ARTICLE 5: ZONING DISTRICTS AND STANDARDS

5.1. GENERAL

5.1.1. Purpose

A. It is in the interest of the health, safety, and public welfare of Franklin County and its residents that Franklin County establishes the zoning districts contained herein.

B. Through these regulations, Franklin County aims to

1. Provide for consistent, orderly development throughout its jurisdiction.
2. Prevent and ameliorate conflicts between incompatible land uses.
3. Minimize impacts to the natural environment.
4. Protect local character, aesthetic harmony, and quality-of-life.

5.1.2. Applicability

A. These regulations shall apply to all public and private development within the unincorporated areas of Franklin County.

B. Bona fide Farms

Property used for bona fide farm purposes is exempt from the regulations contained in this UDO.

5.1.3. Rules of Interpretation

In addition to the standards established in this Article, see also Article 1, Establishment and Administration.

5.2. ESTABLISHMENT OF DISTRICTS

5.2.1. Conventional Zoning Districts

Also known as base districts or general use districts, conventional zoning districts establish the minimum standards of development. These standards govern unless they are paired with an overlay district or conditional zoning district. Franklin County establishes the following conventional zoning districts:

A. Residential

1. Agricultural Residential (AR)

Located in rural areas with limited public services, the AR district contains a mixture of agricultural, forestry, conservation, and very low-density residential uses. This district seeks to protect the

environment, preserve farmland, and foster the continued enjoyment of rural life.

2. Residential 80 (R-80)

   This district is typically used to provide water quality protection in the drainage basin area in the water supply watershed. It consists primarily of very low-density residential uses. In other respects, this district is also very similar to the Agricultural-Residential district.

3. Residential 30 (R-30)

   The R-30 district consists of low-density residential uses. It is generally found where there are no existing water and sewer services or planned extensions of water and sewer services. The County intends to protect these areas from the encroachment of medium- and high-density developments.

4. Residential 8 (R-8)

   The R-8 district primarily contains a mix of medium- and high-density residential uses, relative to the rest of the County. Single-family homes are the most common use found throughout this district. Open lands in this district are suitable for residential development. In instances where utilities are not readily available, expansion is (or should be) planned. There is minimal non-residential development.

B. Business

1. Neighborhood Business (NB)

   The NB district is established for low impact commercial, retail, and service uses serving the needs of rural crossroads and historical commercial areas of the County. In general, activity is concentrated (not dispersed linearly) near thoroughfares or major crossroads and does not interfere with surrounding residential areas. This district may include very limited office or institutional uses.

2. General Business (GB)

   This district primarily provides for orderly development of roadside nonresidential uses, including uses that are more high impact than Neighborhood Business and of a commercial nature. This district contains a range of commercial, service, retail, and office, and limited light industrial uses that are accessible to the public and surrounding neighborhoods. Businesses in this district fulfill a wide range of needs for area residents and travelers, while minimizing blight and traffic congestion. Adjacency and/or direct thoroughfare access is typical for inclusion in this district. Concentrating these uses

at nodes is preferable to linear or strip zoning. This district may also include office or institutional uses.

C. Industrial

Heavy Industrial (HI)

The HI district is designed to accommodate industrial uses with moderate to high external impacts. Uses permitted by right must minimize their emission of smoke, dust, fumes, glare, noise, and vibrations. Lands in this district are strategically located to minimize conflict with areas housing non-industrial uses, particularly residential uses.

5.2.2. Conditional Zoning Districts

Conditional zoning districts are based on conventional zoning districts but include site-specific conditions. The County Board of Commissioners establishes conditional zoning districts through the legislative map amendment (rezoning) process described in Article 4, Review Procedures. Applicants voluntarily offer conditions or restrictions to the permitted uses to ensure that development is compatible with the surrounding land uses.

5.2.3. Overlay Districts

Overlay districts apply additional criteria to the underlying conventional zoning district. The overlay regulations are more restrictive and supersede the conventional zoning district standards.

A. Airport Height Overlay (AHO)

The Airport Height Overlay District (AHO) is established as an overlay district of all general zoning districts in the vicinity of the Franklin County Airport. The purpose of the AHO is to protect the airport environs from encroachment of incompatible land uses which present hazards to users of the airport as well as to persons residing or working in the airport vicinity. The additional regulations imposed in the AHO are designed to place additional height restrictions on buildings, structures, and trees.

1. The Airport Height Overlay (AHO) District is not intended to be utilized as a district classification, but as a designation which identifies areas subject to regulations which are supplementary to the regulations of the district to which such designation is attached, appended or "overlaid". Regulations which apply to areas designated on the zoning map as being within such appended or overlaid designation must be determined by joint reference to the regulations of both the basic district classification and the appended or overlay classification.

2. It is the intent of this section to restrain influences which are averse to the property and safe conduct of aircraft in the vicinity of the Franklin County Airport, to prevent creation of conditions hazardous to aircraft operation, to prevent conflict with land development which may result in a loss of life and property, and to encourage development which is compatible with airport use characteristics within the intent and purpose of zoning. To this end, the AHO designation, when appended to a basic district classification, is intended to coordinate the purpose and intent of this section with other regulations duly established by the County of Franklin whose primary intent is to further the purposes set out above.

B. Highway Overlay (HO)

The Highway Overlay (HO) district is established along the US-1, US-64, US-401, NC-39, NC-56, NC-96, NC-98, and NC-561 corridors. This overlay district provides for efficient, safe, and scenic transportation for automobiles. Through its standards, it enhances the visibility and aesthetic character of Franklin County. Properties within this overlay include all properties abutting these highway rights-of-way, having direct access to these highways, or that are within 150' of the outer edge of the right-of-way of these roads.

C. Lake Royale Overlay (LR)

The Lake Royale Overlay (LR) district is established as an overlay district for the parcels located within the Lake Royale development including residential and multi-use lots. The purpose of the LR district is to preserve the character of Lake Royale and the surrounding lake area and to ensure that new development in the district meets or exceeds the current standards.

D. Water Supply Watershed Protection (W)

This overlay district is established to provide water quality protection in the drainage basin area of water supply watersheds within and outside of critical areas. This district provides for added securities in environmentally sensitive areas beyond those established in the underlying conventional zoning district. The boundaries of this district are established by the state.

5.3. USE REGULATION

5.3.1. Interpretation

A. The Administrator is responsible for interpretation of the Table of Permitted Uses.

B. All primary uses not explicitly listed in the Table of Permitted Uses require Tier 2 Conditional Zoning.

5.3.2. Use Classifications

A. General

1. Use Groups

For the purpose of interpreting the use table of Section 5.3, land uses are classified into seven major groupings: "Residential," "Public and Civic," "Commercial," "Industrial," "Agriculture", "Utilities and Other", "Accessory, Temporary, and Home Occupation." These broad groupings are referred to as "use groups."

2. Use Categories

Each use group is further divided int more specific "use categories." Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories are intended to provide a systematic basis for assigning present and future land uses into appropriate zoning districts. Principal uses are assigned to the use category that most describes the nature of the principal use. The "characteristics" subsection of each use category describes the common characteristics of each principal use.

3. Developments with Multiple Principal Uses

When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, bookstore, and bakery, for example would be classified in the retail sales and service category because all the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

a. When there are 2 or more principal uses that require different types of permits (zoning, specials use, etc.), then the development shall be reviewed using the most restrictive process from among the proposed uses.

b. Multiple dwellings as principal uses on a single parcel shall be prohibited.

4. Business, Prima Facie

Any use or activity that functions as a traditional business or commercial use, whether or not such use or activity is performed for profit or financial gain, is a business.[1]

5. Use of Examples

   The "examples" subsection of each use category lists typical uses included in the respective use category but is not intended to represent an exhaustive list. The names of these typical uses are generic. They are based on common meaning and not on what a specific use may call itself. For example, a use that calls itself "wholesale warehouse" but sells mostly to consumers is included in the retail sales and service category. This is because the actual activity on the site matches the description of the retail sales and service category.

6. Similar Use Interpretation Criteria

   When a specific use type cannot be classified into a use category or appears to fit into two or more use categories, the Planning Administrator is authorized to determine the most appropriate Use Category. The following considerations may be used in making similar use interpretations:

   a. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category
   b. The relative amount of site area or floor space and equipment devoted to the activity
   c. Relative amounts of sales from each activity
   d. The customer type for each activity (ex - retail or wholesale)
   e. The relative number of employees in each activity
   f. Hours of operation
   g. Building and site arrangement
   h. Vehicles used with the activity
   i. The manner in which uses are classified by commonly used business classification reference sources, such as the North American Industrial Classification System (NAICS) or the Land Based Classification System (LBCS)
   j. The relative number of vehicle trips generated by the use; and/or

[1] An individual who repairs vehicles owned by other people will, for example, be deemed to be operating a prima facie business regardless of whether payment is received for such services.

k. How the use advertises itself.

5.3.3. Table of Permitted Uses

This table describes the primary or principal use(s) allowed in each zoning district. Secondary or accessory uses are identified and regulated as described elsewhere in this UDO.

Table 5-1 Table of Permitted Uses

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required							- = Prohibited
RESIDENTIAL USE GROUP (Section 5.3.4)								
Household Living								
Single-Family Dwelling, Detached House	P	P	P	P	-	-	-	
Two-Family Dwelling, Duplex	-	-	-	S	-	-	-	Duplexes are limited to 50% of dwelling units in a residential subdivision.
Manufactured home	P	P	P	-	-	-	-	
Manufactured home subdivision/park	S	-	-	-	-	-	-	
Multi-Family (condominium/ apartment, townhomes)	-	-	-	CZ2, min. 5 acres	-	CZ2, min. 5 acres	-	In R-8, limited to 25% of overall dwelling units in a development.
Upper-story residence	-	-	-	-	P	P	-	
Group Living								
Adult care home (6 or fewer beds)	P	P	P	P	-	-	-	
Family care home (6 or fewer beds)	P	P	P	P	-	-	-	
Supervised living facility (group home)	S	S	S	S	-	-	-	
All other group living (except as noted above)	S	S	S	S	-	-	-	
PUBLIC/CIVIC USE GROUP (Section 5.3.5)								
Colleges and Universities								
Business, trade, technical schools	-	-	-	-	P	P	-	

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required							- = Prohibited
All other colleges/universities (except as noted above)	S	-	S	S	P	P	-	
Cultural Exhibits and Libraries								
Libraries	-	-	-	P	P	P	-	
All other cultural exhibits/libraries (except as noted above)	S	S	S	S	P	P	-	
Day Care								
Adult day care facility	S	S	S	S	P	P	-	
Child care center	P	P	P	P	P	P	-	
Family child care home	P	P	P	P	P	P	-	
Detention and Correctional Facilities	S	-	--	-	-	-	P	
Emergency and Safety Service	S	-	S	S	P	P	S	
Hospitals	-	-	-	-	-	P	-	
Lodge or Private Club	S	S	S	S	P	P	-	
Parks and Recreation								
Public recreation (assembly) buildings	P	-	P	S	P	P	-	
All other public parks recreation (except as noted above)	P	P	P	P	P	P	-	
Parking, Park and Ride	-	-	S	S	P	P	-	
Religious Assembly	P	P	P	P	P	P	-	
School, Public or Private	P	P	P	P	P	P	-	
COMMERCIAL USE GROUP (Section 5.3.6)								
Animal Service								
Kennel	S	-	-	-	S	P	-	
Pet Cremation	S	-	S	-	P	P	P	

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required							- = Prohibited
Shelter	S	S	-	-	P	P	P	
Veterinary	S	-	S	-	P	P	-	
Body Art Service	-	-	-	-	P	P	-	
Eating and Drinking Establishments								
Bars and Nightclubs	-	-	-	-	S	S	-	
Drive-through restaurant	-	-	-	-	P	P	-	
All other eating/drinking (except as noted above)	S	-	-	-	P	P	-	
Financial Services								
Automated teller machine (freestanding)	-	-	-	-	P	P	-	
Drive-through facility	S	-	-	-	P	P	-	
Pawnshop, currency exchange or payday loan	-	-	-	-	P	P	-	
All other financial services (except as noted above)	-	-	-	-	P	P	-	
Funeral and Interment								
Cemetery, mausoleum, columbarium	S	S	S	S	-	-	-	
Funeral home	-	-	-	-	P	P	-	
Gas Station								
Neighborhood/convenience-oriented retail (with gas sales)	S	-	S	-	P	P	-	
Neighborhood/convenience-oriented retail (w/o gas sales)	S	-	S	-	P	P	-	
Lodging								
Bed and breakfast	S	S	S	S	P	P	-	
Campgrounds and recreational vehicle parks	S	-	-	-	-	-	-	

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required							- = Prohibited
Hotel/motel	-	-	-	-	S	P	-	
Rooming or boarding house	-	-	-	-	-	S	-	
Office								
Conference center/retreat facility	S	-	S	-	P	P	-	
Medical office, clinic or lab	S	-	S	-	P	P	-	
All other office (except as noted above)	-	-	-	-	P	P	-	
Parking, Commercial	-	-	-	-	S	P	P	
Recreation and Entertainment, Indoor								
Indoor Shooting Range	-	-	-	-	S	P	P	
All other indoor recreation and entertainment	-	-	-	-	P	P	-	
Recreation and Entertainment, Outdoor								
Day camp	S	S	S	S	P	P		
Firearm/archery ranges and clubs	S	-	S	-	-	S	P	
Golf course	S	S	S	S	-	-	-	
Marina/boating facility	S	S	S	S	-	-	-	
Swimming pool/tennis club	S	S	S	S	P	P	-	
Swimming/tennis club (as part of subdivision)	P	P	P	P	-	-	-	
Wildlife/game preserve/zoo	S	S	S	-	S	S	-	
All other outdoor recreation/entertainment (except as noted above)	S	S	S	S	P	P	-	
Retail Sales and Service								
Mobile home sales	S	-	-	-	P	P	-	
Outdoor sales/service and displays	-	-	-	-	S	S	-	

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	**S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required**							**- = Prohibited**
All other retail sales and service (except as noted above)	S	-	-	-	P	P	-	This includes all retail sale establishments including craft and gift shops, florists, grocery stores, etc.
Sexually Oriented Business	-	-	-	-	-	CZ2, min. 1 acre	-	
Vehicle Sales and Service								
Vehicle repair/service	S	-	-	-	P	P	P	
Vehicle sales, leasing or rental	S	-	-	-	P	P	P	
All other vehicle sales/service (except as noted above)	-	-	-	-	-	P	-	
INDUSTRIAL USE GROUP (Section 5.3.7)								
Contractor's Office, Landscaping, Grading, etc.	S	-	S	-	S	P	P	
Junk/Salvage Yard	CZ2, min. 10 acres	-	-	-	-	-	CZ2, min. 10 acres	
Manufacturing, Production, and Industrial Service								
Artisan Manufacturing	-	-	-	-	P	P	S	
Micro-distillery/ Microbrewery	-	-	-	-	P	P	P	Tasting room is a permitted accessory use.
Winery	S	S	-	-	P	P	S	Tasting room is a permitted accessory use.
Light/Limited Industrial	-	-	-	-	-	P	P	
General Industrial	-	-	-	-	-	P	P	
Intensive Industrial	-	-	-	-	-	S	P	
Research and development/ laboratories/ prototype production/ pilot plant	-	-	-	-	-	P	P	

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	**S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required**							**- = Prohibited**
Mining/Excavation	-	-	-	-	-	-	CZ2, min. 25 acres	
Self-Service and/or Outdoor Storage	S	-	-	-	P	P	-	
Warehousing, Wholesaling and Freight Movement								
Freight handling, storage, and distribution	-	-	-	-	-	P	P	
Warehousing	-	-	-	-	-	P	P	
Wholesale trade	-	-	-	-	-	P	S	
All other warehousing, wholesaling and freight movement (except as noted above)	-	-	-	-	-	P	P	
Waste-Related Use								
Land-clearing and inert debris landfills, C&D landfills	CZ2, min. 10 acres	-	-	-	-	CZ2, min. 10 acres	CZ2, min. 10 acres	
Hazardous or low-level radioactive waste facility	CZ2, min. 25 acres	-	-	-	-	-	CZ2, min. 25 acres	
Transfer Station	S	-	S	-	-	S	S	
Recycling collection (household collection only)	S	-	S	-	-	S	S	
Sanitary Solid Waste Landfill (Municipal)	CZ2, min. 25 acres	-	-	-	-	-	S	
Sewage/Water Treatment Plant	S	S	S	S	-	P	P	
All other waste-related (except as noted above)	-	-	-	-	-	-	S	
AGRICULTURE USE GROUP[2] (Section 5.3.8)								

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	**S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required**							**- = Prohibited**
Farmers Market	S	-	S	-	P	P	-	
All other agriculture related (except as noted above)[2]	S	S	-	-	-	-	-	
UTILITIES AND OTHER USE GROUP (Section 5.3.9)								
Airfields and Landing Strips	S	-	S	-	-	P	P	Private airfields or landing strips may be an accessory to residential lots greater than 5 acres only in the AR and R-30 districts provided they are not commercial in any way. A special use permit is required.
Solar Energy Farms	S	-	S	-	-	-	-	
Static Transformer Stations, Radio/TV and Towers, Relay Station	S	S	S	S	S	S	P	
Telecommunication Facilities								
Freestanding, less than **120'**	P	P	P	S	P	P	P	
Freestanding, **120'** or greater	S	S	S	S	S	S	P	
Non-tower	P	P	P	P	P	P	P	
Water Tower								
Community water tower, as part of subdivision (shown on record plat)	P	P	P	P	P	P	P	Special Use Permit required if over 50' tall
All other water towers	S	S	S	S	S	S	P	Community water supply towers are permitted up to the maximum height in that district.
ACCESSORY, TEMPORARY, AND HOME OCCUPATION USE GROUP (Section 5.3.10)								
Accessory Dwelling Unit	See 5.3.10 Accessory, Temporary, and Home Occupation Uses							
Accessory Structures								
Home Occupation								
Solar Panels								
Temporary Uses	See 5.4, Temporary Uses							

Specific Use	Residential Districts				Nonresidential Districts			Administrator's Notes
	AR	R-80	R-30	R-8	NB	GB	HI	
P=Permitted use (by-right)[1]	S=Special Use Permit required CZ2 = Tier 2 Conditional Zoning required							- = Prohibited

Notes:

- **Accessory, temporary, and home occupation uses are permitted by right in all residential districts, see Section 5.3.10 for additional use standards.**
- **For any use not explicitly listed herein, see 5.3.1.B., which specifies that in such a case, a Tier 2 Conditional Zoning is required to establish a new zoning district. Alternatively, an applicant can always request an ordinance amendment to add the use to this Table of Permitted Uses.**

[1] Even uses permitted by-right may still have specific use standards associated with their establishment, design, or operation.
[2] These apply where a use is not otherwise regulated as a bona fide farm (G.S. §160D-903).

5.3.4. Residential Use Group

The "Residential" use group includes uses that provide living accommodations to 1 or more persons. The residential use group includes 2 use categories: household living and group living.

1. A deviation from applicable standards of this UDO shall be granted by the Administrator when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for residential ADA accessibility/wheelchair ramps.

A. Household Living

Characteristics: Household living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis or longer or dwellings are owner-occupied. Uses where tenancy may be arranged for a shorter period are not considered residential uses; they are considered a form of lodging. Per the North Carolina State Building Code, recreational vehicles (RVs) do not meet the standards of household living.

Examples	Accessory Uses
Examples of household living uses include houses, duplexes, townhomes, apartments, condominiums, and manufactured homes.	Accessory uses commonly associated with household living uses include recreational activities, hobbies, and parking of the occupants' vehicles. Home occupations and accessory dwelling units are subject to additional regulations. (see below)

1. Standards for All Residential Uses

   a. Double frontage lots

      i. Where residentially zoned lots or lots with residential structures have streets on both front and rear sides, an additional setback to the street the lots do not access (the rear of the lot) shall be provided. This additional setback shall be in addition to any setbacks for the district and shall be a minimum of 20' for local or collector streets, 25' for arterials or thoroughfares, and 40' for limited access highways. Alleys or private streets that function as frontage roads must also meet this setback requirement, but the actual alley or private street is not qualified as a local or collector street.

   b. Alley-loading

i. Rear- and alley-loaded development is only permitted if at least 60% of the block is also rear- or alley-loaded.

ii. Sufficient space for formalized on-street parking, including landscaping islands and intersection bulb-outs where appropriate, is required whenever dwellings are alley-loaded.

c. Outdoor Storage

i. The outdoor storage of 3 or more inoperable vehicles in any residential district or any household items such as furniture or appliances is prohibited.

ii. Outdoor storage of 2 recreational vehicles (RV) or boats per lot, as an accessory to a residential use is permitted.

iii. Any more shall be located in the rear yard and screened from view from adjacent properties.

2. Single-family Detached Dwellings

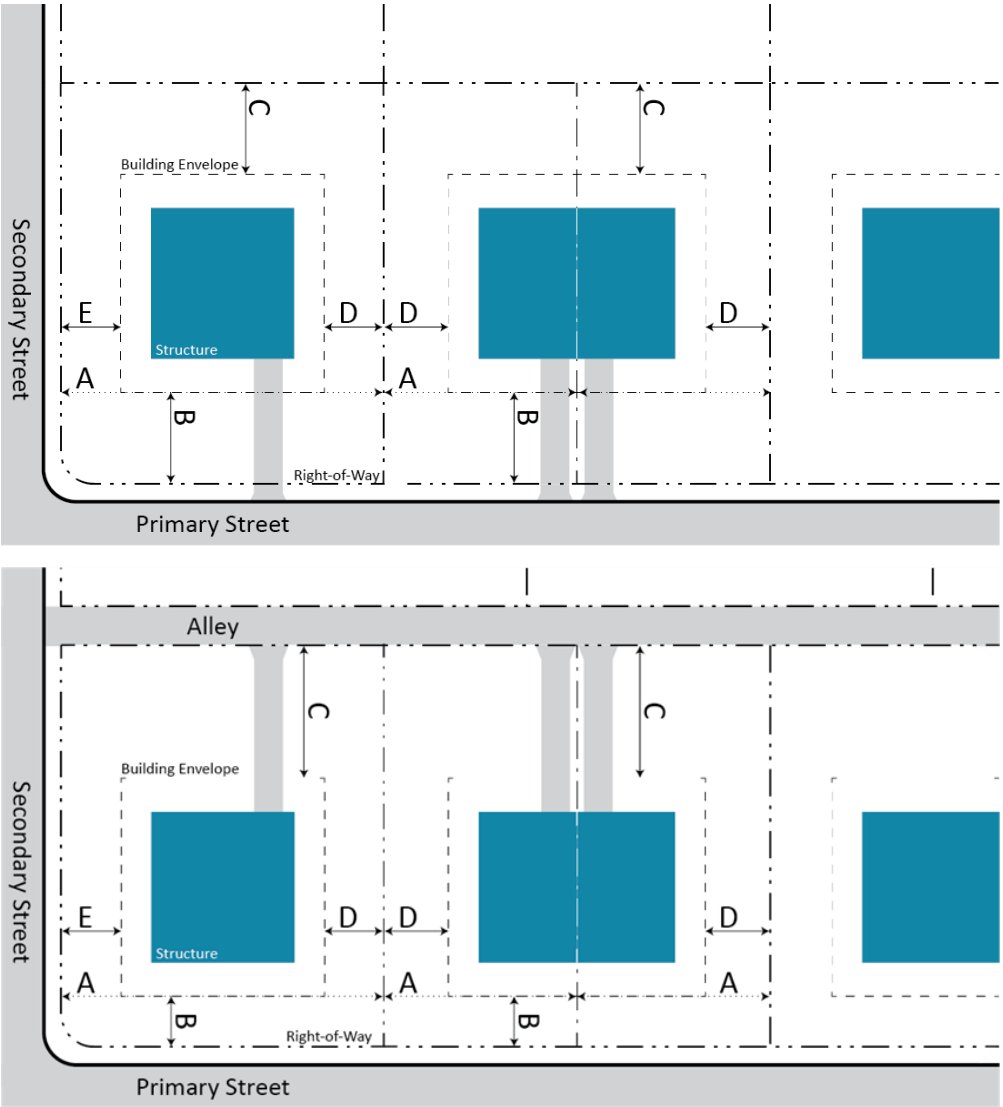
a. Single-family detached dwellings are limited to one principal dwelling per lot. (For accessory uses and accessory dwelling units see Section 5.3.10.)

b. At the time of construction of the primary structure, the footprint of the primary structure (e.g., impervious surface) may not exceed 70% of the building envelope.

c. Impervious surface associated with parking, pedestrian access, service areas, and driveways, for front-loaded single family detached residences and duplexes may not occupy more than 40% of the required front yard.

d. See Figure 5-1 for a typical lot layout.

Figure 5-1 Typical Lot Layout for Front-loaded and Alley-loaded Single-family and Two-family Dwelling



A = Lot Width
B = Front (Street) Setback
C = Rear Setback
D = Side Setback
E = Corner (Street) Setback

3. Two-family Dwellings, Duplexes
   a. Shared Driveways
      i. When accessing the same street, duplex driveways shall be located as close as possible to each other.

ii. If a shared driveway is used, it shall have a standard driveway width until it crosses the property line and then may flare out or diverge to access each individual dwelling unit.

iii. If a shared driveway is not used, they shall be located close together. A planting strip may be located between the driveways if it is at least three feet wide but no more than six feet wide.

b. Duplexes on corner lots are encouraged to have their driveways access separate streets.

c. Duplexes are limited to 50% of dwelling units in a residential subdivision at time of initial construction.

d. See Figure 5-2 for a typical lot layout.

4. Manufactured Homes

a. Requirements

i. Only Class A and B manufactured homes are permitted.

ii. All new manufactured and modular homes shall be installed according to the manufacturer's installation manual or blueprints, all others shall be installed according to the North Carolina Regulations for Manufactured Homes and for modular homes, North Carolina Building Code.

iii. Exterior finishes shall be in good repair and in no case shall the degree of reflectivity of the exterior siding, foundation skirting, and roofing, exceed that of gloss white paint.

iv. A continuous, uniform foundation enclosure, unpierced except for required ventilation and access, shall be installed. The enclosure may consist of brick or concrete block, or wood, vinyl, or metal fabricated for this purpose. Any wood framing for foundation skirting shall be constructed with treated lumber.

v. Permanent or precast steps shall be constructed or placed at all exterior doors as necessary.

vi. The running lights shall be removed, and the hitch shall either be removed or screened with shrubbery.

vii. At least two off-street parking spaces shall be provided.

viii. All areas not used for parking, manufactured home, or required porches shall be grassed or otherwise suitably landscaped to prevent erosion.

ix. All standards must be met prior to issuance of a Certificate of Occupancy.

5. Manufactured Home Subdivisions/Parks

Manufactured home parks shall require a special use permit as set forth in this Article.

a. Procedure for Securing Approval of Manufactured Home Parks

i. Sketch Plan

Prior to submitting a preliminary plan, the developer is encouraged to prepare and submit to the Planning Department and the Franklin County Health Department, Environmental Health Section, a sketch design plan of the manufactured home park. The purpose of the sketch plan is to allow the developer to express his ideas on intended development prior to expending any funds. The sketch plan should include location, tentative roads, lots, and well lots.

ii. Preliminary Plan

A) The developer shall submit twelve copies of the preliminary plan and any supplementary material to the Planning Department.

B) The manufactured home park preliminary plan shall be drawn at a scale of one inch to 100' or larger, and shall include the following:

- The name of the park, the name(s) and address(es) of the owner(s), the registered land surveyor or engineer licensed to practice in North Carolina.
- Date, scale, and north arrow.
- Boundaries of tract shown with bearings and distances.
- Names of adjoining property owners or developments.
- Zoning classifications, if any, both on the land to be subdivided, and on adjoining land.
- Proposed streets, street names, rights-of-way, and street widths.
- Proposed lot lines, lot numbers, and approximate dimensions.
- Proposed well site or water source showing a pollution-free radius compliant with North Carolina Department of Environmental Quality standards.

- Proposed minimum building setback lines.
- Land contours with vertical intervals of not more than 10' shall be required for all manufactured home parks that have sufficient land area for 25 spaces or more and for all recreational vehicle parks that have sufficient land area for 50 spaces or more.
- Proposed recreation areas, if applicable.
- Vicinity map.
- Acreage in total tract.
- Minimum lot size.
- Total number of lots.
- Linear feet in streets.

b. Review Authorities

i. Water supply system to be approved by the North Carolina Department of Environmental Quality Public Water Supply Section or the Franklin County Health Department, Environmental Health Section

ii. Sewage disposal to be approved by the North Carolina Department of Environmental Quality, Division of Water Resources or the Franklin County Health Department, Environmental Health Section

iii. Solid waste storage, collection, and disposal to be approved by the Franklin County Health Department, Environmental Health Section

iv. Manufactured home park developers shall comply with the standards set forth by the Land Quality Section of the North Carolina Department of Environmental Quality for sedimentation and erosion control plan.

v. The preliminary plan shall be checked against the design standards of the manufactured home park ordinance. The Planning Director shall provide the following agencies an opportunity to review and make recommendations concerning the proposed manufactured home park plan before approval is given:

vi. Franklin County Health Department, Environmental Health Section as to proposed water system (if a private water system is to be used) and sewage system (if individual septic tanks are to be used)

vii. Source of water and water distribution system

viii. Sanitary sewage system

ix. Adequate lot size if septic tanks are to be used

x. Adequate facilities for solid waste storage, collection, and disposal

xi. Each well located to provide ownership or control of a minimum pollution-free radius of 100'

xii. The Soil Conservationist may review the plan relative to erosion and sedimentation control

xiii. Such other agencies as the Planning Board may deem necessary and desirable

xiv. The Franklin County School Superintendent and Board of Education as to proposed school sites

xv. Franklin County Director of Economic Development as to proposed industrial and commercial development

xvi. Franklin County Electrical Inspector may review the proposed park plan to determine if the proposed electrical system is in accordance with the electrical code adopted by Franklin County.

c. Approval Process

i. The manufactured home park developer, or agent, shall attend the Board of Commissioners meeting at which the preliminary plan is to be considered. The Board of Commissioners shall discuss with the developer changes deemed advisable, if any, and the kind and extent of improvements to be made.

ii. The Board of Commissioners shall approve or disapprove the preliminary plan.

iii. After approval of the manufactured home park preliminary plan by the Franklin County Board of Commissioners, the Planning Department is authorized to issue a construction permit. The intent of the permit is to enable the execution of the preliminary plan in the field and shall not be construed to entitle the recipient to offer spaces for rent or lease, or to operate a manufactured home park as defined in this Ordinance.

iv. If the Board of Commissioners should disapprove the preliminary plan, the reason for such action shall be stated and

recommendations made based on which the proposed manufactured home park would be approved.

v. Failure on the part of the Board of Commissioners to act within 60 days after the preliminary plan is first considered at a regular meeting of the Board of Commissioners shall be deemed approval.

vi. When a manufactured home park is to be developed in phases, the preliminary plan shall be submitted for the entire development. A final plan shall be submitted for each phase.

d. Final Plan Approval

i. After the improvements shown on the approved preliminary plan have been installed for the whole or phase of the manufactured home park, the applicant shall submit a final plan of the area covered by such improvements. The final plan shall be prepared by a land surveyor or professional engineer registered to practice in North Carolina, and such registration shall be notarized on the final plan.

ii. The final plan shall be drawn at a scale of 100' to 1". The final plan shall conform substantially to the preliminary plan as approved and shall show the park as constructed in respect to the phase the developer has completed.

iii. The final plan shall show:

A) The name of the manufactured home park

B) The lines and names of all streets and roads

C) Lot lines and lot numbers

D) Minimum building setback lines

E) All reservations, easements, alleys, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations, if applicable

F) Sufficient data to determine readily and to reproduce on the ground, the location, bearing, and length of every street line whether curved or straight, and including suitable north reference. This should include the radius, center angle, and curved property lines that are not the boundary of curved streets.

G) All dimensions should be to the nearest 1/100 of a foot and angles to the nearest second.

H) Accurate location and description of all monuments and stakes

I) The names and locations of adjoining property and streets

J) Title, date, name, and location of the manufactured home park, and graphic scale

K) The ratio of precision as calculated by latitudes and departures before any adjustments must be shown

L) Name of owner and registered land surveyor or engineer licensed to practice in North Carolina

M) Sketch vicinity map showing relationship between manufactured home park and surrounding area

N) "As-built" private water system as approved by the Franklin County Health Department, Environmental Health Section

O) Other information considered to be pertinent to review of final plat

P) Evidence of approval by the following appropriate agencies

Q) North Carolina Department of Environmental Quality, Division of Water Resources for all community and public sewage systems

R) North Carolina Department of Environmental Quality, Public Water Supply Section, for all community or public water systems

S) Franklin County Health Department, Environmental Health Section, for all private water systems, sewage, and solid waste systems

T) North Carolina Department of Environmental Quality, Land Quality Section, for all erosion and sediment control plans

U) North Carolina Department of Transportation

e. Manufactured Home Park Operating Permit

i. When the developer has completed the construction of the manufactured home park and has obtained final plan approval, he shall apply to the Planning Department for an operating permit. The Planning Department representative, and a representative of the Franklin County Health Department, Environmental Health Section, shall make an on-site inspection of the park.

f. If the park conforms to the park final plan approved by the Planning Board and other agencies, and provides the following items, the Planning Department shall issue the developer an operating permit

   i. Manufactured home park identification sign

   ii. Manufactured home park buffer strip

   iii. Manufactured home park skirting and access doors

   iv. One manufactured home per space

   v. Street name signs

   vi. Manufactured home space markers

   vii. Streetlights

   viii. Underground wiring

g. If the plan does not conform with the approved plan, and/or above items, the Planning Department shall delay issuance of the operating permit until it comes into conformity.

h. The operating permit issued to the developer shall constitute authority to lease or rent spaces in the manufactured home park.

i. Design Standards for Manufactured Home Parks

   The following standards shall be considered the minimum requirements for all new manufactured home parks.

   i. General Requirements

      A) Manufactured home parks shall not become manufactured home sales lots. This does not prohibit individual manufactured homeowners from selling the manufactured home in which he resides or prohibit park owners or operators from selling manufactured homes set up for occupancy in his manufactured home park.

      B) The transfer of title of a manufactured home space or spaces either by sale or by any other manner shall be prohibited within a manufactured home park as long as the manufactured home park is in operation, unless the proposed tract for transfer meets the minimum requirements of this Ordinance.

      C) All structural additions to manufactured homes other than those which are built into the unit and designed to fold out or extend from it shall be erected only after a building permit shall have been obtained. Such additions shall

conform to the building code of the county, where applicable, or shall meet the standards of special regulations adopted with respect to such additions. The building permit shall specify whether such structural additions may remain permanently, must be removed when the manufactured home is removed, or must be removed within a specified length of time after the manufactured home is removed. Structural alterations existing at the time of passage of this Ordinance shall be removed within 30 days after the manufactured home which they serve is moved, unless attached to another manufactured home on the same site within that period.

D) Manufactured home park identification signs shall not exceed 32 square feet in area. Only indirect, non-flashing lighting shall be used for illumination.

E) When a manufactured home park is to be constructed, the owner of the park shall be required to provide and maintain a 5'-wide natural vegetative screened buffer strip along the park's boundary to be a minimum of 5' in height or planted evergreen trees or shrubbery consistent with width and height of the naturally screened buffer, or solid fencing at least 5' in height. Any planting shall be done at the earliest planting season, and any diseased or dead plants shall be replaced immediately.

F) Within a manufactured home park, one manufactured home may be used as an administrative office.

G) Manufactured homes which are destroyed beyond repair by fire or other acts of nature shall be removed from the manufactured home lot within ninety days of its destruction, unless a law enforcement or fire insurance investigation is in progress. In that event, the destroyed manufactured home shall be removed within 30 days following conclusion of the investigation.

H) All manufactured homes inside manufactured home parks shall have manufactured home skirts completely around the perimeter of the trailer with a 24 x 36" access door. In addition, it is recommended that the potable water supply pipe from the ground to the trailer should be wrapped with heat tape, then covered with appropriate insulation.

I) There will be no more than one manufactured home per space, whether occupied or not.

J) Inoperable Vehicles shall not be parked on a lot for over 60 days without a current registration.

K) Each manufactured home park shall be designed and approved individually, even if the property is contiguous or under the same ownership.

j. Streets and Parking

i. Convenient access to each manufactured home space shall be provided by streets or drives with a minimum right-of-way of 4'. Private streets accessing five or fewer manufactured home spaces shall be constructed to meet all of the North Carolina Department of Transportation, Division of Highway Construction Standards, including 4" of compacted stone; however, said roads do not have to be paved. Private streets accessing 6 or more manufactured home spaces shall be paved to North Carolina Department of Transportation, Division of Highways Construction Standards. Maintenance of such streets shall be provided by the owner or operator of the park.

ii. Cul-de-sacs shall not exceed 1,200' in length.

iii. Streets or drives within the manufactured home park shall intersect at not less than 60°. Where a street intersects with a public street or road, the design standards of the North Carolina Division of Highways shall apply.

iv. Proper sight line shall be maintained at all intersections of streets. Measured along the centerline, there shall be a clear sight triangle of 150' for those streets intersecting a right-of-way maintained by the North Carolina Department of Transportation. All interior drives shall maintain a sight distance triangle of 75'. No building or obstruction that impedes vision beyond the extent noted above shall be permitted in this area.

v. New street names shall not duplicate or be similar to existing street names in the County and shall be subject to approval by the Franklin County Planning Board.

vi. Two automobile parking spaces shall be provided on each manufactured home space but shall not be located within any public right-of-way or within any street in the park.

k. Manufactured Home Space

i. All manufactured homes shall be located on individual manufactured home spaces.

ii. Each manufactured home space shall be clearly defined by means of markers placed at all corners. Each manufactured home space shall be identified by a permanent number which shall not be changed. The appropriate number of each manufactured home space must be permanent and visibly displayed on each space once the space is used for the siting of a manufactured home. Each number shall be placed on a concrete, wood, metal, or any permanent post and conspicuously located on the lot.

iii. Each manufactured home space shall be located on ground not susceptible to flooding and graded to prevent any water from ponding or accumulating on the premises.

iv. Each manufactured home shall be located at least 15' from any manufactured home space boundary line, at least twenty feet from any community building within the manufactured home park, at least 20' from any exterior property line, at least 30' from the edge of the right-of-way of any street, and at least 100' from the well head of the off-site central water supply.

v. It is recommended that each manufactured home park provide a recreation area.

vi. Each manufactured homeowner shall be responsible for securing his individual manufactured home with anchors that meet the State Building Code.

l. Water and Sewer Utility Requirements

i. An accessible, adequate, safe, and palatable supply of water shall be provided in each manufactured home park. Where a public or community water supply is available, connection shall be made thereto, and its supply used exclusively.

ii. When a public or community water supply is not available, and the proposed park has 15 or more lots, a community water supply shall be developed, and its supply used exclusively in accordance with the standards of the Public Water Supply Section, North Carolina Department of Environmental Quality.

iii. When a public or community water supply is not available, and the proposed park has 14 or fewer lots, a private water supply shall be developed, and used exclusively in accordance with the standards of the Franklin County Health Department, Environmental Health Section.

m. The following minimum standards shall be met:

i. The water supply well shall be of drilled construction with casing as approved by the North Carolina Department of Environmental Quality, Division of Water Resources. Casing shall be grouted to a minimum depth of 20' below the land surface. The bottom end of the well casing shall be grouted into rock when in a consolidated formation. The top of the casing shall be terminated at least 12" above the land surface. Every water supply well shall have a continuous bond concrete slab or well house concrete floor extending at least 3' horizontally around the outside of the well casing. Concrete minimum thickness of the slab or floor shall be 4".

ii. The upper terminal of the well casing shall have a sanitary seal with approved screen vent. In addition, a sample tap shall be provided at the well head. A flow meter and water pressure gauge are strongly recommended but not required.

iii. Water distribution mains shall be not less than 2" diameter pipe size. Each two-inch diameter main shall not exceed 1,000' in length. All service taps shall be a minimum of ¾" pipe diameter. A continuous loop water system is strongly recommended where practical. All water lines shall be NSF (National Sanitation Foundation) approved for potable water.

iv. A hydropneumatic water storage tank, properly sized, shall be provided. The size will be based on the formula "25 gallons x number of lots = total storage volume." If an individual storage tank has over 120 gallons (actual storage volume) it shall be stamped ASME approved.

v. The manufactured home park owner or manager shall be required to have the well sampled, to insure a safe supply of water. A one-time only inorganic sample shall be required initially. If samples indicate the necessity, further sampling may be required. Bacteriological samples shall be required on a quarterly basis for total coliform bacteria. Disinfection by continuous chlorination (liquid feed) may be required if bacteriological analysis indicates the need, except that any well yielding water containing fecal coliform (which cannot be eliminated from the well) shall be abandoned. Water samples shall be analyzed by a certified lab and a copy of the lab analysis furnished promptly to the Franklin County Health Department, Environmental Health Section.

vi. The well head shall be protected by a structurally sound well house. No potentially hazardous contaminants or materials will be stored in the well house.

vii. An individual manufactured home park shall be served by only one water system, whether it is a public, community, or private water system.

viii. Adequate and safe sewage disposal facilities shall be provided in all manufactured home parks. Collection systems and sewage treatment plants complying with the requirements of the Division of Water Quality of the Department of Environmental Quality should be provided. Plans for sewage collection systems and treatment facilities shall be submitted to the Division of Water Resources of the Department of Environmental Quality. Individual septic systems can be considered if soil, available space, topography, and groundwater conditions are favorable. Individual septic systems shall be designed and approved by the Franklin County Health Department, Environmental Health Section. The minimum estimated daily waste flow for any manufactured home park lot shall be assumed to be 360 gallons per day.

ix. Each manufactured home space shall be provided with at least a three-inch diameter sewer riser pipe.

x. The sewer connection shall have a nominal inside diameter of at least three inches, and the slope of any portion thereof shall be at least ¼" per foot. The sewer connection shall consist of one pipeline only without any branch fittings. All joints shall be watertight including connection from trailer to sewer pipe.

xi. All material used for sewer connections shall be semi-rigid, corrosion-resistant, non-absorbent, and durable. The inner surface shall be smooth.

xii. Provision shall be made for plugging the sewer pipe when a manufactured home does not occupy a space. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least 4" above ground elevation.

xiii. The storage, collection, and disposal of solid waste in the manufactured home park shall be conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or pollution. This shall be done in accordance with the requirements as set forth in the Franklin County Solid Waste Ordinance.

n. The growth of brush, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds

considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

o. All streets in the manufactured home park shall be adequately illuminated from sunset to sunrise. The minimum size streetlight shall be a 175-watt mercury-vapor (approximately 7,000 lumen class), or its equivalent, spaced at intervals of not less than 1 pole per 5 lots.

p. All manufactured home parks shall have underground wiring. This requirement may be waived by the Planning Board if underlying rock is less than 4' from the surface, or in areas where soils have a high-water table.

6. Multi-family (Condominium, Apartments, Townhomes)

a. To the extent that such standards are not inconsistent with G.S. § 160D-702(b), multifamily structures shall be regulated as follows.

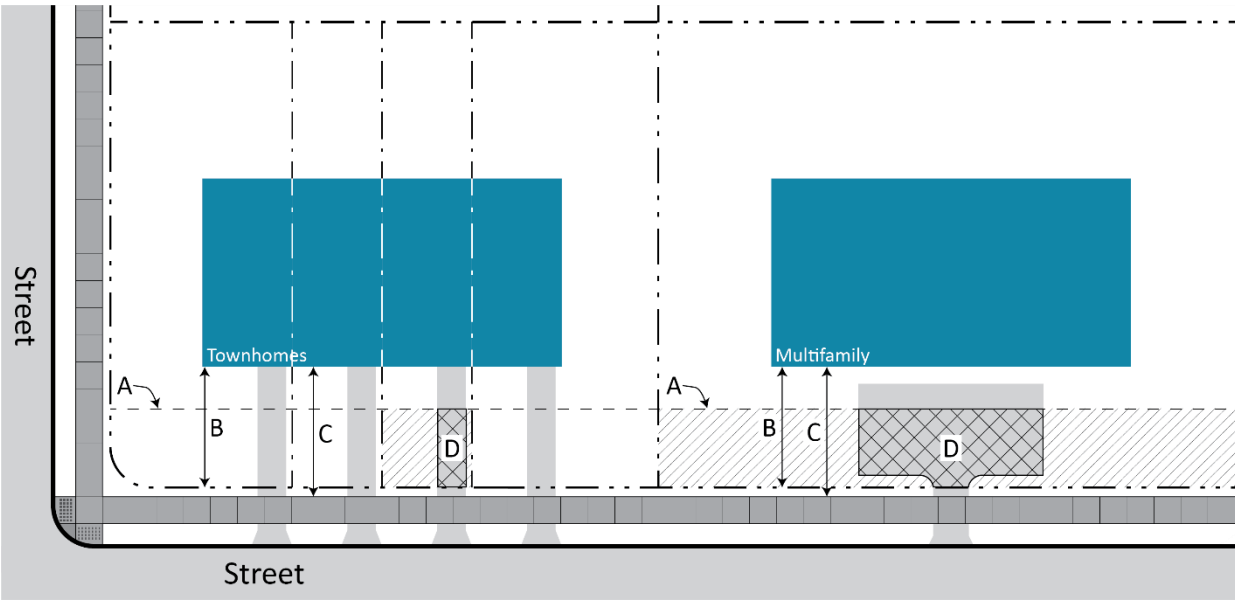
b. In the R-8 district, multi-family residential is limited to 25% of overall dwelling units in a new development.

c. Front-loaded

i. Any parking areas in the front yard must be sufficiently deep enough that they do not encroach on the right-of-way or pedestrian ways. Garage doors shall be set back at least 25' from the sidewalk to allow for parking and walking between the vehicle and the structure.

ii. Impervious surface associated with parking, pedestrian access, service areas, and driveways, for front-loaded house-scaled townhomes or multifamily structures may not occupy more than 60% of the required front yard, measured in aggregate for the entire structure and associated lot.

Figure 5-2 Front-loaded Multi-family Parking and Impervious Surface



A. Front Setback Line

B. Distance from Building Face to Right-of-way

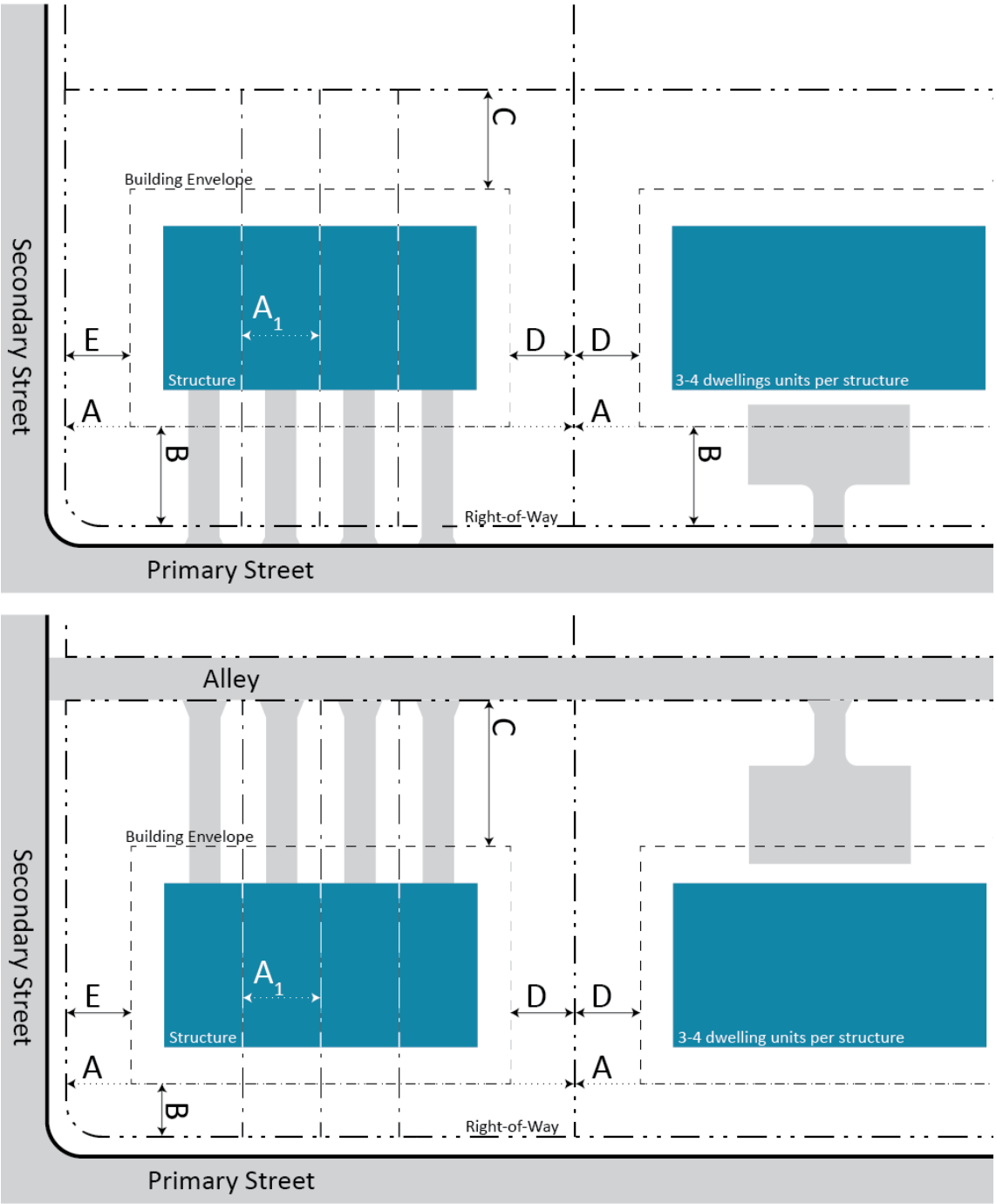
C. Distance from Sidewalk to Building Face

D. Impervious Surface Area

d. Alley-loaded

Alley-loaded townhomes shall have parallel, on-street parking in the front. If the townhomes are fronting a central green or common courtyard with no vehicular areas then an equivalent number of parking spaces shall be provided in an accessible, adjacent, off-site parking location.

Figure 5-3 Typical Lot Layout for Front-loaded and Alley-loaded Townhomes and Multi-family Residential



A = Lot Width
B = Front (Street) Setback
C = Rear Setback
D = Side Setback
E = Corner (Street) Setback

e. Multi-family and Townhomes (More than Six Dwelling Units per Structure)

Wherever townhome or multifamily structures with more than 6 dwelling units per structure abut single family detached residential or duplex structures, the setback shall be increased by 20' and a minimum 12-foot wide pedestrian pass-through shall be required at least every 100 linear feet of structure.

f. Recreation Area

i. Recreational play areas shall be provided for all apartment and condominium developments and all townhome developments or structure with over 5 dwelling units (total or per structure). A minimum play area of 2,000 square feet, having a minimum width of 40' or a minimum radius of 26', shall be provided for the first 5 to 25 dwelling units. For each dwelling unit over 25 in number, an additional 56 square feet per dwelling unit shall be provided. The spatial distribution and number of individual play areas within the development shall be spaced to be convenient to the greatest number of units. Swimming pools and their accessory areas shall not constitute any part of the open space requirements. No part of the required play area shall be used for any other purpose.

ii. The proportional amount of recreation must be developed prior to or concurrently with the associated residential units.

g. Buffer Requirements

A minimum 20'-wide evergreen buffer shall be required along the outside property line of the development, except for the point of ingress and egress. It shall not pose a hazard for vehicular traffic. The buffer shall reach a height of 6' within 3 years from the time of planting with foliage overlaps. At least two canopy trees and ten evergreen shrubs are required for every 100 linear feet of buffer. Earthen berms are required adjacent to the street right-of-way, in addition to the required plant material for purposes of screening. The slope of the berm shall not exceed a 2:1 ratio (horizontal to vertical), shall have a top width at least one-half the berm height, and a maximum height of 6 feet above the top of the berm.

Existing, native vegetation is encouraged to be incorporated into the required buffer.

h. Additional Site Design Requirements

i. Installation of curb and gutter is required where densities are higher than 4 dwellings per acre.

ii. Townhomes shall have their garage setback at least 4' behind the face of the building.

iii. On townhomes, the garage shall not be more than ½ the width of the dwelling unit unless the building is alley loaded.

i. Other Details to be Shown on Site Plan

i. Proposed provision for storm drainage (including retention pond facilities, when applicable) and sanitary sewerage, approved by the Administrator.

ii. Size and proposed location of any signs.

iii. Proposed solid waste storage facilities.

iv. Proposed water system and firefighting facilities such as hydrants and sprinkler connections.

v. Types of surfacing, slope, grade, and cross section of drives, sidewalks, malls, etc.

vi. The location and heights of all fences, walls, and hedges shall be shown.

vii. Profiles of publicly maintained water and sewer lines.

viii. Profiles, cross-sections, and slopes of on-site and off-site ditches carrying water runoff.

ix. Erosion and sedimentation control plan.

x. Depict traffic control devices.

xi. Location and amount of recreation area.

j. Placement of Buildings

i. There shall be maintained at least 20' of open space between individual and unattached buildings multifamily residential developments. When a building has more than six attached dwelling units, an additional 10' of open space is required.

ii. Any group of buildings forming a courtyard shall provide adequate access for emergency vehicles.

iii. Where the length of a street exceeds 150' and where there exists 6 or more dwelling units, an area must be provided for the turnaround of fire-fighting vehicles on a paved surface. This area shall not be used for parking and shall subscribe a

circular area having a minimum radius of 35' or shall have a configuration which provides adequate turnaround space for fire or emergency services apparatus.

iv. All fire hydrants, whenever possible, should be located adjacent to the paved roadways suitable for transporting fire-fighting vehicles. Where possible, such hydrants shall be located at least 50' from any building. Hydrants shall be located at entrance and exit ways, and additional hydrants shall be located so that each building and portion thereof will be within 350' of a hydrant. If buildings have standpipes and sprinkler systems, one hydrant shall be located within 75' of each standpipe and sprinkler connection system. All hydrants must be served by a water main of sufficient size. In no case shall the minimum size main be less than 6" in diameter.

7. Upper-story Residential

a. Mixed use developments shall adhere to the setback and dimensional standards for nonresidential development in the respective district.

b. Density is the same as for multifamily development in the respective district or 16 dwelling units per acre, whichever is lesser.

c. County/Public water and sewer service is required for all upper-story residential development with more than one dwelling unit per structure.

B. Group Living

Characteristics: Group living is characterized by the residential occupancy of a building by a group of people who do not meet the definition of a "family." The size of the group may be larger than a family. Tenancy is arranged on monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential uses; they are considered a form of lodging. Group living arrangements typically have a common eating area for residents. The residents may receive care, training, or treatment, if the care givers also reside at the site.

Examples	Accessory Uses
Examples of group living uses include family care homes, group homes, and associated personal health care facilities.	Typical accessory uses include associated offices, indoor storage, food preparation and dining, and recreational activities.

1. Family Care Home

No other family care home may be located within a ½-mile radius of an existing family care home.

5.3.5. Public and Civic Use Group

The "Public and Civic" uses group includes uses that provide public or semi-public services. The public and civic use group includes the following use categories:

A. Colleges and Universities

Characteristics: The college and university use category includes institutions of higher learning that provide courses of general or specialized study leading to a degree, as well as business and technical schools leading to licensing or certification.	
Examples	**Accessory Uses**
Examples include colleges, universities, community colleges, conservatories, seminaries, business schools, trade schools and nursing or medical schools not accessory to hospitals.	Typical accessory uses include offices, housing for students, food service, laboratories, health clinics, sports facilities, theaters, meeting areas, parking, maintenance facilities, support services and incidental commercial uses.

B. Cultural Exhibits and Libraries

Characteristics: Cultural exhibits and libraries are characterized by the preservation, archiving or exhibition of objects in the arts or sciences, or the collection of books, manuscripts, and other materials for reading and study.	
Examples	**Accessory Uses**
Examples include public libraries, art museums, science museums, and history museums.	Typical accessory uses include offices, limited retail sales, meeting areas and concessions. Art galleries, where objects are displayed for purpose of sale, are "retail" uses.

C. Day Care

Characteristics: Day care uses provide care and supervision for children and adults away from their primary residence on a regular basis and for less than 24 hours per day.	
Examples	**Accessory Uses**

Examples of day care uses include childcare homes, child care centers, and day care for the elderly.	Typical accessory uses include parking, offices, and recreational activities.

D. Detention and Correctional Facilities

Characteristics: Detention and correctional facilities provide for the confinement, rehabilitation and treatment of persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.	
Examples	**Accessory Uses**
Examples of detention and correctional facilities include jails, prisons, juvenile detention centers and probation centers.	Typical accessory uses include offices, recreation and health facilities, therapy facilities and hobby and manufacturing facilities.

Jails shall not be sited within ¼ mile of any existing church, school, or daycare facility. The jail shall be fenced and screened as provided in the case of salvage operations and junkyards except that this requirement may be modified or waived by Variance upon the showing by the operator that a modification is needed for security reasons.

E. Emergency and Safety Service

Characteristics: Safety service uses are those that provide services for the protection of health and personal safety.	
Examples	**Accessory Uses**
Examples include police stations, fire stations and ambulance services.	Typical accessory uses include the storage and maintenance of necessary vehicles.

All buildings shall be set back a minimum of 30' from all exterior property lines.

F. Hospitals

Characteristics: Hospitals include uses providing medical or surgical care to patients and offering inpatient (overnight) care.	
Examples	**Accessory Uses**
Examples include hospitals and inpatient medical centers.	Typical accessory uses include outpatient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities and staff or

	trainee housing. Outpatient medical clinics and doctors' offices are classified as office uses.

G. Lodge or Private Club

Characteristics: Lodges and private clubs are noncommercial, nonprofit associations of annual dues-paying members, which own, lease, or rent a building or portion thereof for the exclusive use of their members and guests.	
Examples	**Accessory Uses**
Examples include civic, social, political, recreational, and professional clubs.	Typical accessory uses include offices, limited retail sales, meeting areas, and concessions.

1. Clubs or lodges shall have direct access to a Federal or State highway.
2. Minimum lot area shall be the same as required for nonresidential uses in the AR district or a minimum lot size of 5 acres, whichever is greater.

H. Parks and Recreation

Characteristics: Parks and recreation uses are characterized by the provision of open spaces and buildings for organized or informal recreation.	
Examples	**Accessory Uses**
Examples of parks and recreation uses include parks, play fields, playgrounds, recreation buildings, gymnasiums, and athletic fields.	Typical accessory uses include clubhouses, maintenance facilities, concessions, caretaker's quarters, and parking.

I. Religious Assembly

Characteristics: Religious assembly uses primarily provide meeting areas for religious activities.	
Examples	**Accessory Uses**
Examples of religious assembly uses include churches, mosques, synagogues and temples.	Typical accessory uses include classroom facilities, parking, caretaker's housing and group living facilities such as convents.

J. School, Public or Private

Characteristics: Schools are institutions that provide state-mandated basic education.	
Examples	**Accessory Uses**
Examples include public and private primary, elementary, middle and high schools.	Typical accessory uses include play areas, cafeterias, recreational and sports facilities, auditoriums and before- and after-school day care.

5.3.6. Commercial Use Group

The "Commercial" use group includes uses that provide a business service or involve the selling, leasing, or renting of merchandise to the general public.

A. Animal Service

Characteristics: Animal service uses are characterized by their provision of medical services, training, boarding, showing or raising of animals, either for profit or for humane purposes.	
Examples	**Accessory Uses**
Examples of animal service uses include veterinary services such as animal hospitals, pet clinics, pet grooming, kennels and animal shelters.	Typical accessory uses include offices, indoor storage and parking. All animal uses occur indoors except for outdoor, accessory, fenced, pet walk areas.

1. Pet Cremation
   a. Limited to pets which weigh no more than 200 pounds. For pets greater than 200 pounds, restricted to Heavy Industrial district.
   b. The crematory area shall be screened with solid type fencing or with evergreen shrubs at least 5' in height.
   c. All remains of the cremation shall be returned to the pet owner or disposed of in a sanitary landfill or other municipal or county disposal facility.
   d. The cremation process shall emit no odor that is objectionable to surrounding property owners.
   e. All pets shall be cremated within 24 hours after being received or stored in freezers to prevent odor or decomposition.

B. Bed and Breakfast

Characteristics: A house, or portion thereof, where short-term lodging rooms and meals are provided in accordance with the following:

A. Does not provide dining or serve food to the general public for sale

B. Serves only the breakfast meal to overnight guests of the establishment

C. Includes the price of breakfast in the room rate; and

D. The operator of the bed and breakfast lives on the premises or in adjacent premises, including boarding home(s) or tourist home(s).

Examples	Accessory Uses
	Typical accessory uses are parking.

1. No more than 5 guest rooms.
2. Owner/manager lives on site.
3. Compatible with neighborhood.
4. Off-street parking at 1 per guest room and 1 for owner/manager.
5. Meet all applicable local and State health and building code requirements.
6. Minimum lot area shall be the same as required for nonresidential uses in the AR district or one acre, whichever is larger.

E. Body Art Service

Characteristics: Body art services perform procedures such as body piercing, tattooing, cosmetic tattooing, branding or scarification, but not including practices that are considered medical procedures by the North Carolina Medical Board (such medical procedures may not be performed in a body art establishment)

Examples	Accessory Uses
Examples of body art services include tattoo parlors and body piercing businesses.	Typical accessory uses include offices and parking.

1. Shall not be located adjacent to any residentially used property.

F. Eating and Drinking Establishments

Characteristics: Eating and drinking establishments are characterized by the provision of prepared food or beverages for consumption either on or off the premises.

Examples	Accessory Uses

Examples of eating and drinking establishments include restaurants, fast-food restaurants, taverns, cocktail lounges and coffee shops.	Typical accessory uses include offices, patios for outdoor dining, drive-through facilities and parking.

G. Financial Services

Characteristics: Financial services uses are characterized by the provision of financial or brokerage services.	
Examples	**Accessory Uses**
Examples include banks, savings and loans, investment businesses, payday loan stores, and ATMs associated with a primary use.	Typical accessory uses include cafeterias and other amenities for on-site employees, meeting rooms, accessory ATMs, and parking.

H. Funeral and Interment

Characteristics: Funeral and interment services provide for the preparation and burial of the dead.	
Examples	**Accessory Uses**
Examples include funeral homes, undertaking services, cemeteries, mausoleums and columbaria.	Typical accessory uses include offices, storage of vehicles used by the firm and parking.

1. All graves and crypts shall be set back at least 30' from exterior property lines or public roads. As an alternative for the setback along exterior property lines, a 10' landscaping buffer with a continuous shrub hedge (dwarf or miniature shrubs are recommended) and a four-foot tall decorative aluminum or metal rail fence or a two-to-four foot tall masonry wall may be substituted.
2. Shall meet all applicable setbacks from wells and water supply.

I. Gas Station

Characteristics: Gas stations are characterized by the retail sale to the public of fuel, oil and accessories for motor vehicles. This use category does not include the sale, rental or storage of any motor vehicle.	
Examples	**Accessory Uses**
Examples include gas stations with or without convenience stores.	Typical accessory uses include incidental repair services and car washing.

1. Neighborhood/Convenience-Oriented Retail (with or without gas sales)

Site shall provide at least 50' open space setback along all property lines of residentially utilized property. Maybe be reduced to 20' by use of an evergreen landscaping buffer that reaches a minimum height of 6 feet tall within three years of planting.

J. Lodging

Characteristics: Lodging uses are characterized by the provision of temporary overnight accommodations and incidental sales and services for the convenience of guests such as food, drinks and other items.	
Examples	**Accessory Uses**
Examples of lodging uses include bed and breakfast establishments, hotels, RV Parks, and motels. Day camps are classified as "recreation and entertainment uses." Short term rentals are classified as either bed-and-breakfast (up to 5 rooms or whole house rental) or hotel/motel (more than 5 rooms, in total or in a single structure, regardless if they rented separately or jointly).	Typical accessory uses include offices, meeting areas, food preparation and dining facilities, laundry facilities, swimming pools and other recreation facilities and parking.

1. Short term rentals shall provide at least 1 off-street parking space per rental bedroom.
2. Specifications for Recreational Vehicle Parks
   a. Suitability of Land

      Land subject to flooding, improper drainage, erosion, or that is for topographical or for other reasons unsuitable for recreational vehicle use as determined by the Planning Board, shall not be developed for recreational vehicle parks so long as such use would continue or increase the danger to health, safety, or property unless the hazards can be and are corrected or avoided.

   b. Site Development

      i. Every recreational vehicle park shall contain at least 10 spaces.

ii. There shall be a minimum distance of 15' between each recreational vehicle or structure.

iii. Parking spaces sufficient to accommodate at least 1 motor and camping vehicle shall be constructed within each space. No more than 1 camping vehicle may be parked on any space.

iv. All spaces developed adjacent to a public street shall be set back a minimum of 40' from the street right-of-way.

v. All spaces shall be located on sites with elevations that are not susceptible to flooding. The spaces shall be graded to prevent any water from ponding or accumulating within the park. Each space shall be properly graded to obtain a reasonably flat site and to provide adequate drainage away from the space.

vi. The park shall have paved roads that directly abut each space. All roads rights-of-way shall have a minimum width of 45' and 18' of pavement width. Rights-of-way for 1-way roads may have a minimum width of 24' and 9' of pavement width.

vii. No space shall have a direct vehicular access into a public road.

viii. The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.

ix. Cul-de-sac or dead-end roads shall not exceed 1,200' in length measured from the entrance to the center of the turn-around. Any road designed to be permanently closed shall have a turn-around at the closed end with a minimum right-of-way diameter of 80'.

x. Each park shall have a central structure or structures that will provide separate toilet facilities for both sexes. This structure may also contain coin-operated machines for the park residents' use only, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area.

xi. No swimming pool or bathing area shall be installed, altered, improved, or used without compliance with applicable regulations. No bathing area shall be used without the approval of the Franklin County Health Department.

xii. Signs for identification of parks shall not exceed 4' by 8' at the entrance to the park.

c. Sanitary Facilities

i. All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilet, shower, lavatory, and laundry room facilities shall be approved by the Franklin County Health Department.

ii. All buildings shall be constructed in accordance with the building codes of Franklin County.

d. Water Supply

i. A safe, adequate, and conveniently located water supply must be provided for each park. No water supply shall be installed, altered, or used without the approval of the Franklin County Health Department or Public Utilities Department.

ii. A private water supply shall be developed in accordance with the Franklin County Health Department, Environmental Health Section standards.

e. Sewage Disposal

i. Sewage dumping stations shall be approved by the Franklin County Health Department. Each park shall provide at least 1 sewage dumping station.

ii. No method of sewage disposal shall be installed, altered, or used without the approval of the Franklin County Health Department or Public Utilities Department. All sewage wastes from each park, including wastes from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water-using appliances not herein mentioned, shall be piped into the park's sewage disposal system or systems.

f. Garbage and Refuse Disposal

i. The park owner/manager shall provide storage, collection, and disposal of solid waste in the park so as not to create health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or pollution.

ii. This shall be done in accordance with requirements as set forth in the Franklin County Solid Waste Ordinance.

iii. Where electrical service is used, the installation and use of such facilities shall conform with all applicable codes. Such facilities shall be inspected by the Franklin County Electrical Inspector.

iv. Each park shall provide recreation areas to serve the needs of the anticipated users. ½ acre of level, well-drained ground for every 10 spaces shall be utilized as a recreation area. The park owner is responsible for the development and maintenance of the recreation areas.

v. It shall be unlawful for a person to park or store a manufactured home in a recreational vehicle park. However, 1 manufactured home may be allowed within a recreational vehicle park to be used as an office residence of persons responsible for the operation and maintenance of the recreational vehicle park.

g. Inspection

i. The Franklin County Health Department, Environmental Health Section, the Franklin County Building Inspector, and other county enforcement officers are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance. It shall be the duty of the owners or occupants of manufactured home parks and recreational vehicle parks to give these agencies free access to such premises at reasonable times for inspection.

ii. The person to whom an operating permit for a manufactured home park or recreational vehicle park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.

iii. The park owner or operator shall notify park occupants of all applicable provisions of this Ordinance and inform them of their duties and responsibilities under this Ordinance.

K. Office

Characteristics: Office uses are characterized by the provision of a place of work for professional and service occupations, meetings, and agencies.	
Examples	**Accessory Uses**
Examples of office uses include offices for accountants, architects, artists, brokers, dentists, doctors, engineers, insurance adjusters, landscape	Typical accessory uses include cafeterias, health facilities, parking or other amenities primarily for the

architects, lawyers, realtors, chiropractors, osteopaths, massage therapists, optometrist, secretarial agencies, finance and insurance agencies, mortgage companies, medical offices, laboratories and outpatient medical clinics. Broadcast and recording studios and conference centers or retreats are also classified as office uses.	use of the employees in the firm or building.

L. Parking, Commercial

Characteristics: Commercial parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both parking for a specific use and regular fee parking for people not connected to the use is also considered a commercial parking use.	
Examples	**Accessory Uses**
Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use and partially for rent to others).	Parking pay station or attendant booth.

M. Recreation and Entertainment, Indoor

Characteristics: Recreation and entertainment uses provide indoor areas for athletic, recreational or entertainment activities.	
Examples	**Accessory Uses**
Examples include bowling alleys, billiard halls, physical fitness centers, dance companies, indoor shooting ranges, and swimming pools.	Typical accessory uses include indoor storage and parking.

1. Shooting Range, Indoor
   a. The minimum lot size shall meet the required minimum lot size of the underlying zoning district.
   b. Shall be subject to the required setbacks of the underlying zoning district.

c. Shall be designed/engineered to absorb or dissipate noise from the firing of weapons so that it is not audible from exterior property lines.

N. Recreation and Entertainment, Outdoor

Characteristics: Recreation and entertainment uses provide outdoor areas for athletic, recreational, or entertainment activities.	
Examples	**Accessory Uses**
Examples include drive in theaters, firearm ranges and clubs, motor sports clubs, fishing clubs, marinas, boat clubs, recreational farms or ranches, equestrian facilities, riding clubs, swimming pools, wildlife or game preserves, zoos, day camps, golf courses, swimming clubs and tennis clubs.	Typical accessory uses include restaurants, concessions, parking and maintenance facilities.

1. Equestrian Facilities/Riding Clubs/Stables
   a. Minimum lot size shall be at least 80,000 square feet.
   b. All stables and exercise yards shall be set back at least 30' from all exterior property lines.
2. Golf Course
   a. All buildings and swimming pools must be set back a minimum of 50' from all exterior property lines.
   b. Outdoor swimming pools shall be protected by a secured fence.
3. Marina/Boating Facility
   a. Located on a lot one acre or larger.
   b. Outdoor Storage
      i. Outdoor storage shall conform to the standards set forth in the Self Service and Outdoor Storage use category.
      ii. Storage and repair of boats shall be confined to designated outdoor storage areas and within the primary building.
4. Shooting Range, Outdoor
   a. Shall not be located within 1 mile of a church, park, school, day care, group/family care home, or retirement/nursing home facility.

b. Hours of operation shall be limited to 8 a.m. to 5 p.m. Monday-Friday, 10 a.m. to 5 p.m. Saturday, and 12 p.m. to 5 p.m. Sunday.

c. The minimum lot size shall be 10 acres.

d. Security fencing a minimum of 6' in height, shall be installed around the perimeter of the range.

e. Access shall be controlled to prevent unregulated entrance to the firing range area.

f. No portion of the range area shall be closer than 500' to the closest exterior property line.

g. Shooting ranges shall be designed to minimize offsite noise impacts generated by the activities on the range facility.

h. Backstop downrange and design shall be done in accordance with (NRA) National Rifle Association Standards. Elevation control is required along the shooting range to prevent rounds from being fired over backstop or berms.

i. Warning signs meeting (NRA) National Rifle Association guidelines shall be posted no more than 100' apart along the property lines indicating shooting range located on property.

j. Shots fired on site, whether on range on in air, shall be contained entirely on the site.

5. Swimming Pools

a. An outdoor swimming pool, including an in-ground, aboveground, or on-ground pool, hot tub, or spa shall be provided with a barrier which shall comply with the following:

i. Swimming pools shall be placed in the rear yard only on corner lots and in the rear or side yard of other lots.

ii. Swimming pools shall adhere to a minimum 5' setback from side and rear property lines. They are not permitted in front of the front building plane.

O. Retail Sales and Service

Characteristics: Retail sales and service establishments are characterized by (1) sales of new or used goods or products to the general public and (2) the provision of services related to the care of persons, apparel or small household appliances.	
Examples	**Accessory Uses**
Examples of retail sales establishments include bookstores, pharmacies, office supply stores, business machine companies, grocery stores, dental supply companies, clothing and shoe stores, department stores, discount stores, card and stationery shops. Examples of retail (personal) service establishments include apparel alteration and tailoring shops, shoe repair shops, dry cleaning and laundry pickup shops, coin-operated laundry facilities, pawn shops, barber shops, beauty salons, day spas, small household appliance repair, and security sales and service businesses.	Typical accessory uses include offices, storage of goods and parking.

1. Utility Building Sales
   a. Sales materials shall not be located within applicable setbacks depending upon the underlying zoning district.
   b. Lighting for the building shall be limited to flood lights or automatic security lights or any other lights required by the North Carolina Building Code, for the purpose of illuminating walkways, and areas behind the building are not easily seen from the road.
   c. No streamers, pennants or flags are to be displayed, other than flags of the United States of America, the North Carolina Flag, Franklin County Flag, or Foreign Nations having diplomatic relations with the United States.
   d. Lighting for the display area for utility building sales shall be limited to 2 light fixtures. Maximum height of light poles with a 90° or less cutoff fixture, measured from the light stream to the ground, shall

be 30'. Maximum height of light poles without a full 90° or less cutoff fixture, measured from the light stream to the ground, shall be 16'.

P. Sexually Oriented Business

Characteristics: Characteristics: A sexually oriented business is any place defined as an "adult establishment" by G.S. § 14-202.10, as such statutes are amended from time to time, except that the incorporated definition of "massage business" will not include a health club, exercise studio, hospital, physical therapy business, or other health related business—but will include any business where massages are rendered by persons exhibiting "specified anatomical areas" and/or where massages are performed on any client's "specified anatomical areas" (as those terms are defined in G.S. § 14-202.10).

1. In the development and adoption of this Section, it is recognized that there are certain Sexually Oriented Businesses which due to objective and operational characteristics can and do cause adverse secondary impacts on neighboring properties. The North Carolina Legislature has determined that studies have found increases in crime rates and decreases in neighboring property values as a result of the inappropriate locations and operations of these businesses. The purpose of these controls and regulations is to prevent or ameliorate these adverse secondary impacts while still being consistent with the Constitution of the United States. This section more specifically aims to preserve the integrity and character of residential neighborhoods, to deter the spread of urban blight and to protect minors from the characteristics of these sexually oriented businesses by restricting proximity to religious uses, parks, schools, daycares, nurseries, and residential uses.
2. Sexually Oriented Businesses must meet the following requirements
   a. The site of the sexually oriented business must be located at least ½ mile measured in a straight line from property line to property line from the site of any other sexually oriented business that exists or has been permitted at the time notice of the hearing on the special use permit petition is provided.
   b. The site of the sexually oriented business must be located at least ½ mile measured in a straight line from the property lines to the property line of the following uses
      i. Adult day care facilities
      ii. Bars and night clubs
      iii. Childcare homes and childcare centers

iv. Dwellings

v. Family Care Home, group care facilities, group homes, health/personal care facilities, and all other group living

vi. Public parks recreation

vii. Public recreation (assembly) buildings

viii. Religious assembly

ix. School

c. No principal use other than the adult establishment may occupy the same building or structure.

d. Except for on-premises identification signs, no advertisements, displays or signs, or other promotional materials may be visible to the public from pedestrian sidewalks, walkways, driveways, or parking areas.

Q. Vehicle Sales and Service

Characteristics: Vehicle sales and services uses are characterized by the sale, lease, rental, storage, or display of motor vehicles, equipment and related accessories; and the provision of services related to motor vehicles and equipment.	
Examples	**Accessory Uses**
Examples include car washes, detailing services, repair services, oil change services, impound yards, towing services, fleet storage, and businesses engaged in the sale, lease, rental or storage/display of motor vehicles, construction equipment, aircraft, watercraft, tractor trailers or other equipment.	Typical accessory uses include offices, the sale of motor vehicle parts, vehicle storage and parking.

R. Farm Equipment and Small Engine Repair

1. Outdoor storage shall be enclosed by a 6' high opaque fence.

5.3.7. Industrial Use Group

The "Industrial" use group includes uses that produce goods from raw, recycled or previously prepared materials, and uses that store and distribute large quantities of these goods.

A. Artisan Manufacturing

Characteristics: On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment.	
Examples	**Accessory Uses**
Examples include woodworking, cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.	Typical accessory uses include parking and storage.

1. Artisan Manufacturing Cabinet/Woodworking Shop
   a. Individual buildings do not exceed 4,000 square feet.
   b. Owner/operator lives on site.
   c. Outdoor storage shall be enclosed by a 6' high opaque fence.

B. Microdistillery/Microbrewery

Characteristics: A facility for the production and packaging of beer and other malt beverages for distribution, retail, or wholesale, on or off premise, with a capacity not more than 15,000 barrels per year or a facility that produces small quantities of beverage grade spirit alcohol.	
Examples	**Accessory Uses**
Examples include places that produce not more than 15,000 barrels per year and/or small quantities of beverage grade spirit alcohol have areas for demonstration, education, retail sale, or tasting.	Typical accessory uses include parking and recreational areas.

1. No outside storage of spent grain

   Accumulated grains must be disposed of within 24 hours after a batch is finished.
2. Outdoor storage shall be enclosed by a 6' opaque fence. This excludes storage of raw materials and spent grain.
3. No drive-through windows
4. Off-street loading and unloading for all materials shall be provided.

5. Minimum lot area shall be the same as required by the underlying zoning district for non-residential uses.
6. Lighting shall be such that it is not directed onto any adjacent properties or rights-of-way.

C. Winery

Characteristics: A facility or establishment engaged in the production and sale of wine without necessarily the existence of an adjacent vineyard.	
Examples	**Accessory Uses**
Examples include places that offer traditional wine tasting and have areas for demonstration, education, retail sale, or tasting.	Typical accessory uses include parking, outdoor seating, and recreational areas.

D. Light/Limited Manufacturing

Characteristics: Manufacturing of finished parts or products, primarily from previously prepared materials.	
Examples	**Accessory Uses**
Examples include catering establishments, printing and related support activities, machinery manufacturing, food manufacturing, computer and electronic product manufacturing/assembly, electrical equipment, appliance, component manufacturing/assembly, and other manufacturing and production establishments that typically have few, if any, negative external impacts on surrounding area.	Typical accessory uses include parking and storage.

E. General Manufacturing

Characteristics: Manufacturing of finished and unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products or by-products.	
Examples	**Accessory Uses**
Examples include textile mills, textile product mills, apparel manufacturing, leather and allied product manufacturing, wood product manufacturing, transportation equipment manufacturing, primary metal manufacturing, fabricated metal product manufacturing, welding shops, machine shops, industrial tool repair, fuel oil distributors, solid fuel yards, laundry, dry-cleaning, carpet cleaning plants and photofinishing laboratories.	Typical accessory uses include parking and storage.

F. Intensive Manufacturing

Characteristics: Manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This group also includes smelting, animal slaughtering, and oil refining. These production establishments typically occur outdoors and have negative external impacts to surrounding areas.	
Examples	**Accessory Uses**
	Typical accessory uses include parking and storage.

G. Junk/Salvage Yard

Characteristics: Junk and salvage yards are characterized by the buying, storage, handling, sale, exchange, packing or disassembly of scrap materials such as scrap metals, paper, rags, rubber tires or bottles.	
Examples	**Accessory Uses**

Examples include auto salvage yards and junk and scrap yards.	Typical accessory uses include offices and parking.

1. For the purpose of protecting the citizens and residents of Franklin County from possible injury at automobile graveyards and/or junkyards; preserving the dignity and aesthetic quality of the environment in Franklin County; preserving the physical integrity of land in close proximity to residential areas; protecting and enhancing the economic viability and interest of the citizens and residents of Franklin County that have made substantial financial investments in homes, businesses, and industry in Franklin County; and attracting the interest of future investors to further enhance the future of this county, the following minimum performance standards for junkyards control apply
2. New Junkyards and/or Automobile Graveyards Approved with a Special Use Permit by the Franklin County Board of Commissioners

   Site Plan Approval

   a. Shall not be located within 100' of the centerline of any public road; within ¼ mile of any school, rural volunteer fire department, rescue department, church, or within any residence
   b. Shall be fenced and screened completely, at minimum, with a protective fence, and screened from public view with vegetation
   c. Shall be registered with the North Carolina Department of Revenue
   d. Shall comply with State and Federal requirements for commercial uses

H. Mining/Excavation

Characteristics: Mining/excavation uses are characterized by the extraction of mineral or aggregate resources for off-site use.	
Examples	**Accessory Uses**
Examples of mining/excavation uses include sand and gravel operations, extraction of other aggregate materials, mining, oil drilling and gas drilling.	Typical accessory uses include offices, parking, cafeterias, storage yards and caretaker's living quarters.

1. Blasting time

   8:00 AM - 5:00 PM, Monday through Friday, conform to State Vibration Policy
2. Monitoring wells

Case-by-case basis where needed; required on rock quarries and coal mining

3. Setback for excavation

   Minimum 50' for all mining, except rock quarries and coal mining where 200' is required from property lines and zoning lines

4. Buffer zone (undisturbed area)

   Minimum of 25' for sand and clay mining; minimum of 50' for all other mining.

5. Roads

   Shall be paved or otherwise treated to conform to standards set forth in the Federal Clean Air Act.

I. Self-Service and/or Outdoor Storage

Characteristics: Self-service and/or outdoor storage uses provide separate storage areas for individuals or businesses. The storage areas are typically designed to allow private access by the tenant for storing or removing property.

Examples	Accessory Uses
Examples include self-storage facilities, outdoor storage of RV and boats, and mini warehouses.	Typical accessory uses include a caretaker's living quarters, security and leasing offices and parking. The use of self-storage facilities for sales, service, manufacturing and repair activities or for the rental of trucks or equipment is not considered accessory to a self-storage use.

1. Outdoor Storage for Parking of Recreational Vehicles (RV's) and Boats

   a. The outdoor storage or parking of boats/ shall require the following:

      i. Setback is 50'.

      ii. If barbed wire fencing is adjacent to residentially zoned property or residential uses, or the Public Right-of-way, it must be screened from view with evergreen landscaping in a minimum 20' wide perimeter buffer. The screening shall be at least 6' tall within three years of planting.

      iii. Landscaping

Shall be evergreen with minimum 50% coverage, minimum 6' tall can be used to reduce setback to 20'. All required landscaping shall be installed between the exterior of required fencing and the property line and/or right-of-way.

J. Warehousing, Wholesaling, and Freight Movement

Characteristics: Warehousing, wholesaling and freight movement uses are characterized by the storage or movement of goods for themselves or for other firms; or are involved in the sale, lease or rental of products primarily to industrial, institutional or commercial uses.	
Examples	**Accessory Uses**
Examples include separate warehouses used by retail stores, household moving and storage businesses, cold storage plants, distribution centers, truck or freight terminals, parcel services, or the wholesale sale of machinery, tools, food, clothing, auto parts or other products.	Typical accessory uses include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.

K. Waste-Related Use

Characteristics: Waste-related uses are characterized by the receiving of solid or liquid wastes from others on the site for transfer to another location; by the collection of sanitary wastes, or other approved waste materials for on-site disposal; or by the manufacture or production of goods or energy from the composting of organic material.	
Examples	**Accessory Uses**
Examples include land-clearing and inert debris landfills, construction and demolition landfills, sanitary landfills, waste transfer stations, recycling collection stations, waste composting, energy recovery plants, sewage treatment plants and hazardous waste collection sites.	Typical accessory uses include recycling of materials, offices, repackaging and transshipment of by-products.

1. Land-clearing and inert debris landfills, C&D landfills

Permitted as a special use provided the following conditions are met:

a. That all buildings, structures, tanks, and pits be set back at least 100' from all exterior property lines
b. That a natural landscaped buffer at least 50' in width separate all such uses from all exterior property lines
c. That a non-climbable fence, at least 6' in height, completely enclose such uses
d. That the landfill be restricted to items allowed by the State of North Carolina in a demolition landfill, specifically to exclude sanitary landfill uses, chemical/toxic waste, and nuclear waste products
e. That prior to issuance of a Zoning compliance permit and/or Building Permit, the site must be approved by the North Carolina Division of Environmental Management for such a use and meet all the State requirements for such a use
f. Must be issued a permit from the State of North Carolina.
g. Must be at least 100' from any property line
h. Must be at least 300' from any residence
i. Must be at least 100' from any well unless it is a monitoring well
j. Must be at least 50' from all perennial streams and rivers
k. Must be at least 25' from any swales and berms for firefighting
l. Access to the reclamation site shall be gated
m. Facility must be enclosed by a non-climbable fence at least 6'in height
n. Access to the facility must be constructed with some non-dust producing material
o. No reclamation site shall be permitted in the 100-year flood plain.
p. A sign must be posted at the entrance to the facility displaying the name of the facility, hours of operation, phone number, and contact person
q. Facility must be classified as a Type 1 facility according to the state guidelines
r. Facility must be monitored by an employee during operational hours
s. Type 1 facilities may receive silvicultural waste, untreated and unpainted wood waste, or any combination thereof
t. Mulched material shall be rotated every 14 days

u. Raw material shall be removed or mulched within 90 days of locating on the property; and

v. The developer shall obtain a performance guarantee pursuant to NC G.S. § 160D-804(g). The guarantee shall be in an amount equal to 125% of the cost to remove all material and return the site to its original condition. The County shall hold this guarantee until such time as the site is returned to its original condition. The County shall regularly review the amount guaranteed and make revisions as needed to ensure compliance with this requirement. If the owner cannot provide the full guarantee amount, the operation of the use shall cease and desist and the County shall take action to return it to its original condition.

2. Sewage/Water Treatment Plants

All buildings, structures, tanks, and pits shall be set back at least 100' from all exterior property lines. A natural buffer at least 50' in width shall separate all such uses from all exterior property lines. A non-climbable fence, at least 6' in height, shall completely enclose such uses.

5.3.8. Agriculture Use Group

The "Agriculture" use group includes uses that sell agricultural products to the public. This use group does not regulate bona-fide agricultural uses, pursuant to NC G.S. § 160D-903.

A. Farmer's Market

Characteristics: The recurring selling of agricultural products to the public by a group of individual farmers and/or vendors. Farmers markets can have varying vendors-with at least three, can be seasonal or year-round, and can be operated within or without a structure	
Examples	**Accessory Uses**
Examples of products for sale include farm grown fruits, vegetables, meats, animal-based products, honey, plants, flowers, and shrubs. Value added agricultural items such as locally produced food products, fruit pies or jams and other agricultural hand-made craft items.	Typical accessory uses include parking.

5.3.9. Utilities and Other Use Group

A. Airfields and Landing Strips

Characteristics: Airfields and landing strips provide areas or strips of land to launch and receive power-driven and non-power-driven aircraft.	
Examples	**Accessory Uses**
Typical uses in this category include airports, airfields, heliports, helipads and landing areas for gliders and balloons.	Typical accessory uses include freight handling areas, concessions, offices, parking, and maintenance and fueling facilities. Whereas an accessory (including hangars) to a primary residential use, requires a special use permit.

When hangars or airplane storage is accessory to a residential use, it shall be limited to the area required to store up to two airplanes.

B. Solar Energy Farms

Characteristics: The components and subsystems required to convert solar energy into electric or thermal energy.	
Examples	**Accessory Uses**
Roof-mounted solar photovoltaic (PV) systems and/or solar hot water systems, building integrated solar (e.g., window, shingle, canopy), covering permanent parking lot; for public or private utility solar energy system	Parking and equipment shed

1. Solar Energy Farms
   a. Structures shall not exceed 25' in height, as measured from finished grade at the base of the structure to its highest point.
   b. Solar farm facilities and structures shall conform to the principal building setbacks of the underlying zoning district which they are located.
   c. Solar farm facilities shall be enclosed by a 6' high chain link fence.
   d. Solar farm facilities shall not create a visual safety hazard for passing motorist.

e. Lighting shall be such that it is not directed onto any adjacent properties or rights-of-way.

f. Landscaping shall be a minimum of 6' tall at time of planting. Evergreen shrubs shall be incorporated to create an opaque buffer.

g. There must be an area designated outside DOT right-of-way to accommodate a minimum of 3 maintenance vehicles.

h. Performance Security

i. Solar farm facilities shall be removed, at the owner's expense within 180 days of operations ceasing or of a determination by the Administrator that the facility is no longer being maintained in an operable state of good repair or is in violation of this UDO. Financial assurance is required of the applicant to provide for the removal of solar facilities. The financial assurance must not expire. Salvage value will not be considered to offset the removal cost.

ii. The owner of record shall obtain a performance guarantee pursuant to NC G.S. § 160D-804(g). The guarantee shall be in an amount equal to 125% of the cost to remove all material and return the site to its original condition. The County shall hold this guarantee until such time as the site is returned to its original condition. The County shall regularly review the amount guaranteed and make revisions as needed to ensure compliance with this requirement. If the owner cannot provide the full guarantee amount, the operation of the use shall cease and desist and the County shall take action to return it to its original condition.

C. Telecommunication Towers

Subject to regulation pursuant to G.S. §160D Article 9, specifically G.S. §160D-930 to -938.

Characteristics: The site, structures, equipment, and appurtenances used to transmit radio frequency transmissions licensed by the Federal Communications Commission.	
Examples	**Accessory Uses**
Examples of telecommunication facilities include cellular antennas and towers and specialized mobile radio (SMR) antennas/towers.	Typical accessory uses include transmitter facility buildings.

1. Radio or Television Studio Activities Only

   Buildings and towers shall be set a minimum of 30' from all exterior property lines and towers shall be set back 1 additional foot from all exterior property lines for each 2' in height over 50'.

2. Telecommunication Facilities, Freestanding less than 120'

   a. Applicability

      This Section shall include private, non-commercial radio and television reception and Citizens Band Radio Service, Amateur Radio Service, and other similar non-commercial telecommunications where the height of the facility is above 35' in height.

   b. Height of Communication Towers

      i. The maximum height of any tower without a special use permit shall be 120' in height. Any tower over 120' in height may be permitted with a Special Use Permit, to a maximum height of 250'.

      ii. The tower height shall be defined as the highest antenna attachment point.

   c. Number of Towers

      The maximum number of towers located on any parcel of property, located adjacent to a parcel, or located directly across a street, easement, road, or right-of-way from property owned by the same owner shall be limited to one, without a special use permit. Additional towers on any parcel of property, located adjacent to a parcel or located directly across a street, easement, road, or right-of-way from property owned by the same owner may be allowed with an approved special use permit.

d. Setbacks

Towers or any part thereof shall be placed in the rear yard only on corner lots, and in the rear and/or side yards of other lots. Corner lots may use the side yards with approved special use permit. The left front yard and/or right front yard may be used with approved special use permit. Setbacks shall be determined by the height of the tower. All towers shall be setback from all property lines and/or overhead power lines at a distance of at least 80% of the height of the tower. Guy wires for guyed towers must maintain a minimum setback of 10' or greater.

e. Adherence to State and/or Federal Rules and Regulations

i. To the extent that the holder of a special use or zoning compliance permit has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a special use or zoning compliance permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of a State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, and electrical standards.

ii. To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or modified during the duration of a special use permit or zoning compliance permit, then the holder of such a special use permit or zoning compliance permit shall conform to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of 24 months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

3. Telecommunication Facilities

a. Special Use Permit Application and Other Requirements

i. Pursuant to the Telecommunications Act of 1996, no person shall be permitted to site, place, build, construct, modify, or prepare any site for the placement or use of, wireless telecommunications facilities without having first obtained a special use permit or zoning compliance permit.

ii. An application for a special use permit or zoning compliance permit for wireless telecommunications facilities shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different than the applicant, shall also sign the application. At the discretion of the County, any false or misleading statement in the application may subject the applicant to denial of the application without further consideration or opportunity for correction.

iii. Applications not meeting the requirements stated herein or which are otherwise incomplete, may be returned by the County with deficiencies noted.

iv. All applications for the construction or installation of new wireless telecommunications facilities shall contain the information hereinafter set forth. The application shall be signed by an authorized individual on behalf of the applicant. Where a certification is called for, such certification shall bear the signature and seal of a Professional Engineer licensed in the State. The application shall include the following information:

A) The name, address and phone number of the person preparing the report

B) The name, address, and phone number of the property owner, operator, and applicant, and to include the legal form of the applicant

C) The tax map and parcel number of the property

D) The zoning district or designation in which the property is situated

E) Size of the property stated both in square feet and lot line dimensions, and a diagram showing the location of all lot lines; (This requirement is waived if co-locating on an existing tower, originally designed, and constructed to support antennae.)

F) The location of nearest residential structure; (This requirement is waived if co-locating on an existing tower, originally designed, and constructed to support antennae.)

G) The location, size, and height of all structures on the property, which is the subject of the application; (This

requirement is waived if co-locating on an existing tower, originally designed and constructed to support antennae.)

H) The location, size and height of all proposed and existing antennae and all appurtenant structures

I) The type, locations, and dimensions of all proposed and existing landscaping, and fencing; (If co-locating on an existing tower, and there is insufficient area to install required screening due to a change in landscaping required by the Zoning Ordinance, waiver shall be granted upon documentation of such.)

J) A description of the proposed tower and all related, externally visible fixtures, structures, appurtenances, and apparatus, including height above pre-existing grade, materials, color, and lighting

K) Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC

L) Certification that the proposed antenna(s) will not cause interference with other telecommunication devices

M) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities

v. The applicant shall certify that the wireless telecommunication facility, foundation, and attachments are designed and will be constructed to meet all local, County, State and Federal structural requirements for loads, including wind and ice loads. This shall be required only at the time of application for a building permit. Applicants shall acknowledge this requirement in the application for a special use permit or zoning compliance permit.

vi. The applicant shall certify that the wireless telecommunications facilities will be effectively grounded and bonded to protect persons and property and are installed with appropriate surge protectors. This shall be required only at the time of application for a building permit. Applicants shall acknowledge this requirement in the application for a special use permit or zoning compliance permit.

vii. An applicant will be required to submit an environmental assessment analysis and a visual addendum. Based on the results of the analysis, including the visual addendum, the reviewing body may require submission of a more detailed visual analysis. If co-locating a wireless facility on an existing

tower, originally designed, and constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

viii. The applicant shall furnish a visual impact assessment which shall include:

A) Pictorial representations of "before and after" views from at least 5 key, representative viewpoints both inside or outside of the County, as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to many visitors, travelers or residents.

B) An assessment of the visual impact of the tower base, wires, cabling, and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening. If co-locating a wireless facility on an existing tower, originally designed and constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

ix. All wireless telecommunications facilities shall contain a demonstration that the facility be sited to be the least visually and physically intrusive and thereby have the least adverse visual effect on the environment of the neighborhood and the County and its character, on existing vegetation, and on the residences in the general area of the wireless telecommunications facility. If co-locating a wireless facility on an existing tower, originally designed, and constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

x. Both the wireless telecommunications facility and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings; this shall include the utilization of stealth or concealment technology as may be required by the County. If co-locating a wireless facility on an existing tower, originally designed, and constructed to support antennae,

and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

xi. A person who holds a special use permit or zoning compliance permit for wireless telecommunications facilities shall construct, operate, maintain, repair, provide for removal of, modify or restore the permitted wireless telecommunications facilities in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, State, or United States, including but not limited to the most recent editions of the national electrical safety code and the national electrical code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.

xii. An applicant shall submit to the Planning Department written notification of the application to the legislative body of the adjacent municipality when the tower location is within 300' of said municipal boundary.

xiii. The applicant shall examine the feasibility of designing a proposed tower to accommodate future demand for at least four additional commercial applications, for example, future co-locations. The tower shall be structurally designed to accommodate at least four additional antenna arrays equal to those of the applicant and located as close to the applicant's antenna as possible without causing interference.

xiv. If co-locating a wireless facility on an existing tower, originally designed, and constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

xv. The holder or applicant of a special use permit or zoning compliance permit shall notify the County of any intended modification of a wireless telecommunication facility and shall apply to the County to modify, relocate, or rebuild a wireless telecommunications facility.

xvi. To better inform the public, in the case of a new tower, the applicant shall, prior to the public hearing on the application, hold a "balloon test". If co-locating a wireless facility on an existing tower, originally designed, and

constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived. The applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a three foot in diameter brightly colored balloon at the maximum height of the proposed new tower. The applicant shall inform the Planning Department, in writing, of the dates and times of the test, at least fourteen days in advance. The balloon shall be flown for at least four consecutive hours sometime between 7:00 am and 4:00 pm on the dates chosen. The primary date shall be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday. Note that any balloon test requirement of this Section may be replaced (at the applicant's discretion) with an equally accurate photo simulation.

xvii. The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the tower or existing structure intended to support wireless facilities requires lighting under Federal Aviation Administration Regulation Part 77. This requirement shall be for any new tower or for an existing structure or building where the application increases the height of the structure or building. If this analysis determines that the FAA must be contacted, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided in a timely manner. If co-locating a wireless facility on an existing tower, originally designed, and constructed to support antennae, and the proposed wireless facility does not increase the height of the existing tower, this requirement shall be waived.

xviii. Applications shall contain a table of contents which shall list each section and subsection and the issue required to be addressed. Requests for waiver shall be clearly set forth and indicated in the table of contents, with an explanation for the request for waiver contained in the appropriate section of the application. Each issue or matter addressed in the Ordinance that requires a response shall be set forth in a separate section (i.e., tab), in the application including requests for waiver.

xix. Applicants shall agree to make towers available for use by County Emergency Service agencies.

b. Location of Wireless Telecommunications Facilities

i. Applicants for wireless telecommunications facilities shall locate, site and erect said wireless telecommunications facilities in accordance with the following priorities, 1 being the highest priority and three being the lowest priority.

A) On existing structures

B) On properties zoned Commercial (NB and GB) or Industrial (HI)

C) On properties zoned Residential (A-R, R-80, R-30, R-8, in that order).

ii. An applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected. An application shall address co-location as the preference of the County. If such option is not proposed, the applicant must explain to the reasonable satisfaction of the County why co-location is impracticable.

iii. Notwithstanding the above, the County may approve any site located within an area in the above list of priorities, provided that the County finds that the proposed site is in the best interest of the health, safety and welfare of the County and its inhabitants and will not have a deleterious effect on the nature and character of the community and neighborhood, or the site is a public necessity.

iv. The applicant shall submit a written report demonstrating the applicant's review of the above locations in order of priority.

c. Shared Use of Wireless Telecommunication Facilities and Other Structures

The County shall always prefer locating on existing towers or others' structures, as opposed to the construction of a new tower. The applicant shall submit a comprehensive report inventorying all existing towers and all other suitable structures that are within 4 miles of the location of any proposed new tower, unless the applicant can show that some other distance is more reasonable.

d. Height of Telecommunications Tower(s)

i. If the need for a new tower can be proven, the maximum permitted height of a new tower shall be the minimum needed to accommodate 5 carriers, taking in to account the neighboring tree height or the height of any nearby obstruction that would effectively block the signal in that

direction. No tower shall exceed 250' in total height including antennae and supporting antennae structures.

ii. No Wireless Facility constructed after the effective date of this Ordinance, including allowing for all attachments, shall exceed that height which shall permit operation without required artificial lighting of any kind in accordance with municipal, County, State, and/or any Federal statute, law, local law, County ordinance, code, rule, or regulation.

e. Appearance and Visibility of Wireless Telecommunications Facilities

i. Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by Law.

ii. Towers shall be galvanized or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this Ordinance and any conditions of the special use permit or zoning compliance permit.

iii. If lighting is required, applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations.

iv. Towers shall be limited to monopole-, mast-, or lattice structures only. Guyed towers shall not be permitted.

v. Any wires running from the ground up the tower shall be located internally to the supportive structure.

vi. Landscaping shall be required around the perimeter of the secured area to provide year-round, opaque screening of all equipment and fencing, to a minimum height of 6'.

4. Security of Wireless Telecommunications Facilities

a. All Wireless Telecommunications Facilities and antennas shall be located, fenced, or otherwise secured in a manner that prevents unauthorized access. Specifically:

b. All antennas, towers and other supporting structures, wires and cabling shall be made inaccessible to unauthorized individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

c. Transmitters and Telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

d. All fencing shall be in harmony and concert with the nature and character of the neighborhood and be maintained in a manner to retain its originally installed appearance.

e. Signage

Wireless Telecommunications Facilities shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities and shall contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule, or regulation. Advertising or other signs unrelated to the safety of the facility shall not be permitted.

f. Lot Size and Setbacks

All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from abutting parcels, recorded rights-of-way, existing or proposed structures, and road and street lines by the greater of either the distance equal to the height of the proposed wireless telecommunications facility structure plus twenty percent of the height of the facility or structure, or the existing setback requirement of the underlying zoning district. A reduction may be requested if there is substantial evidence demonstrating that a lesser distance will not be injurious to properties or improvements in the affected area, but in no case may the minimum distance be reduced to less than that equal to 50 percent of the tower's height from the property line. A fall zone easement plat shall be recorded with the Franklin County Register of Deeds prior to zoning permit approval.

5. Retention of Expert Assistance

The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any requests for re-certification.

a. Administrative Review, pursuant to G.S. § 160D-933 through -936.

i. Applications that qualify for administrative review are subject to requirements of this Ordinance and include:

A) Installing an antenna on an existing non-residential structure other than a tower (such as a building, sign, light pole, water tower, utility pole, or other free-standing, non-residential structure) in any commercial or industrial district that is less than fifty feet in height so long as such addition does not add more than ten feet to the height of the existing structure.

B) Installing an antenna on an existing tower of any height, including a pre-existing tower, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as the addition of said antenna adds no more than 20' to the height of the existing tower.

C) Replacing an existing tower which adds no more than 10' to the overall height of the existing structure with only one replacement allowed.

D) Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other free standing, nonresidential structure) that is more than 50' in height, so long as such addition does not add more than 20' the height of the existing structure.

b. Note: An increase in tower or structure height shall only be allowed once any additional proposed increases have been obtained through either a Special Use Permit or a Site Plan Amendment, as appropriate. If an increase in tower or structure height would require that an existing unlighted tower be lighted, a Special Use Permit shall be required for a Site Plan Amendment.

c. Public Hearing Exemptions

There shall be no public hearing required for an application for a Zoning compliance permit to co-locate on an existing tower or other structure, if it meets the provisions of this Ordinance.

d. Performance Security

The owner of record shall obtain a performance guarantee pursuant to G.S. § 160D-804(g). The guarantee shall be in an amount equal to 125% of the cost to remove all material and return the site to its original condition. The County shall hold this guarantee until such time as the site is returned to its original condition. The County shall regularly review the amount guaranteed and make revisions as needed to ensure compliance

with this requirement. If the owner cannot provide the full guarantee amount, the operation of the use shall cease and desist and the County shall take action to return it to its original condition.

e. Reservation of Authority to Inspect Wireless Telecommunications Facilities

In order to verify that the holder of a special use permit or zoning compliance permit for wireless telecommunications facilities and any and all lessees, renters, and/or licensees of wireless telecommunications facilities, place and construct such facilities, including towers and antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, laws, ordinances and regulations and other applicable requirements, the County may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, towers, antennas and buildings or other structures constructed or located on the permitted site.

f. Indemnification

Any application for wireless telecommunication facilities that is proposed for County property, pursuant to this Ordinance, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, boards, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising there from, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

g. Default and/or Revocation

i. If wireless telecommunications facilities are repaired, rebuilt, placed, moved, re-located, modified, or maintained in a way that is inconsistent or not in compliance with the provisions of this Ordinance or of the special use permit or zoning compliance permit, then the County shall notify the holder of the special use permit or zoning compliance permit in writing of such violation. Notwithstanding anything to the contrary in this subsection or any other section of this Ordinance, if the violation causes, creates, or presents an imminent danger or threat to the health or safety of lives or property, the County may, at its sole discretion, order the violation remedied within 24 hours.

ii. If within the period set forth above the wireless telecommunications facilities are not brought into compliance with the provisions of this Ordinance, or of the special use permit or zoning compliance permit, or substantial steps are not taken in order to bring the affected wireless telecommunications facilities into compliance, then the County may revoke such special use permit or zoning compliance permit for wireless telecommunications facilities, and shall notify the holder of the special use permit or zoning compliance permit within 48 hours of such action.

h. Removal of Wireless Telecommunications Facilities

Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require the removal of wireless telecommunications facilities.

i. Wireless telecommunications facilities with a permit have been abandoned (i.e., not used as wireless telecommunications facilities) for a period exceeding 180 consecutive days or a total of 365 days in any 2-year period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within 180 days.

ii. Permitted wireless telecommunications facilities fall into such a state of disrepair that it creates a health or safety hazard

iii. Wireless telecommunications facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required special use permit or zoning compliance permit, or any other necessary authorization.

i. Waiver

Any applicant or permittee desiring waiver from any aspect or requirement of this Section may request such, provided that the waiver is contained in the original application for either a special use permit or zoning compliance permit, or in the case of an existing or previously granted special use permit or zoning compliance permit a request for modification of its tower and/or facilities. Such waiver, as decided by the Review Authority Table in Article 4 may be temporary or permanent, partial, or complete. However, the burden of proving the need for the requested waiver is solely on the applicant. No such waiver shall be approved unless the applicant demonstrates by clear and convincing evidence that, if granted, the waiver will have no significant effect on the health, safety and welfare of the County, its residents and other service providers.

j. Adherence to State and/or Federal Rules and Regulations

i. To the extent that the holder of a special use permit or zoning compliance permit for wireless telecommunications facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a special use permit or zoning compliance permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

ii. To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a special use permit or zoning compliance permit for wireless telecommunications facilities, then the holder of such a special use permit or zoning compliance permit shall conform the permitted wireless telecommunications facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of 24 months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

D. Other

1. Public Utility Stations

a. Public utilities other than distribution lines, to include but not limited to, electric substations, telephone exchange buildings, and water tanks and towers, are not required to meet minimum lot standards of the underlying zoning district; however, all applications for site development for utility structures shall include an accurate site-specific plan using the following conditions as development guidelines

b. The easement or lease shall include sufficient area for the foundation of the structure, any underground improvements such as electrical ground fields, vehicular maneuvering, and parking. The vehicular area requirements may overlap the underground improvements as needed.

c. Standard residential, commercial, or industrial building setbacks of the zoning district are not required for utility structures; however, all utility structures and required areas for utility structures shall not be located closer than 20' from any dwelling or building. Where the height of the utility structure exceeds 35', the setback from the easement line shall be increased 1 foot for every 2 feet of height more than 35' of the structure in addition to other area requirements. To this Ordinance, the lease or easement line shall be the property line.

d. Utility structures or required utility areas shall not infringe on area required as a septic system field by the Franklin County Health Department, nor any open space or yard requirements for building lots as required by this Ordinance.

5.3.10. Accessory, Temporary, and Home Occupation Use Group

The "Accessory, Temporary, and Home Occupation" use group includes uses that are secondary uses to the uses of the property for residential purposes.

Characteristics: See Article 10, Definitions.	
Examples	**Accessory Uses**
Examples of accessory uses are accessory dwelling units, home occupations, and solar panels. Examples of temporary uses are temporary contractor's office, modular sales office, roadside stands, temporary events, and temporary development-related activities.	n/a

1. Accessory Use

Accessory uses are permitted in any zoning district, in accordance with the following regulations.

a. Accessory uses to single-family, two-family, and multi-family dwellings may not include commercial uses, except for permitted home occupations.

b. Residences for watchmen and caretakers are permitted accessory uses to research and industrial uses and for public schools or universities.

c. Private airfields or private aircraft for homeowner only may be an accessory use on properties larger than 5 acres, in AR or R-30 districts with special use permit approval.

2. Accessory Dwelling Unit

a. Residential lots developed with more than 1 dwelling unit shall not be permitted to develop accessory dwellings.

b. Only 1 accessory dwelling unit shall be permitted per lot.

c. The accessory dwelling unit shall not be served by a separate driveway from that of the principal dwelling unit.

d. The accessory dwelling unit shall not exceed 50 percent of the total square footage of the principal dwelling unit.

e. No accessory dwelling unit shall be permitted on a lot with a two-family duplex or multi-family dwelling or family care home.

f. Must meet all setback requirements for accessory uses, buildings, and structures as outlined in this Article with a 20-foot separation from the principal dwelling.

g. If the accessory dwelling unit is located on a lot where legal access is provided by means of an access easement there shall be a legally recognized maintenance agreement for said easement.

h. Certification from the Environmental Health Department is required to assure any septic system can accommodate the accessory dwelling unit, if applicable.

i. The accessory dwelling unit may be a manufactured home if it meets all the criteria outlined in this section and is permitted by the underlying zoning district.

3. Accessory Structure

a. No accessory building or structure may be established on a lot prior to the issuance of all requisite permits and approvals for the primary structure or building on the lot.

b. Accessory structures must adhere to the height regulations found in this Article.

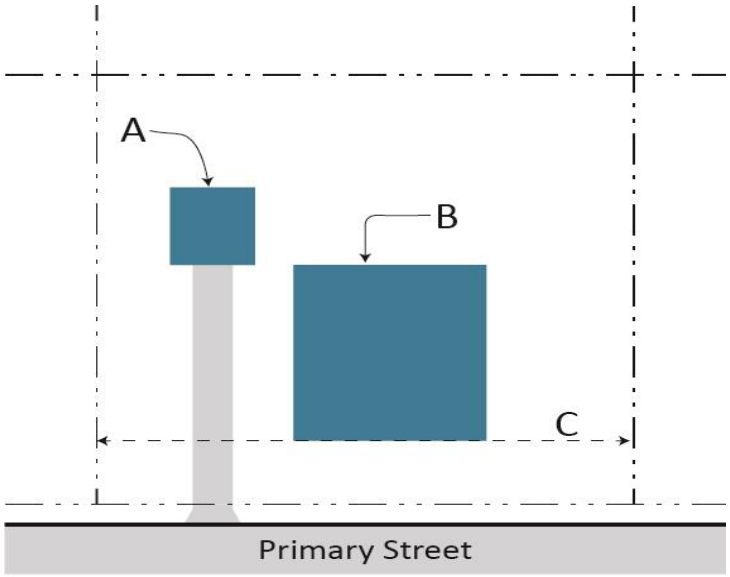
c. An accessory building sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this Ordinance and must meet all yard requirements applied to the principal building.

d. No detached accessory building or use shall be located closer than 5' from the side or rear lot line and any other building or mobile home. Accessory buildings may not encroach within 20' of any street right-of-way.

e. Accessory buildings shall be considered part of the primary structure or principal building when the distance between buildings includes a roof, breezeway, portico, or similar architectural device. If connected, they must meet setbacks for the primary structure(s).

f. One accessory building structure may be placed past the front or side façade of the principal structure provided that the accessory structure does not exceed half of the total square footage of the principal structure, does not exceed the height of the principal structure, and is no closer than the required front setback of the underlying zoning district.

Figure 5-4 Accessory Structure



A = Accessory structure

B = Primary structure

C = Front setback line

g. No accessory structure or building except utility substations shall be erected in any easements.

h. Class A, B, or C manufactured homes or recreational vehicles may not be used for accessory structures.

i. No proposed unenclosed canopy may extend within 10' of a lot line, nor within 20' of a right of way line.

j. Accessory Structures must be placed in the rear yard only on corner lots, and rear and side yard of other lots; however, if the lot is lake front or located adjacent to the golf course, the accessory structure may be placed between the road and the principal structure provided it does not encroach into the required setbacks or any other regulated features.

k. Dumpsters and/or dumpster enclosures shall be placed in the rear yard only on corner lots, and rear and side yard of other lots.

4. Home Occupations

a. Home occupations must be clearly incidental and shall be permitted only as accessory uses and are limited to the following:

i. Art gallery or the office or studio of a physician, artist, photographer, writer, general or trades contractor;

ii. Lawyers, engineers, architects, accountants, bookkeepers, real estate agents, consultants or like professions

iii. Teaching or tutoring

iv. Computer programming

v. Workshops not conducted for profit.

vi. Customary home occupations such as millinery, dressmaking, laundering, or pressing and tailoring

vii. Home crafts, such as weaving, potting and canning

viii. Single operator beauty shop or barber shop.

ix. Pet grooming services without the boarding of animals or operation of kennels. The outside containment of animals is prohibited.

b. The home occupations listed above shall be permitted subject to the following limitations:

i. Outside storage of construction/building materials is prohibited.

ii. No exterior display of products.

iii. Repair of engines, vehicles, boats, trailers, motorcycles, and recreational vehicles (RVs) is prohibited.

iv. No mechanical equipment shall be installed or used except such that is normally used for domestic or professional purposes and which does not cause noises or other interference in radio and television reception.

v. One accessory building is permitted in connection with the home occupation as long as it does not exceed 1,500 square feet.

A) A floor plan and site plan showing the dimensions and location of the accessory building in relation to the primary dwelling and property line must be submitted with the application.

vi. The home occupation must not exceed 25% of the total square footage of the primary dwelling or 500 square feet.

vii. Only one employee may be employed by the home occupation who does not reside on the subject property.

viii. Only a non-lighted flush mounted four-square foot sign shall be permitted.

ix. Must be conducted without any significant adverse impact on the surrounding neighborhood.

x. Must not create any objectionable traffic, noise, fumes, odor, dust, or electrical interference.

c. Permits.

i. A home occupation permit, which is issued by the Administrator is required prior to commencing any home occupation.

5. Solar Panels

Solar panels may be considered an accessory to residential and commercial uses.

a. Solar panels shall be classified as:

i. Roof-mounted system on a code-compliant structure

ii. Building integrated system

iii. Ground mounted system or system covering permanent surface parking lot or other surface hardscape areas whose total panel area, as measured around the perimeter of the panel array, shall not exceed the principal structure or one acre in panel area.

5.4. TEMPORARY USES

5.4.1. Permit Required

Temporary Uses lasting longer than 2 days or expected to generate more than 100 vehicle trips per day require a Zoning Compliance Permit.

A. Carnivals and fairs

B. Religious or revival activities

Religious and/or revival activities in tents in associations with a place of worship; for not more than 7 consecutive days in any calendar year, outside activities or noise generating activities prohibited before 7:00 AM and after 10:00 PM.

C. Non-Profit Special Events

Special events run by non-profit, charitable organizations occurring no longer than 7 consecutive days in any calendar year, outside activities or noise generating activities prohibited before 7:00 AM and after 10:00 PM.

D. Temporary Healthcare Structures

1. Shall be primarily assembled at a location other than its site of installation. No advertising signage is permitted on the structure.
2. Are limited to 1 occupant who shall be a person with mental or physical impairment.

   For purposes of this section, a "person with mental or physical impairment" is a person who is a resident of this State and who requires assistance with two or more activities of daily living (bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating) as certified in writing by a physician licensed to practice in this State.
3. Shall be limited to no more than 300 gross square feet.
4. Shall comply with applicable provisions of the State Building Code and G.S. § 143-139.1(b). Placing the temporary healthcare structure on a permanent foundation shall not be required or permitted.
5. A zoning compliance permit shall be issued to a relative or legal guardian serving as a caregiver.
6. For purposes of this section, a "caregiver" is an individual eighteen years of age or older who.
   a. Provides care for a mentally or physically impaired person and
   b. Is a first or second degree relative of the person with mental or physical impairment for whom the individual is caring.
   c. For purposes of this section, a "relative" is a spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew, or niece and includes half, step, and in-law relationships.
7. Shall meet setback requirements for primary dwelling units. The unit shall not be located on top of existing septic system or field.
8. Only 1 temporary healthcare structure shall be permitted per lot.
9. Must be removed within 60 days of the person with mental or physical impairment no longer receiving care or when the person who is impaired is no longer in need of the assistance provided for in this section.

E. Manufactured Home, Individual, for Office and Exhibition

1. Requirements
   a. Office and Exhibition

      A temporary Certificate of Occupancy/Compliance allowing manufactured homes used solely as offices for purposes of exhibition, or for a caretaker or night watchman, to be temporarily

parked, maintained, and/or occupied on a designated lot or land location, may be issued by the Administrator or his authorized agent the use of such manufactured home does not violate the county or state building code or health regulations. All such Certificates of Occupancy/Compliance shall be valid for a period of 12 months, after which they may be renewed for a period of 12 months.

b. Occupancy/Compliance may be issued for a manufactured home for use as a temporary field office for contractors by the Administrator or his authorized agents if it meets the following:

   i. The structure under construction is located on the same property.

   ii. It is not moved to the site more than 30 days prior to construction and is removed no later than thirty days after construction has been completed.

   iii. It is not used for any other purpose than that connected with on-site construction.

   iv. It is justified by the size and nature of the construction project.

   v. It is for a period of not to exceed 24 months.

   vi. It is utilized only incidental to on-site construction during daylight hours and not for residential living quarters.

   vii. It is parked in a location approved in advance by the Administrator or his authorized agent.

   viii. Its sanitary facilities are approved by the Franklin County Health Department.

c. Also, notwithstanding the foregoing, a Certificate of Occupancy/Compliance shall be issued for a manufactured home for use as a mobile classroom by a public or private school, school administrative manufactured home and for a manufactured home sales office if:

   i. The sanitary facilities are approved by the Franklin County Health Department.

   ii. The structure and any related facilities or utilities meet the most current North Carolina Building Code standards.

5.4.2. Permit Exemptions

The following temporary uses shall be exempt from permit requirements.

A. Christmas tree lots

B. Garage or yard sales only by the property owner on their property. The sale is not to exceed 3 consecutive days in length.

5.4.3. Prohibited Temporary Uses

The use of a camper or recreational vehicle for temporary housing or contractor's office while a single-family residence is being constructed.

5.4.4. Regulations

A. Temporary uses shall provide adequate off-street parking for the intended use.

B. Other conditions may be imposed by the Administrator to mitigate negative external or internal impacts. These include but are not limited to trash collection, traffic enforcement, public safety, temporary electrical hookups, temporary fencing, etc.

5.4.5. Other Temporary Uses

Uses similar in nature to the ones listed above, with corresponding limitations, as determined by Administrator.

5.5. DIMENSIONAL STANDARDS

5.5.1. Application of General Regulations

A. Only 1 Principal Building, 1 Principal Use on Lot, and Building Orientation

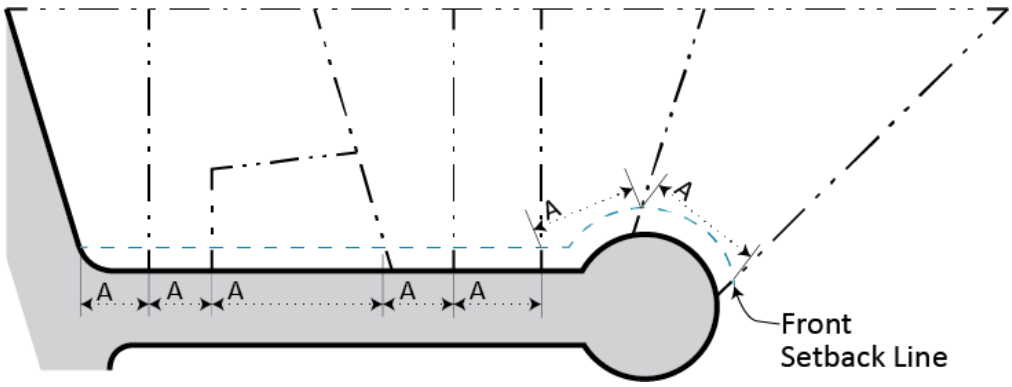
No lot shall contain more than 1 principal building or principal use. Exceptions include

1. Any buildings or uses on site plans approved by the County Board of Commissioners
2. Instances in which uses are permitted within the same zoning district and are in the same building
3. Bona fide farms and bona fide farm uses
4. Campgrounds and recreational vehicle parks
5. Conference centers/retreat houses
6. Hotels/motels
7. Industrial parks
8. Manufactured home subdivisions/parks
9. Multifamily residential
10. Office parks

B. Lot Size

Where a minimum lot width is specified in these regulations, it shall be measured at the building line.

Figure 5-5 Lot Width



A = Measurement of Minimum Lot Width

C. Minimum Yards and Encroachment

1. For any structure or building hereafter erected or altered, encroachment upon required yard setbacks or other spacing requirements is prohibited. Setbacks and spacing required for one lot or structure shall not count towards the setbacks and spacing required for another lot or structure.
2. Uncovered stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard, but such projection may not exceed 6' and may not be closer than 5' to any lot line.
3. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments may project into any required yard, but such projection shall be at least 6' from any property line.

Figure 5-6 Typical Single-family Residential Lots

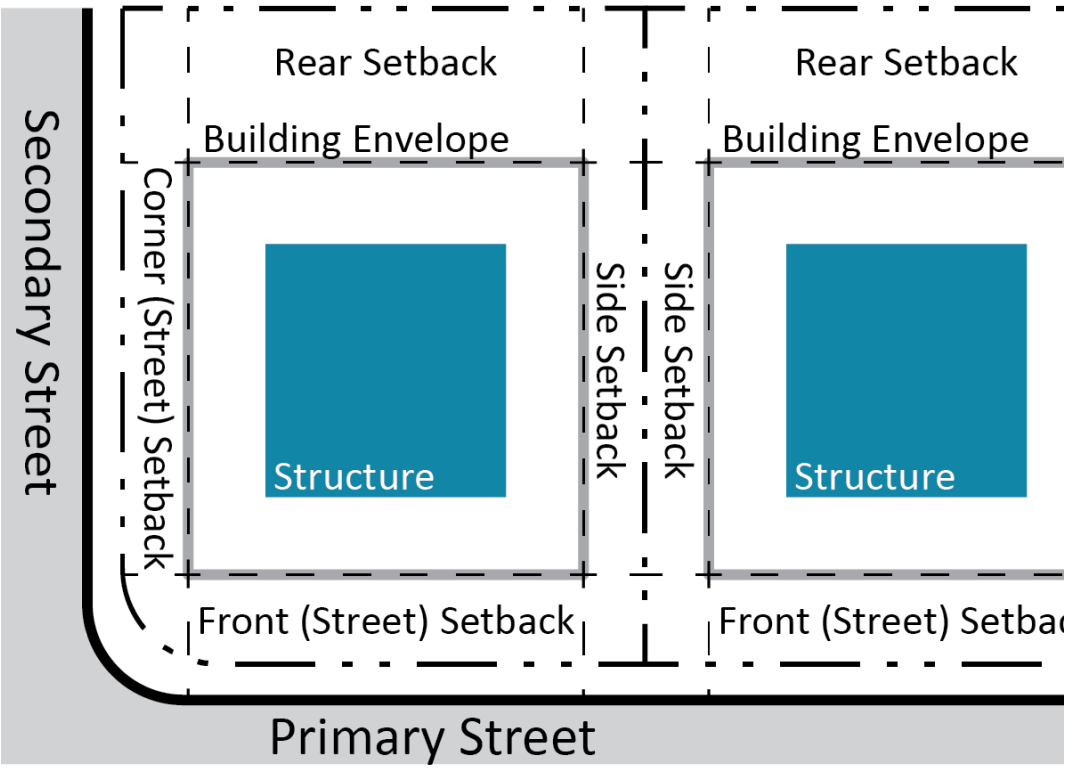


Table 5-2 Table of Area, Yard, and Height Requirements[1] [2]

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
AR with well and septic system						
Single Family Dwelling, Manufactured Home, Family Care Home	30,000	90	30	10	25	35
Nonresidential	45,000	90	30	30	50	35

[1] For standards related to conservation subdivision see Article 7.12.
[2] For overlay district criteria not specified herein, see Article 5.5, Overlay District Standards.
[3] Primary structures on corner lots in residential districts with 2 intersecting streets may reduce the required front yard setback for the secondary front yard by 1/3. This provision is not applicable to cluster subdivisions. For purposes of this provision, "secondary front yard" is defined as the yard that includes the side elevation of the structure which faces a street on a corner.
[4] The height regulations stipulated in this Ordinance shall not be exceeded except where a Variance is granted. The Board of Commissioners shall review as a special use permit structures such as church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts, aerials, grain elevators, and similar structures which exceed the height limitations of this Ordinance. Fire apparatus access requirements must be adhered to when the maximum structure height exceeds 30'.
[5] Side Yard Requirements. Except as set forth in A., above, where a lot has a width less than the width required in the district in which it is located, then the Administrator shall be authorized to reduce the side yard requirements for such lot provided, however, no side yard shall be less than 10' wide, except in R-8 where 6' wide is permitted.

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
AR with County/public water and septic system						
Single Family Dwelling, Manufactured Home, Family Care Home	20,000	90	30	10	25	35
Nonresidential	45,000	150	30	30	50	35
AR with County/public water and County/public sewer						
Single Family Dwelling, Manufactured Home, Family Care Home	15,000	90	30	10	25	35
Nonresidential	25,000	150	30	30	50	35
R-80						
Single Family Dwelling, Manufactured Home, Family Care Home	80,000	90	30	10	25	35

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
Nonresidential	80,000	150	30	30	50	35
R-30 with well and septic system						
Single Family Residential, Manufactured Home, Family Care Home	30,000	90	30	10	25	35
Nonresidential	40,000	150	30	30	50	35
R-30 with County/public water and septic system						
Single Family, Manufactured Home, Family Care Home	20,000	90	30	10	25	35
Nonresidential	40,000	150	30	30	50	35
R-30 with County/public water and County/public sewer						
Single Family, Manufactured Home, Family Care Home	15,000	90	30	10	25	35
Nonresidential	40,00	150	30	30	50	35

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
R-8 with well and septic system						
Single Family, Family Care Home	30,000	90	30	10	25	35
Duplex	30,000	90	30	10	25	35
Nonresidential	40,000	150	30	30	50	35
R-8 with County/public water and septic system						
Single Family, Family Care Home	20,000	75	25	6	25	35
Duplex	30,000	75	25	10	25	35
Nonresidential	40,000	150	30	30	50	35
R-8 with County/public water and County/public sewer						
Single Family Residential, Family Care Home	10,000	75	25	6	25	35
Duplex	17,000	75	25	10	25	35
Multi-family or Group Living	Maximum 12 dwelling units per acre	75	25	10	25	35
Nonresidential	40,000	125	30	30	50	35

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
NB (Neighborhood Business)						
Without County/public sewer available	40,000	125	30	20 (30 when abutting a residential district)	25 (40 when abutting a residential district)	35
With County/public water and County/public sewer	25,000	90	30	20 (30 when abutting a residential district)	25 (35 when abutting a residential district)	35
GB (General Business)						
Without County/public sewer available	40,000	75	50	10 (30 when abutting a residential district)	25 (40 when abutting a residential district)	60

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
Multifamily County/public water and County/public sewer must be utilized	Maximum 12 dwelling units per acre	75	25	10	25	60
All other uses, with County/public water and County/public sewer	30,000	75	50	10 (30 when abutting a residential district)	25 (35 when abutting a residential district)	60
Heavy Industrial						
Without County/public sewer available	80,000	150	75	25 (40 when abutting a residential district)	75	75[6]

[6] 75' by right – maximum 15'. (Any height between 75-150', the front side, and rear yard requirement shall be increased 1' for every 2' increase in height.)

DISTRICT	MINIMUM LOT SIZE		MINIMUM YARD REGULATIONS[3]			Maximum Structure Height (feet)[4]
	Area (square feet) or Maximum Density (dwelling units per acre)	Frontage (feet)	Front (Street) Setback (feet)	Side Setback (feet)[5]	Rear Setback (feet)	
With County/public water and County/public sewer	40,000	125	50	20 (40 when abutting a residential district)	50	75[6]
Overlay districts and other modifying standards						
In the Water Supply Watershed Protection Overlay, the minimum standards below shall apply. Where standards in this Ordinance are more stringent, those shall apply instead.						
AR or R-80 districts	80,000	150	30	10	25	35
All other districts	40,000	125	30	10	25	35

5.6. OVERLAY DISTRICT STANDARDS

5.6.1. Airport Height Overlay (AHO)

A. Definitions

1. Airport

   As used in this overlay district, shall refer to Franklin County Airport.

2. Airport Elevation

   A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope.

3. Approach Surface

   The highest point of an airport's usable landing area measured in feet above mean sea level. The Franklin County Airport elevation equals 366.25.

4. Approach Zones

   a. Precision Approach Zone

   The inner edge of this approach zone coincides with the width of the primary surface and is 1,000'-wide. The approach zone expands outward uniformly to a width of sixteen thousand 16,000' at a horizontal distance of 50,000' from the primary surface. Its centerline is the continuation of the centerline of the runway.

   b. Non-precision Approach Zone

   The inner edge of this approach zone coincides with the width of the primary surface and begins 200' from the runway end and is 1,000'-wide. The approach zone expands outward uniformly to a width of 4,000' at a horizontal distance of 10,000; from the primary surface. Its centerline is the continuation of the centerline of the runway.

5. Conical Surface

   A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000'.

6. Conical Zone

   A conical zone is established on the area that commences at the periphery of the horizontal zone and extends outward for 4,000', and upward at a slope of 20:1.

7. Hazard to Navigation

An obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable airspace.

8. Height

   To determine the height limits in the airport height restrictive area, the datum shall be mean sea level elevation unless otherwise specified.

9. Horizontal Surface

   A horizontal plane 150' above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

10. Horizontal Zone

    The horizontal zone is established by swinging arcs of 10,000' radii from the center of the end of the primary surface of the runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

11. MSL

    Mean Sea Level.

12. Obstruction

    Any structure, growth, or other object, including a mobile object, which exceeds a limited height set forth in this overlay district.

13. Primary Surface

    A surface longitudinally centered on a runway. The primary surface extends 200' beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is 1,000'.

14. Runway

    A defined area on an airport prepared for landing and takeoff of aircraft along its length.

15. Structure

    An object, including a mobile object, constructed, or installed by man, including but not limited to buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

16. Transition Surface

    These surfaces extend outward at right angles to the runway centerline and extend at a slope of 7' horizontally for each foot

vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

17. Transition Zone

    The transitional zones are the areas beneath the transitional surface.

18. Tree

    Any object of natural growth.

B. Zones

1. Except as otherwise provided in this section, no structure shall be erected, altered, or maintained, and no trees shall be allowed to grow in any zone created by this section to a height in excess of the applicable height limitations herein established for each zone in question as follows:

   a. AHO-A Approach Zone

      i. Runway 23 = slopes 34' outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000' along the extended runway centerline.

      ii. Runway 5 = slopes 50' outward for each 1 foot upward for the first 10,000', and slopes 40' outward for each 1 foot upward for 40,000'.

   b. AHO-T Transitional Zones

      Slopes seven feet outward for each foot upward beginning at the side of and at the same elevation as the primary surface and the approach surface and extending to a height of 150' above the airport elevation or 525.0' above mean sea level. In addition, there are established height limits sloping 7' outward for each foot upward beginning at the sides and at the same elevation as the approach surface and extending to where they intersect the horizontal surface.

   c. AHO-H Horizontal Zone

      Established at 150' above the airport or at an elevation of 525.0' above mean sea level.

   d. AHOC Conical Zone

      Slopes twenty feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150' above the airport elevation and extending to an elevation of 725.0' above mean sea level.

e. AHO-P Airport Protection Zone

Established at an elevation of 725.0' above mean sea level and extends outside the conical zone throughout the County.

C. Use Restrictions

Notwithstanding any other provisions of this section, no use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

D. Nonconforming Uses

1. Regulations Not Retroactive

The regulations prescribed by this section shall not be construed to require the removal, lowering or other change or alternation of any structure or tree not conforming to the regulations as of the effective date of this section, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this section and is diligently prosecuted.

2. Markings and Lighting

Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Franklin County Airport Authority to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of Franklin County Airport Authority.

E. Issuance of Zoning compliance permit

The Administrator shall not issue a zoning compliance permit within an AHO-A, AHO-T, AHO-H, AHO-C or AHO-P area until it has been determined that the proposal upon which he is requested to act complies with the terms of these regulations.

1. Future Uses

Except as specifically provided hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no trees shall be planted in any zone hereby created unless a permit shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient information particularly to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this section shall be granted unless a variance has been approved in accordance with Subsection 5, Variances within AHO (below).

a. In the area lying within the limits of transition zones (AHO-T), horizontal zone (AHO-H), conical zone (AHO-C) and Airport Protection Zone (AHO-P) no permit shall be required for any tree or structure less than 100' of vertical height above the ground except when because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

b. In areas lying within the limits of the approach zones (AHO-A), but at a horizontal distance of not less than 4,200' from each end of the runway, no permit shall be required for any tree or structure less than 100' of vertical height above the ground except when, because of terrain land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

c. Amateur radio operators must comply with Part 97 of FCC regulations.

   Nothing contained in any of the foregoing exceptions, shall be construed as permitting or intending to permit any construction, alteration of any structure or growth of any tree more than any height limits established by this Section, except as otherwise provided within this Section.

2. Existing Uses

   No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this section, or any amendments thereto, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

3. Nonconforming Uses Abandoned or Destroyed

Whenever the Administrator determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

4. Subdivision

   Any proposed subdivision located with the Conical Zone-AHOC is also required to undergo Special Use Permit review.

5. Variances within AHO

   a. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in compliance with the regulations prescribed in this Article may apply to the Board of Adjustment for a variance in accordance with the provisions of Article 4, Review Procedures.

   b. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief, if granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and will be in accordance with the spirit of this Article.

   c. Additionally, no application for variances to the requirements of this section may be considered by the Board of Adjustment unless a copy of this application has been furnished to the airport manager and/or the airport commission for advice as to the aeronautical effects of the variance. If the airport manager and/or airport commission does not respond to the application within fifteen days after receipt, the Board of Adjustment may act on its own to grant or deny said application.

   d. Any permit or variance granted, if such action is deemed advisable to effectuate the purpose of this section and be reasonable in the circumstances, may be so conditioned as to require the owner of the structure or tree in question to install, operate or maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of Adjustment, this condition may be modified to require the owner to permit the Franklin County Airport Commission, at its own expense, to install, operate and maintain the necessary markings and lights.

5.6.2. Highway Overlay (HO)

A. Purpose

The Highway Overlay (HO)District is established to ensure that lands adjacent to US-1, US-64, US-401, NC-39, NC-56, NC-96, NC-98, and NC-561 are developed in a manner that protects and preserves the natural scenic beauty along these major access corridors located in Franklin County zoning jurisdiction. Further, it is intended to reduce potential adverse impacts of the Highway on adjacent land uses as well as reduce the hazards arising from unnecessary points of ingress and egress and cluttered roadside development.

B. Additional Setbacks

In the HO district, building setbacks shall be a minimum of 50' from the NCDOT right-of-way. This shall not apply where there are activity centers, defined as a full intersection cross street with nonresidential zoning on at least two corners.

C. Additional Plantings Required

In addition to any other required plantings, street yards along the HO require an additional planting of at least 2 trees and 5 shrubs per 100'. This does not apply at activity centers, as defined above.

D. Access Restricted

To preserve vehicular carrying capacity and reduce congestion due to an excess of driveways and turning movements, the following are required in the HO:

1. Driveways entering directly onto the highway shall serve at least two parcels, shall be located along a shared property line, and shall also provide access to the properties behind the 2 parcels closest to the highway.
2. Any new residential subdivision shall provide as few access points onto the highway as are needed to satisfy the connectivity requirements of this UDO.
3. Any single family residential or duplex lots in a new residential subdivision that will have their individual driveways directly access the highway shall provide double the minimum lot width.
4. New driveways or cross streets shall be a minimum of 350' (or as near as possible), from other intersections along the highway including driveways or cross streets on the opposite side of the highway. A proposed subdivision may be denied if it cannot meet these standards and/or will not provide access via a secondary road

network. Subdivisions or sites developed after the effective date of this Ordinance shall not be reason to subvert this requirement.

E. Materials standards

In addition to the standards of Section 6.9, Building Standards, and in accordance with the applicability and restrictions therein, the following shall apply:

1. The exclusive use of vinyl siding is prohibited.
   a. Up to 70% of the exterior of multifamily residential structures may be vinyl, provided that more than one texture must be used.
   b. Up to 25% of the exterior of nonresidential or mixed-use structures may be vinyl.
2. At least 50% of the primary building materials shall consist of brick or decorative or scored concrete or masonry units. If split face concrete block is used, it is limited to 50% of the external façade.
3. Split face concrete block is not permitted except as columns.
4. Windows or wall face penetrations shall have a decorative casing, soldier course, transom, or sill, or other similar architectural embellishment.

5.6.3. Lake Royale Overlay (LR)

A. Purpose

The Lake Royale Overlay District is established as an overlay district for the parcels located within the Lake Royale development including residential and multi-use lots. The purpose of this Lake Royale Overlay district is to protect Lake Royale and the surrounding lake area from excessive run-off from development that is the direct result of development pressure having a negative impact on stormwater quality and quantity.

B. Standards

1. The Maximum Impervious Surface for uses zoned residential shall not exceed 24%.
2. Special Intensity Allocation (SIA) Option.

   The Maximum Impervious Surface for New Club Houses and Swimming Pools and expansion to existing Club Houses and Swimming Pools shall not exceed 70% and only when explicitly granted a SIA from the BOCC.

3. Accessory Structures shall only be placed in the rear yard of corner lots, and rear and side yard of other lots; however, if the lot is lake front or located adjacent to the golf course, the accessory structure may be placed between the road and the principal structure provided it does not encroach into the required setbacks or any other regulated features.
4. Setbacks for lots within this overlay are hereby superseded and replaced to the least extent necessary to implement the following:
   a. Front setback of 15'.
   b. Side setback of 5'.
   c. Rear setback of 5'.

5.6.4. Watershed Water Supply Protection Overlay (W)

See Article 9, Natural Resources.

5.7. CONDITIONAL ZONING DISTRICT STANDARDS

5.7.1. Process

For the conditional zoning process, see Article 4, Review Procedures.

5.7.2. Limitations to Conditions

Conditions are limited to those that address use, conformance to government ordinances and adopted plans, and/or impacts reasonably expected to be generated by the development or use of the site.

5.7.3. Written Consent

Both the petitioner and the Board of County Commissioners must agree on the final conditions for the conditional zoning district to be valid. This requires a signed, written agreement which may be obtained post-hearing/approval. Any approvals are not effective until the petitioner signs the agreement within ninety days of the hearing date.

5.8. ABANDONED MANUFACTURED HOMES

Unless otherwise provided, manufactured homes considered abandoned, according to the definition for abandoned manufactured homes located in Article 10, Definitions shall be prohibited in all zoning districts of Franklin County. Once a determination has been made by the Zoning Administrator or his authorized agent that a manufactured home is abandoned then the Zoning Administrator or his authorized agent shall take action to abate the violation by using any of the enforcement procedures located in this Ordinance.