

- | <u>Note #</u> | <u>Note</u>  |
|---------------|--|
| 1             | For related family members only of the owner who shall reside at the residence.  |
| 2             | No such enterprise shall be located less than 200 feet from any residential district. Where all buildings and exercise areas are enclosed and soundproofed, the foregoing space separating such use from residential districts shall not be required.  |
| 3             | <p>A bed and breakfast inn may be established in R40, R10, R75 and RA6 residential zones in accordance with the standards below:</p> <ol style="list-style-type: none"><li>1.The maximum number of guest bedrooms for each proposed bed and breakfast inn shall be four unless the applicant can demonstrate that the original floor plan of the structure contained a larger number of bedrooms, in which case, the original number of bedrooms may be approved as allowable guest lodging.</li><li>2.The operator shall be a full time residence of the premises.</li><li>3.The serving of meals to guests shall be limited to breakfast only.</li><li>4.Parking for bed and breakfast inns shall be located in the rear or interior side yard of the property but not in the front or in the street side yards. Guest parking within the street right-of-ways is prohibited. All other requirements of Article 400 shall be met.</li><li>5.Signs for bed and breakfast inns shall be limited to one ground sign per establishment. Such sign shall not exceed five square feet and shall not be illuminated and shall be an identification sign only. Location of sign shall be governed by sign regulations for district in which establishment is located. No advertising signs of any nature shall be permitted.</li><li>6. Accessory use associated with a bed and breakfast inn shall be only those permitted in the zoning districts in which the development is located.</li></ol> |
| 4             | All child care facilities are defined by the N.C. General Statutes 110-86 as to type and size of facilities.   |
| 5             | The site for any college, university or seminary shall have an area of at least 10 acres, plus 5 acres for each 100 pupils, or major portion thereof, in excess of 400 pupils. Such a site shall have a frontage on a major or minor thoroughfare.   |
| 6             | <p>A maximum of 2,000 gallons of heating fuel shall be permitted. In addition, storage of not more than 2,000 gallons of kerosene for retail sale or not more than 2,000 gallons of motor vehicle fuel for private use shall be permitted as an accessory use in B1, B2, B3, I1, I2, and I3 provided containment in an U. L. approved (or other approved testing agency) tank/dispensing system or a tank/dispensing system constructed under NFPA standards. All installations shall be according to the NC Building Code and NFPA Standards and all such installations shall be approved by the Asheboro Fire Department.</p> <p>Not more than 2,000 gallons of motor vehicle fuel for genuine agricultural use shall be permitted as an accessory use in any residential district provided containment in an U. L. approved (or other approved testing agency) tank/dispensing system or a tank/dispensing system constructed under NFPA standards. All installations shall be according to the NC Building Code and NFPA Standards and all such installations shall be approved by the Asheboro Fire Department.</p>   |
| 7             | A maximum of 2,000 gallons of heating fuel only shall be permitted.  |
| 8             | Combustible and flammable liquid stored for retail sales shall be permitted as an accessory is B1, B2, B3 districts and by right in the I1, I2, and I3 districts. Within these districts not more than 100,000 gallons aggregate shall be permitted. All storage shall be according to all applicable local, State, and Federal regulations. If storage facility is principal use of property, it shall be considered a Group 3 for buffering and screening purposes.  |
| 9             | This type of development generally includes more then one principle structure and use with associated accessory structures and uses on one zoning lot which will not be subdivided into customary building lots. The development as a whole (including all principle structures and accessory structures) may not exceed the permitted FAR for the district in which the development is located. All yard, height, setback, parking, buffer and screening etc. requirements of this ordinance shall be met for the development as a whole.   |

**214 Notes to Table 200.2**

- | <b><u>Note #</u></b> | <b><u>Note</u></b>  |
|----------------------|---|
| <b>10</b>            | Height limitations for specific districts may be exceeded as set forth in Article 300.  |
| <b>11</b>            | All structures (towers, poles, etc.) used to support communication receiving or transmitting apparatus shall comply with the applicable height and setback regulations of the district in which such structure is located and as modified and permitted by Section 302.4.   |
| <b>12</b>            | Facilities meeting the definitions established in General Statute Chapter 168, Article 3 Family Care Homes. Such facilities shall not be located within 1/2 mile radius of each other.  |
| <b>13</b>            | Open storage yards as accessory uses to a contractor's office are permitted in B2, I1, I2, and I3 districts by right subject to screening and buffering requirements as per Article 300A. No open storage shall be permitted the in OA6, O&I or M Districts. Open storage yards, where permitted, shall be considered as Group 3 use for buffering and screening purposes.  |
| <b>14</b>            | Drive Inn Theaters are subject to the following regulations: <b>A.</b> No part of any theater screen, projection booth, or other building shall be located closer than three hundred feet from any residential district nor closer than fifty feet from any lot line. <b>B.</b> The image on the theater screen shall not be visible from any major or minor thoroughfare or from any residential district. <b>C.</b> Queuing space within the zoning lot shall be provided for patrons awaiting admission in an amount equal to thirty percent of the vehicular capacity of the theater. <b>D.</b> No ingress and egress shall be permitted except from major and minor thoroughfares, as shown on the Asheboro Thoroughfare Plan. <b>E.</b> Emergency exits shall be provided and shall meet the approval of the Asheboro Fire Department. Such exits may be allowed on local streets. <b>F.</b> Any lights used to illuminate the theater site shall be so arranged as to reflect the light away from adjoining property and streets. No unshaded light sources shall be permitted. Necessary safety lighting of roads and buildings, and lighting required by governmental regulations shall be permitted. <b>G.</b> The theater site shall be graded, surfaced, drained, and suitably maintained to the extent necessary to avoid nuisances of dust, erosion, or excessive water flow across public ways or adjacent lands. Storm water management shall be provided to protect adjoining property from erosion or flooding. <b>H.</b> Buffers and screens shall be provided as required by this Ordinance. <b>I.</b> No central loudspeaker system shall be permitted as part of the theater operation. Sound shall be transmitted by means of individual speakers mounted adjacent to the automobile parking stalls. |

**Note # Note**

**15** A full-time on site manager shall be provided for multifamily dwellings with a total of **75 units or more**. A permanent office shall be provided for the manager. The floor area contained in the onsite manager's office shall not be counted in the total FAR. The required recreation space (*areas for common passive or active recreation use*) may include, but not be limited to a swimming pool, picnic areas with tables, basketballs goals with paved play areas, and playground(s) with play equipment; outdoor seating areas and the like where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 20 feet from any residential unit. The project may be developed in phases. Phase 1 shall include the required amenities. No Certificate of Occupancy for any phase of the project shall be issued until all required or proposed improvements are installed for that phase.

A designated storage area shall be designated and reserved for the parking of recreational vehicles, boats, camp/travel trailers in all multi-family housing developments containing more than four residential units.

A designated and separate storage area for recreational vehicles, boats, camp/travel trailers shall provide 72 square feet for every required parking space with a minimum of 720 square feet to be provided. Such area(s) shall have screening and landscaping which is consistent with other screening for similar uses (i.e. solid waste and mechanical equipment screening). This area may be fenced. Fencing shall comply with any applicable design standards.

Overflow parking spaces for visitors shall be designated within the parking area multi-family housing developments providing more than four residential units. One overflow parking space shall be provided for every ten (10) required parking spaces within the project.

Storage of junked and/or nuisance vehicles is not permitted in the recreational vehicle storage area and/or the overflow parking area.

- 16**
- 1 Each dwelling unit shall provide complete, separate, and independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Boarding houses, group housing, residential hotels or any residential design which provides for sharing of kitchen or bath facilities shall not be permitted.
  2. All parts of any structure renovated to provide residential units, including parts maintained for non-residential uses, shall fully comply with all applicable provision of the most current edition of the North Carolina State Building Code, as it may be amended from time to time.
  3. All renovated residential units shall meet the requirements of the City of Asheboro Code of Ordinances, Housing Code.
  4. No residential conversion shall be permitted on any ground floor in the B-3 zoning district. However, residential conversion on the ground floor is permitted in the OA-6 zoning district subject to the requirements of this section.
  5. The area, yard and height requirements as set forth in Table 200-1 shall apply to any residential conversion under this Section.
  6. Sign regulations are as set forth in Article 500.
  7. In the B-3 zoning district, off street parking shall be provided as follows: The City shall provide two (2) parking permits for each residential unit. The tenant(s) who reside within the unit are responsible for applying for and obtaining their permits. These permits will allow the tenant to park in any of the City's public CBD parking lots, as regulated by the permit. The permits shall be renewed annually on the anniversary of their issuance; the tenant is responsible for renewing the permit. The permit is non-transferable and shall be surrendered to the City upon moving from the unit. In the OA-6 district, the parking requirement shall be 2.0 spaces per dwelling unit plus the parking requirement for the other applicable use.
  8. Plans detailing the proposed conversion shall be submitted for staff review as part of the application. The plans shall be specific to the requirements of the N.C. Building Code and all requirements of this Section. The Building Inspection Department shall be provided with a copy of the plans. A report by the Building Inspection Department shall be required as part of the review process.
  9. A Certificate of Occupancy shall be obtained before the converted structure is occupied.

**214 Notes to Table 200.2**

- | <b><u>Note #</u></b> | <b><u>Note</u></b>   |
|----------------------|--|
| 17                   | Open storage yards are permitted in B2, I1 and I2 districts by right subject to screening and buffering requirements. Open storage is not permitted in the M or B3 Zoning Districts.   |
| 18                   | Minimum lot area shall be at least 6,000 square feet. The maximum floor area ratio shall be as permitted in Table 200-1. A minimum of 250 square feet of floor area shall be provided for each resident. Signs shall be regulated as per Article 500. Offstreet parking shall be regulated as per Article 400. Evidence of authentication of charter shall be submitted with an application for a Certificate of Zoning Compliance   |
| 19                   | Accessory to permitted Health Services.  |
| 20                   | Shall be subject to the following limitations: <b>A.</b> No home occupation shall be permitted that (1)changes the outside appearance of the dwelling unit or is visible from a street; (2)generates traffic, parking, sewage or water use in excess of that which is normal in a residential district; (3)creates a hazard to persons or property or is a nuisance per se or per accidents; (4)utilizes any accessory structure; (5)results in outside storage or display of anything; (6)results in the erection of any sign for advertising purposes. <b>B.</b> The following are permitted home occupations in all residential districts, provided that they meet the requirements of A, above:(1)Dressmaking, sewing and tailoring; (2)Painting, sculpturing and writing; (3)Telephone answering service; (4)Home crafts, such as weaving, lapidary, potting; (5) Tutoring of no more than four students at a time; (6)Computer programming. (7)Music teaching <b>C.</b> The following are <u>prohibited</u> as home occupations: (1)Barber shops and beauty parlors; (2)Animal hospitals; (3)Physicians, dentists and chiropractors; (4)Dance studios; (5)Exercise studios; (6)Mortuaries; (7)Nursery schools; (8)Private clubs; (9)Repair shops; (10)Restaurants; (11)Retail Sales; (12)Stables and kennels; (13)Automobile repair and paint shops. <b>D.</b> Any proposed home occupation that is neither specifically permitted by paragraph B nor prohibited by paragraph C shall, in order to be established, obtain a Special Use Permit from the City Council in accordance with Article 600. |
| 21                   | All activities, with the exception of animal exercise areas, shall be conducted within an enclosed, soundproofed building. Exercise areas shall observe a 200 foot setback from any lot lines. The disposal methods for wastes generated shall be reviewed and approved by the appropriate Department of Health. No noise levels above surrounding ambient levels shall be detectable at the zoning lot boundaries of the lot containing the kennel. No odors greater than ambient odors shall be detectable at the zoning lot boundaries of the lot containing the kennel.  |
| 22                   | Open storage yards, as an accessory use, are permitted in B2, I1 and I2 districts by right subject to screening and buffering requirements as per Article 300A.  |
| 23                   |  |
| 24                   | Mini-warehouse facilities shall meet the following requirements: <b>A.</b> Such facilities shall front on major or minor thoroughfares, as shown on the Asheboro Thoroughfare Plan. <b>B.</b> Such facilities shall be used only for dead storage of materials or articles and shall not be used for assembly, fabrication, processing or repair. <b>C.</b> Open storage shall be limited to ten percent of the area of the zoning lot. <b>D.</b> The storage of junk is prohibited. <b>E.</b> The facility shall be enclosed within a perimeter fence or wall of at least 8 feet in height. Such wall or fence shall be coordinated with the requirements for screening and buffering which shall, if required, govern location and type.   |
| 25                   | Accessory use to a new automobile dealership only.   |
| 26                   | Non conforming uses and structures are permitted to continue subject to the regulations of Article 800 and specific situations which are to amortize or cease.   |
| 27                   | All open storage areas where permitted, shall comply with the requirements of the Buffer and Screening regulations in Article 300A of this Ordinance.  |

**214 Notes to Table 200.2**

- | <b><u>Note #</u></b> | <b><u>Note</u></b>  |
|----------------------|---|
| 28                   | All radio & TV receiving antenna and dish installations shall comply with all regulations of this Ordinance for setback, height and buffer and screening.   |
| 29                   | Rental of domestic vehicles may be an accessory use to an established airport/heliport and similar transportation facilities.   |
| 30                   | Accessory use to Planned Unit Developments.   |
| 31                   | This use is to be included in the definition of Day care facilities and regulated as such.  |
| 32                   | Schools that meet the compulsory educational requirements of the State of North Carolina. Schools located within commercial districts shall meet lot area, setback, height, and buffering and screening requirements as established for the Special Use Permit for Schools, Public, Private, Elementary and High School.  |
| 33                   | Accessory structures shall be permitted in all districts subject to the Floor Area Ratio restrictions in that Districts where FAR applies. In no instance shall the FAR of all permitted structures exceed the maximum permitted for that lot. All accessory structures shall be located in accordance with the setback regulations applicable to the lot on which said structure is located. Accessory structures shall be limited to 25 feet in height except television and radio receiving and transmitting antenna which shall be permitted to exceed this limit. No such antenna shall be permitted to exceed seventy five (75) feet in height in any residential district or one hundred (100) in any other district. <b>Exception:</b> Portable accessory structures may be located no closer than 5 feet to any rear lot line or no closer than 5 feet to side lot line located to the rear of the principal structure. Portable accessory structures when any portion is located outside the allowable buildable area of the lot, shall meet all the following criteria: <b>A.</b> The structure shall be of the portable type, used exclusively for storage, and no mechanical equipment such as, but not limited to heating, air conditioning, ventilating, or similar equipment, power tools and similar mechanical installations, shall be operated within or attached thereto. <b>B.</b> There shall be only one portable storage structure per zoning lot. Such structure may have a horizontal dimension not exceeding twelve feet and shall have no other dimension exceeding eight feet. <b>C.</b> The structure shall be properly anchored. <b>D.</b> "Portable" shall mean without a permanent foundation and capable of being moved intact. |
| 34                   | Temporary building shall be removed within 15 days of issuance of the Certificate of Occupancy to which the temporary building was an accessory during the construction.  |
| 35                   | Regulated as per Asheboro City Code.  |
| 36                   | Publicly owned land being utilized for sanitary landfills or intended for such use prior to (the date of adoption of this amendment) shall not be required to obtain a Special Use Permit nor be considered a nonconforming use. Any land purchased after (date) shall meet the requirements of this Ordinance.   |
| 37                   | Publicly owned land being utilized for clean material landfills or intended for such use prior to (the date of adoption of this amendment) shall not be required to obtain a Special Use Permit nor be considered a nonconforming use. Any land purchased after (date) shall meet the requirements of this Ordinance.   |
| 38                   | The use, Therapeutic Health Massagists, is defined as per <i>Title XI, Section 116</i> of the Asheboro City Code. Additional regulations for said use are contained in Article IV. In the TH District, Therapeutic Health Massagist is a permitted accessory use as an amenity to a resort/hotel use.   |
| 39                   | Places of Assembly shall only be located on a major thoroughfare as shown on the current Asheboro Thoroughfare Plan. Vehicular ingress and egress shall be permitted only from the major thoroughfare.  |

**214 Notes to Table 200.2**

<b><u>Note #</u></b>	<b><u>Note</u></b>
40	All Recreation & Amusement Services, Commercial, shall only be located along a major or minor thoroughfare as shown on the current Asheboro Thoroughfare Plan.
41	Storage of not more than 2,000 gallons of motor fuels for use by Agricultural- genuine or golf courses, where allowed, shall be permitted as provided containment in an U. L. approved (or other approved testing agency) tank/dispensing system or a tank/dispensing system constructed under NFPA standards. Any installation for the storage of motor fuels shall meet NFPA pamphlet #30 requirements for the containment of spillage, and NC State Building Code/NFPA Standards. All such installations shall be approved by the Asheboro Fire Department.
42	
43	Clubs and related activities operated for members only and not available for public use. Related activities may include dining and other food and beverage services.
44	Child care centers are permitted as an accessory use to a church, synagogue or non profit organization use. The center may not exceed 25% of any measurement of the principal use (square footage, land area, parking, etc.)
45	This type of development generally includes more than one principle structure and use with associated accessory structures and uses on one zoning lot which will not be subdivided into customary building lots. The development as a whole (including all principle structures and accessory structures) may not exceed the permitted FAR as specified in Table 200-2. All yard, height, setback, parking, buffer and screening etc. requirements of this ordinance shall be met for the development as a whole.
47	A Zoning Compliance Permit is required. This classification is not for temporary sales.
48	A Zoning Compliance Permit is required. This classification is not for temporary sales.
49	Reserved for future use.
50	
51	
52	These uses shall provide a screening yard width equivalent to or greater than the respective required buffer width in that district. Planting materials (i.e. trees, shrubs, ground cover) shall be equivalent to or greater than the required screen plantings in that district. For example, a nightclub abutting a single-family residential use or zoning shall be required to provide a Type D buffer width (30 feet) with Type D screen plantings.