

ARTICLE 9

SPECIFIC USE STANDARDS

SECTION 9.1 RESIDENTIAL USES

9.1.1 Accessory Dwelling Unit

- 9.1.101 The accessory dwelling unit and principal structure must occupy the same lot;
- 9.1.102 No more than one accessory dwelling unit shall be permitted on a single deeded lot in conjunction with the principal dwelling;
- 9.1.103 Accessory dwelling units shall be located behind the front building line and meet all principle setback requirements;
- 9.1.104 The accessory dwelling unit shall not be served by a driveway separate from that serving the principal dwelling;
- 9.1.105 The heated floor area of the accessory dwelling unit shall not be less than 300 square feet.

9.1.2 Accessory Dwelling Unit – Manufactured Home

- 9.1.201 The accessory dwelling unit – manufactured home must meet all the requirements of Accessory Dwelling Unit as shown in **§9.1.1** (Accessory Dwelling Unit).
- 9.1.202 There shall be a minimum separation of thirty feet (30) between the principal structure and the accessory dwelling unit.
- 9.1.203 The lot size shall be a minimum of one and a half (1.5) times the lot size requirement for the applicable zoning district.

9.1.3 Additional Dwelling Unit

- 9.1.301 Additional Dwelling units are allowed at a density of one (1) additional dwelling per every ten (10) acres of land in the RA and RE zoning districts.

9.1.4 Apartments and Multifamily Structures

- 9.1.401 Side and rear yard minimum setbacks shall be increased to one and a half (1.5) times the minimum for the applicable zoning district.
- 9.1.402 One or more parking lots shall be constructed to accommodate all required parking. Individual parking spaces shall not have direct access to the street.
- 9.1.403 Any playground equipment must be located in the rear yard at least ten (10) feet from any property line.

9.1.5 Manufactured Homes

- 9.1.501 All manufactured homes placed, erected or located on any parcel or lot must have either a solid foundation, or skirting that fully encloses the crawl space beneath the manufactured home installed within 90 days of the final inspection of the manufactured home.
- 9.1.502 An additional ninety (90) day period to complete skirting may be authorized by the Zoning Administrator in cases where the applicant presents a documented hardship to compliance.
- 9.1.503 Manufactured homes located within Moore County prior to August 18, 1997 are exempt from this skirting requirement.
- 9.1.504 Manufactured homes placed, erected or located on any parcel or 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.
- 9.1.505 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.
- 9.1.506 No mobile home or trailer shall be used in any manner for business or commercial purposes except when used for a sales office on a mobile home sales lot, or for temporary use approved by the Zoning Administrator.

9.1.6 Personal Workshop/Storage Building

- 9.1.601 A structure to be used for storage or personal workspace, consistent with the type of storage allowed in a residential accessory structure, may be permitted provided the structure is residential in character, owned and used solely by the owner of the property on which it is to be located.
- 9.1.602 Such buildings may be built prior to the completion of the principal residential structure and the building shall become an accessory structure immediately following the placement of a principle residential structure on the property.
- 9.1.603 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.
- 9.1.604 The personal workshop/storage building may not be located on a parcel smaller than two (2) acres.
- 9.1.605 The personal workshop/storage building must meet the principal structure setbacks of the underlying zoning district.
- 9.1.606 Only one (1) structure is allowed on the property in the absence of a principal dwelling unit.

SECTION 9.2 ACCESSORY USES

9.2.1 Home Occupation, Standard

- 9.2.101 The operator of the home occupation must reside on the same lot as the operation.
- 9.2.102 No outside, window or any other display of products shall be visible from any adjoining lot or road.
- 9.2.103 No element of any home occupation may create odors, light emissions, noises or interference in radio or television reception detectable to adjoining properties or other nuisance factors.
- 9.2.104 Any and all outdoor lighting associated with any home occupation must be shielded to not cast light onto adjoining property or rights-of-ways.
- 9.2.105 A home occupation may be conducted in the only as an accessory use to a principal site built single family dwelling.
- 9.2.106 The home occupation shall be clearly incidental, subordinate and secondary to the residential use of the dwelling and shall not change the residential character of the dwelling or character of surrounding properties.
- 9.2.107 Standard Home Occupations shall be limited to a maximum of 25 percent of the gross floor area of the principal structure, the entirety of an accessory structure or a combination thereof. Such accessory structures shall be less than or equal to the gross floor area of the principal structure.
- 9.2.108 No external alterations inconsistent with the residential use of the property shall be permitted.
- 9.2.109 Only one (1) person not a resident of the dwelling may be employed in connection with the home occupation
- 9.2.110 The following uses are those that have been determined to be suitable as a Standard Home Occupation.
- Bakeries, commercial
 - Beauty and Barber Shops
 - Carpentry
 - Contractor / Construction Business (including but not limited to, general contractors, subcontractors, grading, landscaping, tree service, pool installation, etc.)
 - Office – Business
 - Office – Professional and Medical
 - Produce Stands
- 9.2.111 Any Standard Home Occupation use that exceeds one or more of the specific standards listed above for Standard Home Occupations is automatically

considered an Intensive Home Business and must comply with all of the requirements as set forth §9.2.2 (Intense Home Business).

9.2.2 Intensive Home Business

- 9.2.201 The operator of the intensive home business must reside on the same lot as the operation.
- 9.2.202 No outside, window or any other display of products shall be visible from any adjoining lot or road.
- 9.2.203 No element of any home occupation may create odors, light emissions, noises or interference in radio or television reception detectable to adjoining properties or other nuisance factors.
- 9.2.204 Any and all outdoor lighting associated with any home occupation must be shielded to not cast light onto adjoining property or rights-of-ways.
- 9.2.205 Intensive Home Businesses shall be limited to a maximum of 50 percent of the gross floor area of the principal structure, the entirety of an accessory structure or a combination thereof. Such accessory structures shall be less than or equal to the gross floor area of the principal structure.
- 9.2.206 Any accessory structure utilized as the home occupation shall be located in the rear yard at least 50 feet from any adjoining property line or street right of way.
- 9.2.207 More than one individual, not a resident of the dwelling may be employed.
- 9.2.208 The specific use to be operated as the home occupation must comply with the specific standards for that use found in this Article and the parking requirements for the use.
- 9.2.209 The following uses are those that have been determined to be suitable as a Intensive Home Business
 - Animal Shelters and Kennels
 - Automobile Parts Sales
 - Automobile Sales and Service
 - Automobile Service (Use does not include junk vehicle storage)
 - Bakeries, Commercial
 - Boat Sales and Service
 - Carpentry
 - Child Care Facility
 - Child Care Center
 - Contractor / Construction Business
 - Farm Equipment Sales and Service
 - Feed and Seed Sales (no outdoor storage)
 - Greenhouses
 - Moving Companies

- Office – Business
- Office – Professional and Medical
- Other Vehicle and Equipment Sales and Services, including farm equipment, trucks, motorcycles, maintenance equipment storage, motor homes and campers and boats.
- Produce Stands
- Radio and Television Studios
- Recreation, Outdoor (including, but not limited to, ball fields, swimming pools, horseback riding trails, hiking trails, bicycling trails, saddle clubs and community rodeos)
- Sculpting
- Sculpting (no outdoor storage)
- Service Industries related to the Horse Industry
- Welding
- Woodworking and Wood Products

9.2.3 Residential Solar Collectors

- 9.2.301 All solar collector panels, ground-mounted or roof-mounted systems, that gather solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for residential property shall meet the following requirements in addition to any other requirements specified elsewhere.
- 9.2.302 The solar panels must comply with North Carolina Building Code and National Electric Code with North Carolina amendments.
- 9.2.303 The ground-mounted solar panels must meet building setbacks for an accessory structure for the underlying zoning district set forth in §6.2 (Residential Districts) and may not project into the setbacks.
- 9.2.304 The ground-mounted solar panels be located in the side or rear yard, and must be located as close to the ground as practicable and in no case higher than the principal structure.
- 9.2.305 The roof-mounted panels shall not extend beyond the perimeter of the roof on which the system is mounted or constructed. The total height of the solar panels shall not project above the ridge line of the roof on which they are mounted. The ridge line is defined as the highest point of the roof.

9.2.4 Swimming Pools

- 9.2.401 All public, commercial, or private outdoor swimming pools of more than two (2) feet in depth, above ground or below ground, and of either permanent or temporary construction shall meet the following requirements.
- 9.2.402 The setbacks for a swimming pool from any lot line are ten (10) feet from the side and rear lot line plus one (1) foot for each foot over five (5) of pool depth.

- 9.2.403 The swimming pool be located in the side or rear yard.
- 9.2.404 Community pools, private club pools, outdoor pools as accessory uses for commercial operations (e.g. motels), or outdoor pools in multi-family complexes shall locate the pool and decking a minimum of one hundred (100) feet inside the property lines adjacent to a residential use or zoning district and a minimum of fifty (50) feet from any other property line or street right-of-way.
- 9.2.405 That a fence be erected to a minimum height of four (4) feet to completely enclose all sides of the pool not bounded by a building.
- 9.2.406 Fencing requirements shall not apply when a swimming pool is an accessory use on a parcel five (5) acres or larger in size and the pool is located no closer than one-hundred (100) feet from any property line.
- 9.2.407 A self-closing and self-latching gate of equal height shall be installed and locked when the pool is not in use.
- 9.2.408 That all mechanical equipment be located a minimum of five (5) feet from any property line.
- 9.2.409 That all floodlights be shielded from adjacent properties to minimize offensive glare.
- 9.2.410 That all electrical wiring shall be in conformance with the National Electrical Code.
- 9.2.411 That no water may be discharged directly into natural streams or public waterways or on adjacent properties.

SECTION 9.3 COMMERCIAL USES

9.3.1 Adult Entertainment

- 9.3.101 No adult entertainment establishment shall be located within one thousand (1,000) feet of another adult entertainment establishment which shall be measured from the exterior walls of the building(s) containing such regulated use.
- 9.3.102 No adult entertainment establishment shall be located within seven hundred and fifty (750) feet of any area zoned for residential use or from the property line of residential unit(s), churches, synagogues, temples, nursery schools, day care centers (child/adult) and public or private schools, in all zoning districts, which will be measured from the property line(s) containing such regulated use.
- 9.3.103 Areas zoned for residential use shall be classified as any Rural Agricultural (RA, RA-USB, RA-5, RA-2, RA-40, RA-20), Rural Equestrian (RE), R-MH Mobile Home District (R-MH), Gated Community – Seven Lakes (GC-SL), and Gated Community – Woodlake (GC-WL) Zoning Districts, as well as the aforementioned districts' Conditional Use Districts.

- 9.3.104 Screening is required around the entire perimeter of any adult entertainment establishment. This screening shall consist of a naturally wooded area or planted with a mixture of evergreen and deciduous trees and shrubs to simulate a naturally wooded area within three (3) years. This screening shall be located in a fifteen (15) foot wide buffer.
- 9.3.105 Location of existing structures on property within 1,000 feet of exterior wall(s) of the regulated use shall be shown on the required commercial site plan.
- 9.3.106 Zoning of properties within 750 feet of each property line of the regulated use shall be shown on the required commercial site plan..

9.3.2 Airfield (General Aviation and Private)

- 9.3.201 Airport size and layout shall conform to current FAA design standards.
- 9.3.202 There shall be a minimum of three hundred (300) feet between any runway or taxiway and to the nearest property used or zoned for residential purposes, except that a residence may be located on the property of a small private airfield.
- 9.3.203 When located within one hundred (100) feet of the property line or street right-of-way and abutting property used or zoned for residential uses, hangars, storage buildings, terminals, loading docks, and parking lots shall be screened with one of the options meeting the requirements of **§8.2** (Screening Requirements) of this Ordinance.
- 9.3.204 Required development site plan shall include scaled drawings of location and size of landing strips and the location of landing lights (if applicable).
- 9.3.205 Application shall include a map of all property within 500 feet of proposed airfield or airstrip property line and within 1,500 feet of each end of the runway, including names and addresses of property owners and type of land use for each property, as given in the tax listings and the location, type, and height of any structure, including towers, over two hundred (200) feet in height and within a five (5) mile radius.
- 9.3.206 Application shall also include a copy of the current FAA design, approach, and airspace obstruction standards and documentation showing FAA permits and design approval.

9.3.3 Alcoholic Beverage Package Store

- 9.3.301 Drive-thru lanes and service windows shall be screened and set back a minimum of thirty (30) feet from property used or zoned for residential purposes.
- 9.3.302 The screening shall meet the requirements of **§8.2** (Screening Requirements).
- 9.3.303 Outdoor lighting around drive-thru lanes and service windows shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.

9.3.4 Ambulance Service

9.3.401 Ambulance service shall only be located on a State-maintained road or highway.

9.3.5 Animal Training Facility

9.3.501 All cages, kennels, pens or containment areas for animals shall not be visible from any public right of way.

9.3.502 Structures utilized for confinement, boarding, care, or breeding of animals require a minimum setback of 100 feet from any property line and 500 feet from any adjacent property zoned residential.

9.3.503 One (1) acre of land shall be required for each primary enclosure.

9.3.504 Not more than four (4) adult animals shall be housed in the same primary enclosure without supervision.

9.3.505 Primary enclosures for animals shall be structurally maintained in good repair and in a manner to prevent injury to animals and keep other animals out.

9.3.506 Primary enclosures shall be constructed so as to provide space to allow each animal to walk, turn about freely, and to easily stand, sit, and lie in a natural position.

9.3.507 The height of a primary enclosure other than a cage shall be no less than five (5) feet.

9.3.508 All enclosures shall be constructed to prevent the escape of animals.

9.3.509 Enclosures shall be constructed of such material, and in such a manner as to minimize the risk of injury to the animal, and shall encompass sufficient usable space to keep the animal in good condition. When an animal is confined the following minimum space requirements shall be adhered to:

Size of Animal	Pen Size
Greater than 26 inches at Withers or greater than 75 pounds	48 square feet
Greater than 20 inches up to 26 inches at Withers or not greater than 75 pounds	40 square feet
Greater than 12 inches up to 20 inches at Withers or not greater than 50 pounds	32 square feet
12 inches or less at Withers or not greater than 20 pounds	24 square feet

9.3.510 A separate five (5) foot perimeter fence is required if any animals have access to an outdoor enclosure, including unsupervised exercise areas.

9.3.511 All animal training facility buildings, runs, pens or other facility areas shall be screened from the view of all adjacent property used or zoned for residential purposes by fencing or vegetation meeting the requirements of §8.2 (Screening Requirements).

- 9.3.512 No outdoor lighting shall illuminate any adjoining property
- 9.3.513 All Animal Training Facilities shall be in conformance with the Moore County Animal Control Ordinance.
- 9.3.514 All Animal Training Facilities shall be in conformance with all Federal, State and Local laws and receive all applicable permits and licenses from all necessary agencies.
- 9.3.515 Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin and insects. All open bags of food shall be stored in airtight containers with lids. Refrigeration shall be provided for supplies of perishable food.
- 9.3.516 Provisions shall be made for the daily removal and disposal of animal and food waste, bedding and debris from the housing facility in accordance with local Ordinances, to assure facility will be maintained in a clean and sanitary manner.

9.3.6 Animal Shelters and Kennels

- 9.3.601 No accessory buildings, outdoor run, or other animal holding or exercising facility shall be located in the front or side yards.
- 9.3.602 All kennel buildings, runs, pens, or other facilities shall be screened from the view of all adjacent property used or zoned for residential purposes by fencing or vegetation, meeting the requirements of **§8.2.2** (Screening Types) of this Ordinance.
- 9.3.603 All operations, including the provision of waste disposal and the removal of carcasses, shall comply with all federal, state, and local requirements.

9.3.7 Arenas, Assembly and Exhibition Halls

- 9.3.701 All buildings, including accessory garages or storage buildings, shall be set back from all property lines and street rights-of-way double (2 times) the minimum required for principal buildings in the applicable district.
- 9.3.702 Parking shall not be located in the front yard, except where the lot is two (2) acres or more in size and the parking is not in the required front yard. (i.e. The point where any parking area is closest to the street must be set back from the street right-of-way at least as far as the minimum setback for the principal building.)
- 9.3.703 Parking, loading, and outdoor activity areas, such as outdoor exhibition areas, picnic areas, amphitheaters, and outdoor stages and seating areas, must be screened from view from adjacent properties. This screening must meet the requirements of **§8.2.2** (Screening Types) of this Ordinance.
- 9.3.704 Outdoor lighting shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.
- 9.3.705 Any and all outdoor lighting must be shielded to not cast light onto adjoining property or rights-of-ways.

- 9.3.706 The required development site plan shall indicate the style and location of all outdoor lighting.
- 9.2.707 There shall be no outdoor loudspeakers or public address system other than in an outdoor arena.

9.3.8 Auction House

- 9.3.801 Parking and loading areas must be screened from view from adjacent properties. This screening must meet the requirement listed in §8.2.2 (Screening Types) of this Ordinance.
- 9.3.802 Outdoor lighting shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.
- 9.3.803 There shall be no outdoor auctions or display of items for sale.
- 9.3.804 There shall be no outdoor loudspeakers or public address system.
- 9.3.805 This use does not include estate auctions, tax sales, or court ordered sales at the site of the estate or other property being sold.

9.3.9 Automobile Sales and Service

- 9.3.901 Minimum setback from any street right-of-way or property line for automobile sales areas, service areas, parking and buildings shall meet the minimum building setbacks for the underlying zoning district or a minimum of twenty (20) feet, whichever is greater.
- 9.3.902 Screening must be provided which completely screens from view the automobile service areas, not including sales areas and shall be a durable wall or fence at least seven (7) feet in height.
- 9.3.903 Any material stored outside of a building on the property must be enclosed in accordance with §8.2.7 (Enclosure Requirements) of this Ordinance.

9.3.10 Bed and Breakfast Operations

- 9.3.1001 The use must be located in a structure that was constructed as a single family dwelling.
- 9.3.1002 There shall be no less than one (1) bathroom, consisting of a bath or shower, water closet, and lavatory for each two (2) guestrooms.
- 9.3.1003 In addition to parking requirements listed in §8.3 (Parking and Loading) of this Ordinance, no parking shall be allowed in any front yard.
- 9.3.1004 A floor plan of each dwelling must be provided, showing ingress and egress from each room, bathrooms, kitchen, dining areas, other public areas available to guests, and private quarters of the owner and staff.

- 9.3.1005 A fire protection plan approved by the County Fire Marshal must be submitted with the floor plan.
- 9.3.1006 The required development site plan shall depict neighboring properties and buildings within 200 feet of the property line.
- 9.3.1007 The owner must permanently reside on the site of the bed and breakfast inn. An owner is an individual with a twenty-five percent (25%) or greater interest in the business.
- 9.3.1008 All required state permits must be acquired and maintained.

9.3.11 Billboards

- 9.3.1101 Billboards must meet the requirements of §8.4.18 (Billboards) of this Ordinance.
- 9.3.1102 The required detailed site plan must also show the location of any other billboards along both sides of the street for fifteen hundred (1,500) feet of the proposed site.
- 9.3.1103 The required detailed site plan must show the location of buildings and types of activities on the property on which it is to stand, on adjacent properties, and across the street, for a distance of five hundred (500) feet in both directions from the sign.

9.3.12 Campground, Public and Private (including Recreational Vehicle)

- 9.3.1201 In areas with developed campsites, separate sanitary facilities for both sexes (including showers) shall be available within four hundred (400) feet of each campsite and drinking water shall be available within one hundred (100) feet of each campsite.
- 9.3.1202 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.
- 9.3.1203 In primitive camping areas, drinking water and sanitary facilities shall be available within twelve hundred (1200) feet.
- 9.3.1204 No permanent camping shall be permitted. It is not intended that any structure, mobile or permanent, be used as a permanent residence except for the owner or operator.
- 9.3.1205 In areas with developed campsites, each campsite shall have a minimum of parking for two (2) vehicles.
- 9.3.1206 Adequate lighting shall be provided for all common areas, including interior lighting in any building open at night. All sanitary facilities and dumping areas, water faucets, parking areas (other than at each campsite), recreation areas, and other service buildings and general use sites shall be lit at night, either with a light mounted on the building or as a pole light. In developed camping areas, lights will be installed along walkways to water and sanitary facilities and at roadway or driveway intersections.

- 9.3.1207 Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.3.1208 In developed camping areas, an attendant will be on the site twenty-four (24) hours a day while the campground is open for business.
- 9.3.1209 Individual campsites and general use areas shall be kept clean and free from garbage, refuse, litter, and other conditions which can lead to the transmission of disease, breeding of rodents and insects, and which may present a fire hazard or contribute to the spread of fire.
- 9.3.1210 Location and approximate size of all buildings and structures within 500 feet of the property lines must be shown on the required site plan.
- 9.3.1211 Proposed layout of the campground, both primitive and developed camping areas, including individual sites, cabins, recreation areas, drinking water outlets, sanitary disposal facilities, comfort stations and other service buildings must be shown on the required site plan.

9.3.13 Child Care Facility and Child Care, Family (including adult day care)

- 9.3.1301 Outdoor activity or play areas shall not be located in any front yard and shall be of a size equal to seventy-five (75) square feet per attendee, excluding children in cribs.
- 9.3.1302 As a principal use, an indoor activity area shall be provided equivalent to at least twenty-five (25) square feet per attendee.
- 9.3.1303 Play space shall be enclosed by a chain link or solid fence or wall at least four (4) feet high.
- 9.3.1304 A paved or otherwise improved driveway, with ingress and egress directly onto a public street, shall be constructed in such a manner as to provide entrance to and exit from the property without backing onto the street right-of-way.
- 9.3.1305 Location and approximate size of all existing buildings and structures on the adjacent lots shall be shown on the required site plan.
- 9.3.1306 Location and extent of open play area shall be shown on required site plan.
- 9.3.1307 All required state licenses and permits must be obtained and submitted with the application.

9.3.14 Clubs and Places of Entertainment (Commercial), and Billiard or Pool Hall

- 9.3.1401 The setback for any building and parking area shall be seventy-five (75) feet from any street right-of-way and any contiguous property line that is used or zoned for residential purposes.

- 9.3.1402 The setback for any building and parking area shall be thirty-five (35) feet from any street right-of-way and any contiguous property line that is used or zoned for nonresidential purposes.
- 9.3.1403 Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

9.3.15 Convenience Stores (including self-service fuel pumps)

- 9.3.1501 Fuel sales shall be located no less than a minimum distance of thirty (30) feet from any street right-of-way and forty (40) feet from any other property line.
- 9.3.1502 The location of all fuel pumps, drive-thru lanes and service windows, and car washes shall be shown on the required site plan.
- 9.3.1503 Other vehicular services, such as tire sales and service, auto repair, sale of auto accessories and supplies, etc. shall not be permitted, though an automated car wash shall be permitted.
- 9.3.1504 No outside storage of materials shall be permitted with the exception of merchandise normally displayed or stored outside (e.g. ice, fire wood, bottled gas, Christmas trees, beverage and snack machines, newspaper stands, and the like).

9.3.16 Feed and Seed Sales

- 9.3.1601 All buildings, storage sheds, and similar structures and parking or storage areas for vehicles, equipment, or supplies shall be set back from all property lines and street rights-of-way a minimum of the required setbacks for the principal building in the zoning district in which the property is located.
- 9.3.1602 The location of all buildings, storage sheds, and all outdoor sales or storage areas must be shown on the required development site plan.
- 9.3.1603 Outdoor storage is not permitted in the GC-SL zoning district.

9.3.17 Flea Market

- 9.3.1701 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.
- 9.3.1702 Any buildings or structures shall meet the current North Carolina State Building Code for indoor use.

9.3.18 Furniture and Home Furnishing Store

- 9.3.1801 Outdoor display areas are allowed, but furniture or other items must be removed at the close of business and must be clearly depicted on the required site plan.

9.3.19 Hotel and Motels

- 9.3.1901 Where the property line of the hotel or motel is adjacent to property zoned or used as residential, all hotel and motel buildings and parking shall be located at least fifty (50) feet from any property line or street right-of-way.
- 9.3.1902 Any accessory commercial activities, such as restaurants, and any outdoor recreational activities, such as swimming pools, must meet the required setbacks of the underlying zoning district.

9.3.20 Mini-Warehouse Storage Facilities

- 9.3.2001 The total ground area covered by buildings shall not exceed fifty percent (50%) of the lot, unless requirements of the Watershed Regulations mandate less built-upon area.
- 9.3.2002 Maximum height of any building cannot exceed twenty (20) feet.
- 9.3.2003 Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way
- 9.3.2004 The storage of hazardous, toxic, or explosive substances shall be prohibited.
- 9.3.2005 No business activity other than the rental of storage units shall be conducted on the premises.

9.3.21 Nursing and Convalescent Homes

- 9.3.2101 Minimum side and rear yard setbacks shall be at least fifty (50) feet.
- 9.3.2102 Service facilities, such as gift shops, snack bars, and personal service shops, may be provided if the facilities are completely within the building and designed to serve patrons of the facility and their visitors only.
- 9.3.2103 Any outdoor lighting in connection to an emergency room entrance must be mounted no higher than ten (10) feet (or the eave of a one story building), must have a total cutoff at ninety (90) degrees, and must not shine directly onto any adjoining property or street right-of-way.

9.3.22 Offices - Business

- 9.3.2201 Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.3.2202 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for, but not limited to, parking lots, loading areas, places of assembly, or outdoor display areas, which may affect residential property or uses.
- 9.3.2203 This screening may be modified by reducing the required width of the buffer strip and the number of plants if all buildings, and parking lots are set back one hundred (100) feet from all property lines and street rights-of-way.

9.3.23 Other Vehicle Equipment Sales and Services

- 9.3.2301 Parking, loading, and outdoor storage areas must be screened from view from adjacent properties and meet the provisions of §8.2 (Screening Requirements)

9.3.24 Pawn Shop

- 9.3.2401 No outdoor display areas are allowed.
- 9.3.2401 Any outdoor storage of inventory, must be located in the rear yard and must be screened from view from adjacent properties, meeting the provisions of §8.2 (Screening Requirements)

9.3.25 Sawmill

- 9.3.2501 The owner(s) shall ensure the facility remains in compliance with local, State, and Federal regulations regarding air and water quality.
- 9.3.2502 All buildings, storage sheds, and other similar 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 of thirty (30) feet or the building setbacks for the underlying zoning district, whichever is greater.
- 9.3.2503 Sawdust created by the facility shall be disposed of in a manner that is acceptable by the North Carolina Department of Environmental and Natural Resources, Division of Environmental Management.

9.3.26 Services not elsewhere listed

- 9.3.2601 All buildings, storage sheds, and other similar 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 of ten (10) feet or the building setbacks for the underlying zoning district, whichever is greater.
- 9.3.2602 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for, but not limited to, parking lots, loading areas, places of assembly, or outdoor display areas, which may affect residential property or uses.

9.3.27 Solar Collector Facility

- 9.3.2701 This type of use excludes any solar panels that are utilized or generating electricity for a residential property.
- 9.3.2702 Facilities shall be restricted to locations within three (3) miles of an existing or proposed electrical substation that can accommodate the proposed electrical production unless certification by a utility supplied engineer, from the utility with which the applicant has an interconnection agreement, establishes that voltage regulators or other devices are present allowing safe, efficient transmission of power over a greater distance. *(Amended Jan. 20, 2015)*
- 9.3.2703 A minimum building setback of fifty (50) feet, where abutting residential property and sixty-five (65) feet from public rights-of-way is required for ground-mounted

systems. This excludes any proposed solar collector facility to be installed on an existing or proposed building.

- 9.3.2704 The photovoltaic (PV) panels are to be located and situated so glare does not create a distraction or nuisance to traffic or adjacent residential properties.
- 9.3.2705 Solar components must have a UL listing, or a listing from an alternative testing agency accepted by the local jurisdiction having authority over the project, and must be designed with anti-reflective coating(s).
- 9.3.2706 All construction shall be in compliance with the National Electric Code and North Carolina Building Code.
- 9.3.2707 No structure shall exceed a height greater than twenty-five (25) feet, except for existing poles and overhead wiring. This is measured from finished grade at the base of the structure to its highest point. This would exclude any roof-mounted solar collection systems.
- 9.3.2708 Roof-mounted panels shall not extend beyond the perimeter of the building on which the system is mounted or constructed. The total height of the solar panels shall not exceed the maximum building height of the underlying zoning district.
- a. Pitched Roof Systems – For all roof-mounted systems, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
 - b. Flat Roof Systems – For all flat roof applications, a drawing shall be submitted depicting the overall layout of the panels with the distance to the roof edge and any parapets on the building.
- 9.3.2709 All power transmission lines from a ground mounted solar energy system shall be located underground, excluding existing utilities.
- 9.3.2710 Inverter(s) shall be located a minimum one hundred and fifty (150) feet from any property line or public right-of-way.
- 9.3.2711 Where facility adjoins property used or zoned for residential purposes and public rights-of-way, a vegetative screen, either planted or naturally wooded area, shall be provided in accordance with §8.2 (Screening Requirements) of this Ordinance.
- 9.3.2712 Access to site must be controlled by a fence at least six (6) feet in height, with 24/7 emergency access. Mechanical equipment and inverter shall be fenced by a minimum six (6) foot fence with 3-strand barbed wire or razor wire or an eight (8) foot fence.
- 9.3.2713 In the event a solar collector facility becomes abandoned, the applicant must provide a way of ensuring the remaining solar infrastructure does not create a hazard to the public.
- a. If the applicant ceases operation of the energy facility or begins, but does not complete, construction of the project, the applicant shall restore the

site according to a decommissioning plan approved by the Planning Department.

- b. The Solar Collector Facility owner is required to notify Moore County immediately in writing upon abandonment or cessation of the solar operation. The owner shall be responsible for the decommissioning of the facility within six (6) months from the date the applicant ceases use of the facility or the facility becomes obsolete. A project is decommissioned when all structures and equipment are removed and the site is restored to its original state.

9.3.2714 The electrical disconnect switch shall be clearly identified and unobstructed at all times. The owner must file a map with the Moore County Public Safety Department depicting where the disconnect switch is located, and supply all emergency contact information to emergency personnel to have on file.

9.3.28 Vehicle Service Stations (including car washes)

9.3.2801 Fuel sales shall be located no less than a minimum distance of twenty (20) feet from any street right-of-way or property line.

9.3.2802 Buildings shall be located at least twenty (20) feet from any street right-of-way or property line, or meet the minimum building setback for the underlying zoning district, whichever is greater.

9.3.2803 Other vehicular services, such as tire sales and service, auto repair, sale of auto accessories and supplies shall be permitted.

9.3.2804 No outside storage of materials shall be permitted with the exception of merchandise normally displayed or stored outside (e.g. ice, propane, beverage/snack machines, newspaper stands, etc.).

9.3.2805 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for, but not limited to, parking lots, loading areas, or outdoor display areas, which may affect residential property or uses.

9.3.2806 Car washes must meet the requirements of §8.2 (Screening Requirements).

9.3.29 Veterinary Clinics

9.3.2901 No accessory buildings, outdoor run, or other animal holding or exercising facility shall be located in the front yard.

9.3.2902 All kennel buildings, runs, pens, or other facilities shall be screened from the view of all adjacent property used or zoned for residential purposes by fencing or vegetation, meeting the requirements of §8.2.2 (Screening Types) of this Ordinance.

9.3.2903 All operations, including the provision of waste disposal and the removal of carcasses, shall comply with all federal, state, and local requirements.

9.3.30 Woodworking and Wood Products

- 9.3.3001 Any side and rear yard setback abutting property used or zoned for residential purposes shall be increased to a fifty-five (55) feet minimum.
- 9.3.3002 Screening that meets the requirements of §8.2.2 (Screening Types) of this Ordinance shall be provided along any side or rear property line, if adjacent property is used or zoned for residential purposes and around any outside storage areas, regardless of the use of adjacent property.
- 9.3.3003 If outside storage or activity areas may present a safety hazard to the public, the area shall be fenced, as well as screened, with a fence or wall at least seven (7) feet in height and kept locked at night or whenever not in use or open for business.

SECTION 9.4 INDUSTRIAL USES

9.4.1 Fuels, Bulk Storage

- 9.4.101 The boundary of the property shall be a minimum of two hundred (200) feet from any residential use or zoning district or any hospital, nursing or convalescent home, retirement home, life care community, school, or church. However, the Planning Board shall be authorized to increase this set back if the situation warrants, based on the specific substances that are to be manufactured or stored and in what specific quantities.
- 9.4.102 All structures (except fences or walls), buildings, storage areas, etc. used in the operation shall be a minimum of one hundred fifty (150) feet from all property lines or street right-of-way.
- 9.4.103 Buildings must meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.104 All storage facilities shall comply with the latest edition of the “Flammable and Combustible Liquids Code, NEPA 30” of the National Fire Protection Association.
- 9.4.105 The use shall be totally enclosed by a security fence or wall at least eight (8) feet high or enclosed within a locked fireproof building.
- 9.4.106 A vegetative screen, either planted or natural wooded area, shall be provided along any street right-of-way and any property line within four hundred (400) feet of property used or zoned for residential purposes. This screening must meet the requirements of §8.2.2 (Screening Types) of this Ordinance.
- 9.4.107 All plans shall be reviewed by the County Fire Marshal for approval in order to determine that existing services provide adequate protection.
- 9.4.108 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.
- 9.4.109 The site shall be utilized in a manner that shall not pose a hazard off-site.

- 9.4.110 All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
- 9.4.111 Buildings must be maintained to meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.112 The local Fire Department shall be kept notified of the types of materials used, manufactured, or stored on the site.

9.4.2 Landfill, Land Clearing and Inert Debris

- 9.4.201 The minimum lot size must be 2 acres.
- 9.4.202 Access must be provided from a road or street that has a cleared travel way of at least thirty (30) feet.
- 9.4.203 Landfill must be staffed during operating hours.
- 9.4.204 Any maintenance facilities must be located at least 150 feet from any property line.
- 9.4.205 Use must meet all state, federal and local requirements.

9.4.3 Landfill, Sanitary

- 9.4.301 Use must meet all state, federal and local requirements.
- 9.4.302 The entire property, or portion of being used for landfill and supporting functions shall be fenced with a security fence at least seven (7) feet high and screened meeting §8.2.2 (Screening Types) of this Ordinance.

9.4.4 Manufacturing, Fertilizer

- 9.4.401 Buildings must meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.402 All storage facilities shall comply with the latest edition of the “Flammable and Combustible Liquids Code, NEPA 30” of the National Fire Protection Association.
- 9.4.403 Outdoor storage of any materials shall be totally enclosed by a security fence or wall at least eight (8) feet high or enclosed within a locked fireproof building.
- 9.4.404 All plans shall be reviewed by the County Fire Marshal for approval in order to determine that existing services provide adequate protection.
- 9.4.405 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.
- 9.4.406 The site shall be utilized in a manner that shall not pose a hazard off-site, including air and water quality.
- 9.4.407 All unpaved storage areas shall be maintained in grass year round in a manner to prevent dust from adversely impacting adjacent properties.

- 9.4.408 Buildings must be maintained to meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.409 Operation of the facility shall remain in compliance with all applicable federal, state and local laws.

9.4.5 Mining and Quarrying

- 9.4.501 A letter or other certification of approval must be submitted from the North Carolina Department of Transportation, as to the safety and design of the access or entrance on to a State maintained street or road from the mine.
- 9.4.502 Access to a mine or mining operation must be from a road or street that is a State maintained road or a private road with a right-of-way width of not less than thirty (30) feet and a cleared or drivable area of not less than twenty (20) feet.
- 9.4.503 Any ingress or egress that does not abut one of the above roads, entrance etc. must also have a right-of-way width of not less than thirty (30) feet and a cleared and drivable area that is adequately maintained at all times for vehicular travel and that is at least twenty (20) feet in width.
- 9.4.504 An area of land, which shall not be less than fifty (50) feet in width (unless a lesser width is approved by the Planning Board) shall be provided along all boundaries of the affected land. This buffer area must be left at all times in a natural vegetative state or planted with trees, shrubs or plants that create a visual screen.
- 9.4.505 Trees and plants must be native to the area and trees shall not be less than six (6) feet in height within six (6) years.
- 9.4.506 If an earthen berm(s) is to be used within the buffer for visual screening they shall be planted with vegetation and shall not be less than six (6) feet in height at the crown and with slopes sufficient to minimize erosion.
- 9.4.507 No site disturbing activities are allowed until a Mining Permit has been issued by the State of North Carolina.
- 9.4.508 In the case of denial because all the requirements of this section were not met, the Application may be resubmitted when all requirements have been met, with no additional fee required, provided the plan is resubmitted within one hundred eighty (180) days of the notice of rejection or denial.

9.4.6 Research and Development Facility

- 9.4.601 Any fence greater than four (4) feet in height shall include along its border a five (5) foot wide planted or existing natural buffer where adjacent to residential uses.
- 9.4.602 The setback for any building and parking area shall be a minimum of twenty (20) feet from any street right-of-way and property line adjacent to residential property or meet the minimum building setbacks for the underlying zoning district, whichever is greater.

- 9.4.603 The setback for any building and parking area shall be a minimum of ten (10) feet from any street right-of-way and property line adjacent to non-residential property or meet the minimum building setbacks for the underlying zoning district, whichever is greater.
- 9.4.604 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.4.605 Screening must be provided in accordance with §8.2 (Screening Requirements) of this Ordinance.

9.4.7 Salvage Yards

- 9.4.701 Minimum setback from any street right-of-way to any outdoor storage area shall be at least one hundred (100) feet.
- 9.4.702 Minimum setback from any other property line shall be at least fifty (50) feet.
- 9.4.703 No junk, salvage, or wrecking yard shall be located less than five hundred (500) feet from any property used or zoned for residential purposes.
- 9.4.704 Screening is required which completely screens from view the stored items. Such screening shall be a durable wall or fence at least seven (7) feet high in addition to a minimum fifteen (15) foot wide vegetative strip around the entire perimeter of any outdoor storage area. This vegetated strip shall consist of a naturally wooded area or planted with a mixture of evergreen and deciduous trees and shrubs to simulate a naturally wooded area within three (3) years.
- 9.4.705 Required site plan must show the location of any existing structures on adjoining property within 500 feet of the property.
- 9.4.706 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.

9.4.8 Textile Product Manufacturing

- 9.4.801 A minimum setback from any street right-of-way for parking and buildings shall be twenty (20) feet or the minimum building setback for the underlying zoning district, whichever is greater.
- 9.4.802 A minimum setback from any property line for parking and buildings shall be twenty (10) feet or the minimum building setback for the underlying zoning district, whichever is greater.
- 9.4.803 Screening must be provided in accordance with §8.2 (Screening Requirements) of this Ordinance for any parking and/or outdoor storage areas.

9.4.9 Toxic Chemicals Processing or Disposal

- 9.4.901 The boundary of the property shall be a minimum of two hundred (200) feet from any residential use or zoning district or any hospital, nursing or convalescent home, retirement home, life care community, school, or church. However, the Planning Board shall be authorized to increase this set back if the situation warrants, based on the specific substances that are to be manufactured or stored and in what specific quantities.
- 9.4.902 All structures (except fences or walls), buildings, storage areas, etc. used in the operation shall be a minimum of one hundred fifty (150) feet from all property lines or street right-of-way.
- 9.4.903 Buildings must meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.904 All storage facilities shall comply with the latest edition of the “Flammable and Combustible Liquids Code, NEPA 30” of the National Fire Protection Association.
- 9.4.905 The use shall be totally enclosed by a security fence or wall at least eight (8) feet high or enclosed within a locked fireproof building.
- 9.4.906 A vegetative screen, either planted or natural wooded area, shall be provided along any street right-of-way and any property line within four hundred (400) feet of property used or zoned for residential purposes.
- 9.4.907 All plans shall be reviewed by the County Fire Marshal for approval in order to determine that existing services provide adequate protection.
- 9.4.908 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.
- 9.4.909 The site shall be utilized in a manner that shall not pose a hazard off-site.
- 9.4.910 All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
- 9.4.911 Buildings must be maintained to meet all requirements for Hazardous Occupancy under the NC Building Code.
- 9.4.912 Operation of the facility shall remain in compliance with all applicable federal, state and local laws.

SECTION 9.5 INSTITUTIONAL USES

9.5.1 Cemeteries (*as primary use*)

- 9.5.101 All applicable requirements of North Carolina General Statutes and Moore County concerning interment of the dead shall be met.

- 9.5.102 No interment shall take place within ten (10) feet of any property line(s) or public right(s)-of-way.
- 9.5.103 All buildings, shall conform to the principal setbacks for the underlying zoning district.

9.5.2 Clubs, Lodges, and Community Centers

- 9.5.201 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.5.202 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided which will screen adjoining residential uses from the effects of light and noise generated on the site.
- 9.5.203 This screening may be modified by reducing the required width of the buffer strip and the number of plants if all buildings, and parking lots are set back one hundred (100) feet from all property lines and street rights-of-way.

9.5.3 Fairgrounds

- 9.5.301 The site must be located on a major roadway that can handle the anticipated traffic volume when the fairground is in use.
- 9.5.302 All buildings, arenas, stadiums, exhibit areas, barns, and similar activity areas, shall be set back from all property lines and street rights-of-way a minimum of one hundred (100) feet.
- 9.5.303 A fence at least seven (7) feet in height shall enclose activity areas and buildings that will stay locked when the fairground is not in use.
- 9.5.304 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.5.305 In addition to meeting the parking and loading requirements of §8.1 of this Ordinance, the fairground may place a parking lot anywhere on the property so long as it is set back from the property line or street right-of-way at least twenty (20) feet. One or more primary parking lots may be constructed to meet anticipated normal needs.
- 9.5.306 Overflow parking may be provided for special events, but must be grassed.
- 9.5.307 The location and dimensions of all buildings, outdoor activity and exhibition areas, and primary and overflow parking areas must be shown on the required site plan.
- 9.5.308 The location and use of adjacent properties and any buildings within five hundred (500) feet of the fairground property line must be shown on the required site plan.

9.5.4 Group Care Facility

- 9.5.401 Screening must be provided in accordance with §8.2 (Screening Requirements) of this Ordinance.

- 9.5.402 Each facility must have a minimum uncovered land area of 5,000 or more square feet for the first twelve (12) residents, and 700 square feet for each additional resident.
- 9.5.403 Each facility must have a minimum heated floor area of 2,000 square feet for the first twelve (12) residents, and 110 square feet for each additional resident.
- 9.5.404 The facility may not be located within one-half mile of another such group care facility or family care home, as measured by a straight line distance, and not street distances.

9.5.5 Human Services Facilities

- 9.5.501 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.5.502 All outdoor recreation and activity areas shall be in the rear of the primary structure for the facility.
- 9.5.503 No outdoor storage of equipment or materials for the operation of the facility.
- 9.5.504 All applicable federal, state and local permits must be obtained for the use.

9.5.6 Museums and Art Galleries

- 9.5.601 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.5.602 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for, but not limited to, parking lots, loading areas, places of assembly, or outdoor display areas, which may affect residential property or uses.
- 9.5.603 This screening may be modified by reducing the required width of the buffer strip and the number of plants if all buildings, and parking lots are set back one hundred (100) feet from all property lines and street rights-of-way.

9.5.7 Public Facilities and Buildings

- 9.5.701 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for, but not limited to, parking lots, loading areas, or outdoor storage areas, which may affect residential property or uses.
- 9.5.702 This screening may be modified by reducing the required width of the buffer strip and the number of plants if all buildings, and parking lots are set back one hundred (100) feet from all property lines and street rights-of-way.

9.5.8 Public Utility Substations

- 9.5.801 Public utility substations or structures shall maintain standard setbacks applicable in the underlying zoning district from public rights-of-way and from any other property line.

- 9.5.802 Any noise producing equipment or generator must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.
- 9.5.803 Screening that meets the provisions of §8.2 (Screening Requirements) must be provided for the utility facility or structure(s), and shall be enclosed with a security fence seven (7) feet in height (minimum). The screening shall be located between the fence and property line(s) and right-of-way.

9.5.9 Religious Institutions

- 9.5.901 If child care on premises is provided, playgrounds for child care shall be enclosed by a chain link or solid fence or wall at least four (4) feet high.
- 9.5.902 A maintained driveway, with ingress and egress directly onto a public or private street or easement, shall be constructed in such a manner as to provide entrance to and exit from the property without backing onto street rights-of-way or easements.

9.5.10 Schools, Academic

- 9.5.1001 Playgrounds shall be surrounded with a chain link or solid fence or wall of at least six (6) feet in height.
- 9.5.1002 Outdoor lighting shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.
- 9.5.1003 All state licenses and permits must be submitted with the plan and application.
- 9.5.1004 The required detailed site plan (§8.1.2 Detailed Site Plan) must also include the following:
- Location and approximate size of all existing buildings and structures on the adjacent lots.
 - Location and extent of open playgrounds, ball fields, or other recreation or training areas.
 - Estimated number of students.
 - Subjects to be taught outside of regular classroom facilities (e.g. in laboratories, gyms, etc.).

9.5.11 Schools, Business or Trade

- 9.5.1101 Outdoor lighting shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.
- 9.5.1102 All state licenses and permits must be submitted with the plan and application.
- 9.5.1103 The required site plan (§8.1.2 Detailed Site Plan) must also include the following:
- Location and approximate size of all existing buildings and structures and on adjacent lots.
 - Location and extent of open recreation or training areas.

- Estimated number of students.
- Subjects to be taught outside of regular classroom facilities (e.g. in laboratories, shops, garages, gyms, etc.).

SECTION 9.6 AGRICULTURAL USES

9.6.1 Greenhouses (commercial)

- 9.6.101 All commercial buildings, greenhouses, storage sheds, and similar structures and parking or storage areas for vehicles, equipment, or supplies shall be set back from all property lines and street rights-of-way a minimum of the required setbacks for the principal building in the zoning district in which the property is located.

SECTION 9.7 RECREATIONAL USES

9.7.1 Amusement Park

- 9.7.101 Any amusement park must operate between the hours of 9:00AM and 10:00PM.
- 9.7.102 All rides, entertainment areas, and/or public gathering spaces shall be setback a minimum of one hundred (100) feet from any property line and/or street right-of-way.
- 9.7.103 The park must be screened with a thirty (30) foot wide natural or planted buffer and must provide a seven (7) foot high security fence with 24/7 emergency access.
- 9.7.104 The park owner/operator shall coordinate with Moore County Public Safety on access to the park.
- 9.7.105 All rides must be properly installed and maintained.
- 9.7.106 All State permits must be obtained for all proposed amusement rides, as well as any other development permits.

9.7.2 Driving Range

- 9.7.201 No maintenance building or clubhouse shall be closer than one hundred (100) feet from any property line.
- 9.7.202 Driving ranges shall be located so that adjoining properties are not adversely affected by the activity due to noise, glare, traffic, or other factors.
- 9.7.203 Driving ranges shall have a minimum depth of one thousand (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.

- 9.7.204 Fencing, netting, trees, berms, or other control measures shall be provided around the perimeter of the driving area of driving ranges so as to prevent golf balls from leaving the driving area.
- 9.7.205 Lighting shall be shielded so as to cast no direct light on adjacent properties or onto any street right-of-way and hide the actual light source.
- 9.7.206 The location and dimensions of the driving area, along with the means of buffering to prevent balls from leaving the area shall be shown on the required detailed site plan.
- 9.7.207 The location and type of lighting, along with depiction of the lighting contour area shall be shown on the required detailed site plan.
- 9.7.208 The volume of any outdoor speakers or public address system must be kept low enough to not be heard off the premises.

9.7.3 Go Cart and Motor Cross Track

- 9.7.301 All buildings, including accessory garages or storage buildings, shall be set back from all property lines and street rights-of-way double (2 times) the minimum required for principal buildings in the applicable district.
- 9.7.302 All parking shall be contained within the property boundaries (no parking on road shoulders). Parking control shall be provided by the applicant.
- 9.7.303 Outdoor lighting shall be shielded so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.7.304 The required detailed site plan shall indicate the style and location of all outdoor lighting.
- 9.7.305 Emergency Medical Services shall be provided during events.

9.7.4 Golf Courses (including Par 3)

- 9.7.401 No maintenance building or clubhouse shall be closer than one hundred (100) feet from any property line.
- 9.7.402 There shall be no lights on the course.
- 9.7.403 Any outdoor lighting associated with parking or security shall be shielded so as to cast no direct light on adjacent properties or onto any street right-of-way and hide the actual light source.
- 9.7.404 Fencing, trees, berms, or other control measures shall be provided around the perimeter of the golf course so as to prevent golf balls from leaving the property.
- 9.7.405 The location and dimensions of all golf courses as well as the location and type of outdoor security lighting shall be shown on the required site plan.

9.7.5 Recreation, Indoor

- 9.7.501 The setback for any building and parking area shall be thirty-five (35) feet from any street right-of-way and any contiguous property line that is used or zoned for residential purposes.
- 9.7.502 The setback for any building and parking area shall be ten (10) feet from any street right-of-way and any contiguous property line that is used or zoned for nonresidential purposes.
- 9.7.503 Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.
- 9.7.504 A screening that meets the provisions of **§8.2** (Screening Requirements) must be provided which will screen adjoining residential uses from the effects of light and noise generated on the site.
- 9.7.505 This screening may be modified by reducing the required width of the buffer strip and the number of plants if all buildings, and parking lots are set back one hundred (100) feet from all property lines and street rights-of-way.

9.7.6 Recreation, Outdoor

- 9.7.601 All buildings, picnic shelters, storage sheds or storage yards, and any intensive recreational use, such as playgrounds, swimming pools, ball fields, basketball courts, or tennis courts, shall be set back from all property lines and street rights-of-way a minimum of one and a half (1.5) times the required setbacks in the applicable zoning district.
- 9.7.602 An overflow parking area shall be made available to handle all traffic from special events such as festivals, sports tournaments and outdoor concerts. This overflow parking may be located anywhere on the property and must be grassed.
- 9.7.603 Buildings, parking lots, and intensive recreational uses, such as those listed above, shall be screened from adjacent residential property in accordance with **§8.2** (Screening Requirements) of this Ordinance.
- 9.7.604 Parking lots and overflow parking areas shall be depicted on the site plan.

9.7.7 Zoos

- 9.7.701 The owner(s) of the facility shall provide written evidence of application to the United States Department of Agriculture (USDA) for such a facility at the time of application and shall provide written evidence of USDA certification prior to issuance of a Certificate of Occupancy for the facility.
- 9.7.702 All areas to be used for purposes of a zoo, whether or not located within a structure, shall be identified on the site plan.
- 9.7.703 Any animals or areas deemed dangerous, or potentially dangerous, to the public shall be easily identified through signage and other necessary measures, and be located a minimum of one hundred (100) feet from any property line or street

right-of-way. These animals shall be enclosed within a security fence accommodated to that animal, or be located within a secure structure.

9.7.704 The owner(s) shall ensure the facility remains in compliance with local, State, and Federal regulations regarding permitting and containment of exotic animals.

9.7.705 The owner shall place on file with the Moore County Public Safety Department a copy of the facility's Emergency Action Plan and shall update the plan and notice Public Safety officials as conditions change. The plan shall include, but is not limited to, the following types of information:

- Types and number of animals retained
- Location of, and hazards associated with exotic and/or dangerous animals and/or plants (e.g. venomous snakes)
- Location of, and details regarding animal containment areas
- Locations, amounts and expiration dates of anti-venom
- Location of electric fence disconnect switches
- Fire suppression methods and devices within the facility
- Emergency contacts for owner(s) and operator(s) of the facility
- Inclement weather and animal evacuation sheltering plan
- Any other information Public Safety Officials deem necessary to protect the health, safety and welfare of the general public.

SECTION 9.8 TEMPORARY USES

9.8.1 Construction Office Trailer, Temporary

9.8.101 A construction office trailer may be used as a temporary office, security shelter or shelter for materials or tools (but not for residential purposes or sales offices) incident to construction on or development of the premises upon which the construction office trailer is located subject to the following conditions:

9.8.102 Such construction office shall be located at a building site upon receipt of a valid building permit for the construction project.

9.8.103 Such offices may remain upon a construction site for a maximum of 30 days after the issuance of the certificate of occupancy or two years from the date of issuance of the temporary use permit; provided, however, if the project is multi-family or nonresidential in nature, the temporary use permit may be extended beyond two years if the approved project is not yet completed and the applicant requests an extension within three months prior to the expiration of the permit period. Such extensions may be for one year.

9.8.104 Such use shall be located at least ten feet off all road rights-of-way and property lines in a residential district. In all other districts the office may be placed in any required yard setback but should not be placed over gas, electrical, water or sewer lines.

9.8.105 Such use shall be strictly limited to the time construction or development is actively underway. In no event shall the use continue more than six months without the further approval of the Director. The temporary use shall be approved only upon finding that actual construction is continuing.

9.8.2 Itinerant Merchant

9.8.201 The temporary sales of merchandise is permitted on certain vacant lots as shown in **Article 7** (Table of Uses) and on premises on which the vendor does not have a permanent retail operation are allowed in accordance with the following conditions:

9.8.2011 The application must include the signature of the owner of the property or the owner's agent or must have attached to it a copy of a lease or letter of agreement authorizing the proposed temporary use.

9.8.2012 The application must include a sketch showing what portion of the premises will be used for the temporary sale. Such area shall not impede driveways or other routes of ingress or egress.

9.8.2013 If the temporary use includes a tent, trailer or other temporary shelter, it shall be located so that it does not encroach on required setbacks applicable to the zoning district.

9.8.2014 Itinerant merchants are exempt from the **Article 10** (Highway Corridor Overlay Districts), **§8.2** (Screening Requirements), and **§8.3** (Parking and Loading) of this Ordinance.

9.8.3 Manufactured Home or Recreational Vehicle, Temporary Use

9.8.301 In all zoning districts where a single family dwelling is a use by right, the Zoning Administrator may permit the placement of a manufactured home or recreational vehicle on a lot of record on a temporary basis while a detached single family is being constructed on the same lot. Such permit may only be issued under the following conditions:

9.8.302 The manufactured home or recreational vehicle is used as the principal residence of the owner of the lot while the detached single-family is being constructed.

9.8.303 The temporary permit for the manufactured home or recreational vehicle shall not be issued by the Zoning Administrator until the owner of the lot has received a building permit for the construction of the detached single-family.

- 9.8.304 The manufactured home or recreational vehicle shall be placed on the lot in such manner that it meets all required setbacks for the principal structure.
- 9.8.305 The temporary permit shall initially be valid for a period of one year. The permit may be extended on a one-time basis for a period of no greater than 6 months if the Zoning Administrator determines that significant progress is being made in completing the construction of the detached single-family. Upon expiration of said eighteen-month period, the temporary permit for the manufactured home or recreational vehicle shall become invalid.
- 9.8.306 The manufactured home or recreational vehicle shall immediately be removed upon either the expiration of the temporary use permit for the manufactured home or recreational vehicle, upon expiration of the building permit for the detached single-family, or within 30 days of the issuance of a certificate of occupancy for the detached single-family.
- 9.8.307 An existing manufactured home located on the lot may be so used so long as all applicable regulations of this section are met.

9.8.4 Special Events

- 9.8.401 Special Events cannot be held longer than seven (7) consecutive days once every six (6) months on the same parcel or lot.
- 9.8.402 The application must include the signature of the owner of the property or the owner's agent or must have attached to it a copy of a lease or letter of agreement authorizing the proposed temporary use.
- 9.8.403 Parking for the event shall be located completely on the parcel and not within any rights-of-way or existing access easements.
- 9.8.404 A separate temporary permit must be obtained for satellite parking for special events occurring on a separate parcel. Applications for satellite parking areas must obtain NC Department of Transportation approval if necessary.

