the joint use or collocation of new and existing telecommunications facilities so as to minimize the number of new telecommunications towers throughout the County;
6. Establish collocation and concealed towers as the preferred options for the accommodation of telecommunications equipment; and
7. Ensure that wireless communications facilities located within the public right of way do not obstruct sight distance triangles or create safety hazards for pedestrians or bicyclists.

B. APPLICABILITY

The standards in this section shall apply to all telecommunications facilities except for the following, which are exempted from these standards but remain subject to all other applicable standards in this Ordinance:

1. Removal of antennas, antenna support structures, or telecommunications equipment on an existing telecommunications tower, utility pole, vertical projection, or equipment compound that does not result in a substantial modification;
2. The operation of a small wireless facility solely within the interior of a structure, stadium, or athletic facility;
3. Routine maintenance on an existing telecommunication facility;
4. Installation, modification, or operation of a micro-wireless facility, receive-only television antenna, or receive-only radio antenna for noncommercial use;
5. Installation, modification, or operation of FCC-licensed amateur ("ham") radio equipment;
6. Dish antenna or earth stations; and
7. Wireless Telecommunication Towers Serving Electrical Substations in accordance with Section 8.86 (Public & Private Utility Facilities)
8. Any Wireless Communication Facility to be constructed on state-owned land is exempt from Conditional Rezoning or NCGS 160D-913D and thus will undergo administrative review in accordance with Section 10.7, Staff Review and Action, and Section 8.116 Wireless Communication Facility. The Wireless Communication Facility application will be reviewed by RLUAC and Fort Bragg in addition to any required FAA review, and a condition of their approval is a determination that the proposed structure will not pose a hazard to military aviation operations.

C. RETENTION OF EXPERT ASSISTANCE AND REIMBURSEMENT BY APPLICANT

The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating application for a wireless communications facility, including the construction and modification of the site, in accordance with these standards.

1. Upon filing an application, an applicant shall deposit with the County funds sufficient to reimburse the County for all reasonable costs of consultant and expert evaluation and consultation to the County in connection with the review of any application, including the construction and modification of the site, once permitted.
2. The initial deposit shall be in the amount set forth in the adopted fee schedule and shall be paid at the time the application is submitted. The County will maintain a separate escrow account for all such funds.
3. The County's consultants/experts shall invoice the County for its services in reviewing the application, including the construction and modification of the site, once permitted.
4. If at any time during the process this escrow account has a balance less than an amount set forth in the adopted fee schedule, the applicant shall immediately, upon notification by the County, replenish the escrow account so that it maintains the minimum required balance. Any additional escrow funds shall be deposited with the County before any further action or consideration is taken on the application.
5. In the event that the amount held in escrow by the County is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant.

D. WIRELESS COMMUNICATIONS FACILITIES DISTINGUISHED

The following use types and configurations are considered to be wireless communications facilities subject to these requirements:

1. New and replacement major telecommunication towers of 50 feet in height or taller;
2. New and replacement minor telecommunication towers of up to 50 feet in height;
3. Stealth or concealed telecommunication towers, antennae, or telecommunications equipment;
4. Major collocations of antennae and associated equipment on existing towers, buildings, or other vertical projections;
5. Minor collocations of antennae and associated equipment on existing towers, buildings, or other vertical projections; and
6. The installation of small wireless facilities on land outside a public street right-of-way.

E. GENERAL STANDARDS APPLICABLE TO ALL TYPES OF WIRELESS COMMUNICATION FACILITIES

The following requirements shall apply to all new wireless communications facilities and any modifications to an existing wireless communications facility that exceeds the scope of routine maintenance, as defined in this section.

1. BUILDING PERMIT REQUIRED

Prior to installation or modification exceeding the scope of routine maintenance, all wireless communications facilities shall receive a building permit in accordance with the requirements in this Ordinance.

2. COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

All wireless communication facilities shall comply with or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the federal government that regulates wireless communications facilities. In addition to federal requirements, all wireless communication facilities shall comply with or exceed current standards and regulations of the State of North Carolina pertaining to telecommunications facilities NCGS Sections 160D-930 through 160D-934.

3. INTERFERENCE

No wireless communication facility shall disturb, diminish, or interfere with public safety, radio, television, or other wireless telecommunications signals in accordance with FCC requirements.

4. STRUCTURALLY SOUND

All elements of a telecommunication facility shall demonstrate, to the satisfaction of the County, that the equipment and the structure supporting the equipment is structurally sound and can accommodate the proposed equipment and appurtenances.

5. SIGHT DISTANCE AT INTERSECTIONS

All elements of a wireless communication facility shall be located outside of, and shall in no way obstruct, required sight distance triangles. This requirement shall apply to existing streets as well as to future street intersections that have been designed or where right-of-way is currently being protected by the State.

6. ACCESSORY EQUIPMENT

Accessory equipment, including any buildings, cabinets, or shelters, shall be used only for the purposes of housing telecommunications equipment and other supplies in direct support of the operation of the wireless communications facility. Any equipment or materials not used in direct support of such operation shall not be stored on the site.

7. OBSTRUCTION LIGHTING

Lighting of a wireless communications facility shall be limited to that required for compliance with FAA minimum standards. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA. Nighttime strobing or flashing lights are prohibited, unless required by the FAA.

8. SIGNAGE

Signage shall be limited to safety or informational signage identifying the party responsible for the

operation and maintenance of the facility and any additional security or safety signs, as necessary, in the opinion of the Administrator.

9. UNAUTHORIZED ACCESS PROHIBITED

Telecommunications towers and vertical projections with telecommunications equipment with a height of 30 feet above grade or more shall be designed or configured to prevent unauthorized persons from climbing on the wireless communication facility whether through use of walls or fencing with a minimum height of six feet above adjacent grade, or anti-climbing devices.

10. NONCONFORMING TELECOMMUNICATIONS FACILITIES

- i. Lawfully established wireless communications facilities in operation prior to November 15, 2022, that do not comply with these standards may remain and operate as nonconforming uses.
- ii. In the event of conflict between these standards and the standards for nonconforming situations in Chapter 9, Nonconforming Situations, the standards in this section shall control with respect to wireless communications facilities.
- iii. Ordinary and routine maintenance may be performed on a nonconforming wireless communications facility.
- iv. Minor collocation of antennae, antenna-support structures, and related telecommunications equipment is allowed, provided that the overall height of the existing nonconforming wireless communications facility remains unchanged or is reduced.
- v. In no instance shall a collocation resulting in an increased overall height or a requiring substantial modification, as defined in this section and NCGS Section 160D-932, be permitted on a nonconforming wireless communications facility.
- vi. In the event a nonconforming telecommunications tower is removed, it shall not be replaced with another nonconforming telecommunications tower.

11. CESSATION

- i. A wireless communication facility shall be considered to have ceased operation if the County receives written notice from a wireless services provider that it intends to cease operations at a particular wireless communications facility or if a wireless communications facility ceases to transmit a telecommunications signal for a period of 30 consecutive days or longer.
- ii. Upon receipt of a written notice from a wireless services provider or upon determination that a wireless communication facility has ceased operation, the County shall forward written documentation of the cessation to the wireless services provider, or the owner of the land, if different.

12. ABANDONMENT

- i. The wireless communications facility shall be deemed abandoned if telecommunications signals do not resume for a period of 180 consecutive days or longer from the date the written documentation of cessation is filed.
- ii. Upon making a determination that a wireless communications facility has been abandoned, the County shall forward written documentation of the abandonment to the wireless services provider, or the owner of the land, if different.

13. REMOVAL

- i. The County may require the wireless services provider or the owner of the land, if different, to remove an abandoned wireless communications facility within 30 days of the date it is deemed abandoned.
- ii. Should the wireless services provider, or the owner of the land, if different, fail to remove the abandoned wireless communications facility within 30 days of the date that notice of abandonment is filed, the County may cause the wireless communications facility to be removed and may recover the actual cost of such removal, including legal fees, if any, from the wireless services provider, or the owner of the land, if different.

14. LIABILITY INSURANCE

- i. The permit holder for wireless communications facilities shall secure and at all times maintain public liability insurance for personal injuries, death, and property damage, and umbrella insurance coverage,

until the tower is removed from the site, in amounts as set forth below:

- 01.** Commercial general liability covering personal injuries, death, and property damage: \$1,000,000 per occurrence/\$2,000,000 aggregate;
 - 02.** Automobile coverage: \$1,000,000 per occurrence/\$2,000,000 aggregate; and
 - 03.** Worker's compensation and disability: statutory amounts.
- ii.** The commercial general liability insurance policy shall specifically include the County and consultants as an additional named insured.
 - iii.** The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the state and with a Best's rating of at least A.
 - iv.** The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least 30 days' prior written notice in advance of the cancellation of the insurance.
 - v.** Renewal or replacement policies or certificates shall be delivered to the County at least 15 days before the expiration of the insurance that such policies are to renew or replace.
 - vi.** Before construction of a permitted wireless communications facility is initiated, but in no case later than 15 days after issuance of the zoning permit, the permit holder shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts.

F. STANDARDS FOR COLLOCATION OF ANTENNAE

1. COLLOCATIONS DISTINGUISHED

All collocations shall be classified as either a major collocation or a minor collocation in accordance with the following:

- i.** A major collocation includes placement of antennas, antenna-support structures, and related telecommunications equipment on any of the following: a building's roof; a building's wall; a vertical projection such as a water tank, electric transmission tower, or similar vertical projection not constructed for the sole purpose of providing telecommunications services; or an existing or replacement telecommunications tower where the collocation requires a substantial modification, as defined in these standards and NCGS Section 160D-931.
- ii.** A minor collocation includes placement of antennas, antenna-support structures, and related telecommunications equipment on an existing or replacement telecommunications tower, provided no substantial modification, as defined in these standards and NCGS Section 160D-931, is required. A minor collocation may also be referred to as an "eligible facility," as defined in these standards and NCGS Section 160D-931.
- iii.** In addition to the placement of antennas and antenna-support structures, collocations may also include the placement of telecommunications equipment on a telecommunications tower, on a vertical projection, on the ground in close proximity to a telecommunications tower or vertical project, within an equipment compound, within an equipment cabinet, within a building, or on a building's roof. Nothing shall prohibit the replacement of an existing telecommunications tower or activities that increase the overall height of an existing telecommunications tower in order to accommodate a proposed collocation.

2. SUBSTANTIAL MODIFICATION

Collocations on an existing or replacement telecommunications tower that require or result in any of the following shall be considered a substantial modification:

- i.** Increasing the existing overall height of the telecommunications tower by the greater of: 20 feet or more than ten percent; or
- ii.** Adding an appurtenance (excluding cabling supports) to the body of an existing telecommunications tower that protrudes horizontally from the edge of the tower by the greater of: more than the width of the telecommunications tower at the height of the appurtenance; or more than 20 feet from the edge of the tower; or
- iii.** Increasing the square footage of an existing equipment compound by more than 2,500 square feet.

- iv. Substantial modifications that require an increase in the overall height of an existing telecommunications tower or require a replacement tower that exceeds the height of the existing telecommunications tower by more than 40 feet shall require review as a new telecommunication tower.

3. MAXIMUM HEIGHT

Antennae, antenna-support structures, or other telecommunications equipment, associated with a major collocation on a building wall or roof shall not project more than ten feet above the highest point of the building's roof or parapet wall.

4. METHOD OF ATTACHMENT

Antennae, antenna-support structures, or other telecommunications equipment, associated with a collocation shall be mechanically fastened to the building, roof, vertical projection, or telecommunications tower in a manner that minimizes the potential for structural failure or endangerment of the public from falling telecommunications equipment. The Administrator shall require an applicant for a collocation to furnish evidence from a professional engineer licensed in the State of North Carolina that the proposed collocation meets the applicable State and local building and fire code requirements.

5. APPEARANCE WHEN CONCEALED

When a collocation is proposed on a concealed telecommunications tower, the collocation shall be configured in the manner necessary to ensure the tower's concealment is not compromised or negatively impacted.

6. SETBACKS

In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a collocation, the existing or replacement tower shall be set back at least one foot from the front, side, and rear lot lines for each foot of overall wireless communications facility height, to the maximum extent practicable. Secondary structures, including equipment cabinets, guy wire anchors, and other ground-based equipment shall conform with the applicable dimensional requirements for the zoning district where located.

G. STANDARDS FOR TELECOMMUNICATIONS TOWER, MAJOR

1. TOWERS DISTINGUISHED

A new or replacement telecommunications tower with a height of 50 feet or more above grade is a major telecommunications tower subject to these standards. A new or replacement telecommunications tower with a height less than 50 feet above grade shall be considered a minor telecommunications tower.

2. SETBACKS

Towers and their associated antennas shall be set back at least one foot from the front, side, and rear lot lines for each foot of overall wireless communications facility height. In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement tower shall comply with the setback requirements, to the maximum extent practicable.

3. MAXIMUM HEIGHT

The maximum height (including antenna and other appurtenances) for any new, replaced, or collocated telecommunication tower is 300 feet, as measured from the adjacent pre-construction grade to the top of the highest appurtenance on the tower. In no instance shall the collocation of an eligible facility or a collocation that constitutes a substantial modification result in a telecommunication tower with a height that exceeds 300 feet above the adjacent pre-construction grade. In cases where a telecommunications tower is mounted to or on top of a building, the overall height of the building and the attached tower shall not exceed 300 feet from the adjacent preconstruction grade. The adjacent pre-construction grade shall be the grade at the base of the building closest to the tower.

4. COLLOCATION REQUIRED

Telecommunications towers shall be designed to accommodate the present and future needs of the owner and as well as the collocation of additional equipment, in accordance with the following standards:

- i. Towers of 50 to 80 feet in height shall be configured to accommodate the collocation of at least two telecommunications service provider's equipment.
- ii. Towers of 81 to 130 feet in height shall be configured to accommodate the collocation of at least three telecommunications service provider's equipment.
- iii. Towers of 131 feet in height or higher shall be configured to accommodate the collocation of at least four telecommunications service provider's equipment.

H. STANDARDS FOR TELECOMMUNICATIONS TOWER, MINOR

1. TOWERS DISTINGUISHED

A concealed telecommunications tower is a telecommunications tower and associated equipment that is designed to appear as something other than a traditional wireless communications facility. A minor telecommunications tower is a use that is designed to appear as a traditional communications facility except that the maximum height of the tower portion of the facility is less than 50 feet above grade.

2. APPEARANCE OF A CONCEALED TELECOMMUNICATIONS TOWER

A concealed telecommunications tower shall be configured to conceal the presence of the tower, antennas, antenna-support structures, and related telecommunications equipment in order to obscure its purpose as a wireless communications facility, to the maximum extent practicable. Allowable configurations include, but are not limited to: bell towers, clock towers, water towers, silos, chimneys, steeples, light poles, flag poles, or evergreen trees. Antennae, antenna support structures, cabling, and related appurtenances shall be enclosed, camouflaged, screened, or otherwise obscured so that they are not readily identifiable as wireless telecommunications equipment to the casual observer (see Concealed Facilities Figure).

CONCEALED FACILITIES



3. SETBACKS

Concealed and minor telecommunications towers and associated secondary structures, including equipment cabinets, shall comply with the applicable dimensional requirements for non-residential uses in the zoning district where located. In no instance shall a concealed or minor telecommunications tower be exempted from the minimum applicable setback requirements for non-residential uses. In cases where an existing concealed telecommunication tower's height is increased or where an existing concealed

telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement concealed telecommunications tower shall comply with the setback requirements above, to the maximum extent practicable.

4. MAXIMUM HEIGHT

The maximum height for any concealed wireless telecommunication tower is 200 feet, as measured from the adjacent pre-construction grade to the top of the highest appurtenance on the tower. In no instance shall a collocation of an eligible facility or work associated with a substantial modification result in a concealed telecommunication tower with a height that exceeds 200 feet above the adjacent pre-construction grade. The maximum height for a minor telecommunications tower is less than 50 feet from the adjacent pre-construction grade to the top of the highest appurtenance on the tower.

5. COLLOCATION

Concealed and minor telecommunications towers are encouraged (but not required) to accommodate the collocation of other antennae. Collocations of equipment on a minor telecommunications tower (whether a major or minor collocation) shall not increase the overall height of the tower by more than 10 feet beyond the initially approved height of the minor telecommunications tower. Actions that result in an increase in tower height by more than 10 feet shall require the minor telecommunications tower to undergo review as a major telecommunications tower. Any collocated equipment on a concealed telecommunications tower must maintain the appearance of the facility as a concealed telecommunications tower. In no instance shall a concealed telecommunications tower be replaced with a telecommunications tower that is not concealed in order to accommodate a collocation.

I. STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES, SMALL

1. CONSOLIDATED APPLICATION

An applicant may file a single consolidated application for up to 25 separate small wireless facilities at one time, but the County may choose to issue separate decisions on one or more of the facilities included within a consolidated application.

2. LOCATED WITHIN PUBLIC RIGHT-OF-WAY

In cases where a small wireless facility is proposed within a public right-of-way, the small wireless facility shall comply with all standards applicable to the right-of-way.

3. TIMEFRAME FOR REVIEW

Applications for establishment of a small wireless facility shall be processed and decided within 45 days from the date the application is determined to be complete. Nothing shall prohibit the County and the applicant from mutually agreeing to a longer review period.

4. TIMING FOR OPERATION

Construction of a small wireless facility shall commence within six months of its approval and the small wireless facility shall be activated for use within one year from the permit issuance date, unless delayed by a lack of commercial power at the site.

5. MAXIMUM EQUIPMENT SIZE

In no instance shall a small wireless facility exceed the following maximum size limitations; a small wireless facility that exceeds these maximum size limitations shall be reviewed in accordance with the standards for a collocation.

- i. Each antenna, and any exposed elements, shall be capable of fitting within an enclosure of six cubic feet, or less.
- ii. All other wireless equipment associated with the small wireless facility shall maintain a maximum cumulative volume of 28 cubic feet, or less. The following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications

demarcation boxes, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or the support structure.

6. MAXIMUM HEIGHT

No new structure intended to support a small wireless facility shall be taller than 50 feet above the adjacent pre-construction grade. An existing structure (such as a utility pole, light standard, sign, etc.) may be replaced in order to accommodate a small wireless facility, but the replacement structure shall not exceed the height of the original structure being replaced. In no instance shall the antennae or equipment associated with a small wireless facility project more than ten feet above the height of the structure the small wireless facility is mounted on. In cases where a new structure installed to serve a small wireless facility exceeds 50 feet in height, the structure shall be reviewed and decided in accordance with the standards for a telecommunications tower. In cases where a replacement structure intended to serve a small wireless exceeds the height of the original structure, the replacement structure shall be reviewed and decided in accordance with the standards for a collocation.

7. PLACEMENT

A small wireless facility, including the support structure and all other equipment, shall not obstruct the safe passage of vehicles, pedestrians, or bicycles.

8. METHOD OF ATTACHMENT

Antennae, antenna-support structures, or other wireless communications equipment, associated with a small wireless facility shall be mechanically fastened to the supporting structure in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment. The Administrator shall require an applicant for a small wireless facility to furnish evidence from a professional engineer licensed in the State of North Carolina that the proposed wireless communications facility meets the applicable State and local building and fire code requirements.

9. APPEARANCE

The portion of a small wireless facility attached to the support structure shall match the color of the support structure, to the maximum extent practicable. In cases where an applicant proposes inclusion of a small wireless facility on a decorative support structure, sign, or other existing structure not constructed solely for the purposes of providing wireless telecommunications services, the County may require the small wireless facility to be configured or concealed to ensure compatibility with the structure.

10. ELECTRICAL SERVICE

In cases where a small wireless facility is proposed in areas where electrical service is underground, all electrical service to the small wireless facility shall also be underground.

SECTION 8.117. YARD SALES, RESIDENTIAL AND CIVIC**A. DEFINITION**

A temporary sale of normal used household goods by an individual occupant of a residence, a coordinated group of homeowners within an established development, or a non-profit civic or religious organization for the purpose of selling surplus household items for profit or for charitable purposes.

B. STANDARDS

1. Yard sales are exempt from zoning permit requirements but shall be limited to a maximum of three consecutive days up to six times a year on any single lot.
2. Any signs advertising a yard sale shall be removed at the conclusion of the sale.
3. Signage shall be in accordance with the sign standards in this Ordinance (see Section 6.15).

C. PROHIBITED

1. Items purchased elsewhere expressly for resale are prohibited.

2. Goods intended for sale shall not be stored or displayed in the front or side yards of a dwelling except on the day of the sale.

SECTION 8.118. ZOO AND PETTING ZOO**A. DEFINITION**

A zoo is an area, building, or structures which contain wild animals kept for public exhibition. A petting zoo involves farm animals and other animals kept for public exhibition.

B. STANDARDS

1. Any animals or areas deemed potentially dangerous shall be identified through signage and be located a minimum 100 feet from any property line or street right-of-way.
2. These animals shall be enclosed within a security fence accommodated to that animal or be located within a secured building.
3. Such uses shall provide at least one off-street parking space for each employee plus one parking space for every four persons of capacity.

C. SUPPLEMENTAL REQUIREMENTS

1. Written evidence of application to the United States Department of Agriculture (USDA) for such a facility shall be submitted at the time of application and written evidence of USDA certification is required prior to issuance of a certificate of occupancy for the facility.
2. The owner(s) shall ensure the facility remains in compliance with local, State, and federal regulations regarding permitting and containment of exotic animals.
3. The owner shall submit the facility's Emergency Action Plan as deemed necessary by the Moore County Department of Public Safety.