STAFF REPORT

To: Planning Board of Adjustment

Agenda Title: General Rezoning—99999 Appalachian Village Rd

Presenter: Ricky Hurley, AICP

Meeting Date: April 2, 2024

Summary:
General rezoning review for 1.45 acres located at 99999 Appalachian Village Road from Transitional District (TR) to R-21 Residential District (R-21). The subject property is currently undeveloped and identified in the Buncombe County tax record as PIN 9731-54-0323.

Background:
The property owner is requesting a zoning change to R-21 Residential District as part of a general rezoning request to match the zoning designation of surrounding properties. A general rezoning may be requested by a property owner or assigned by the Town as part of the zoning map amendment process. This type of request does not include a site-specific plan, and as part of the Board's review and consideration must evaluate all potential uses permitted by right, special use, or limited use. The subject property is currently undeveloped and subject to the Town's Steep Slope regulations. If the Board were to grant the rezoning request, the potential development would be limited to one detached dwelling unit.

Staff Analysis:
The property is located approximately 900 feet southeast of the termination of Appalachian Village Road and surrounded by the Campfire Lodgings RV Park property. Appalachian Village Road provides the principal means of access to the parcel but does not provide direct access to the parcel. The street is privately maintained and serves as access for the campground and two dwellings.

Zoning classifications for properties in this area are R-21 Residential District to north and west of site, Community Shopping District to the northeast along US 19/23, and R-43 Residential District to the south. Land use patterns in this area are predominated by detached single family and undeveloped land.

The topography of this immediate area is defined by a lower, but prominent mountain rising to an elevation of approximately 2,560 feet, that is separated from the Craggy Mountains located to the east across of US Hwy 19/23. The elevation for this parcel slopes downhill from north to south towards US

Hwy 19/23. The parcel is within the Steep Slope area as defined within the Town's Code of Ordinances. A regulated flood hazard zone does not affect the subject parcel.

Considerations:

- Rezoning of the property to R-21 will eliminate the spot zoning of Transitional District.
- Rezoning would allow more appropriate development for an area lacking nearby water and sewer utilities.
- The property's slope of 38.48% is more characteristic of land found within the R-21 zoning district.
- Steep Slope standards will not permit further subdivision of the property.

Staff Recommendation:
Staff supports approval of the proposed zoning of the subject property to R-21 Residential District (R-21) in that development under the current zoning classification could produce negative impacts to adjacent residential uses and lacks the necessary services to adequately serve such commercial development.

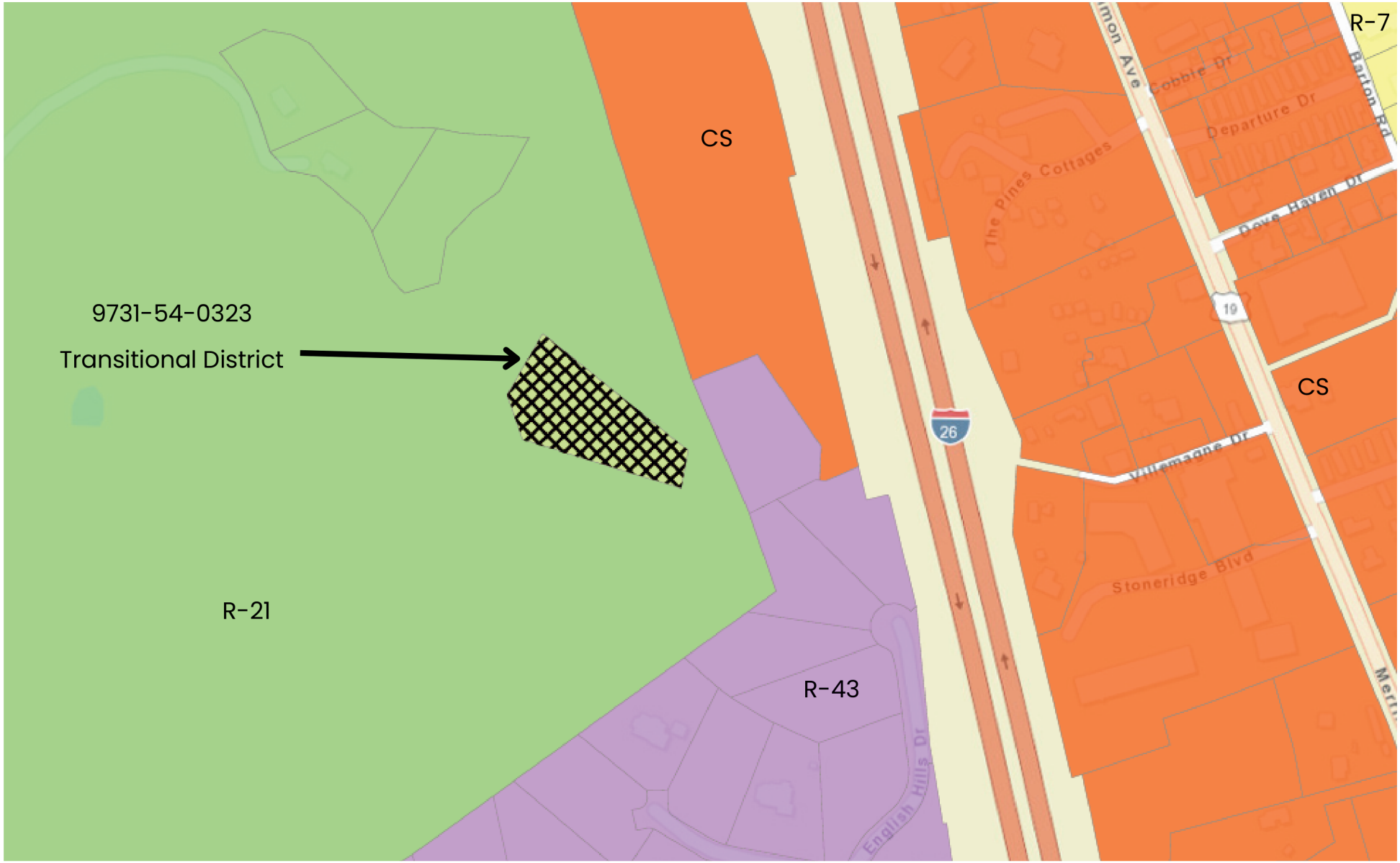
Suggested Motion:
I move to approve the zoning of 1.45 acres as shown on Exhibits A & B from Transitional District to R-21 Residential District and find that the request is reasonable, is in the public interest, is consistent with the ***Woodfin Together*** Comprehensive Plan, and meets the development needs of the community in that the request:

1. Uses the Future Land Use Map to guide development decisions that promotes fiscal responsibility by encouraging growth in areas with existing services (1.1.1, 1.2.6)
2. Protects steeps slopes and other environmentally sensitive areas (5.1.1)

Attachments:

(1) Exhibit A – Zoning Map
(2) Exhibit B – Existing Conditions/Aerial Map
(3) Exhibit C – Future Land Use Map
(4) Draft Planning Board Recommendation

Exhibit A - Woodfin Zoning Map



Woodfin Zoning 2024

- R-21
- R-7
- R-43
- Community Shopping
- Transitional District

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Buncombe County, NC, State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

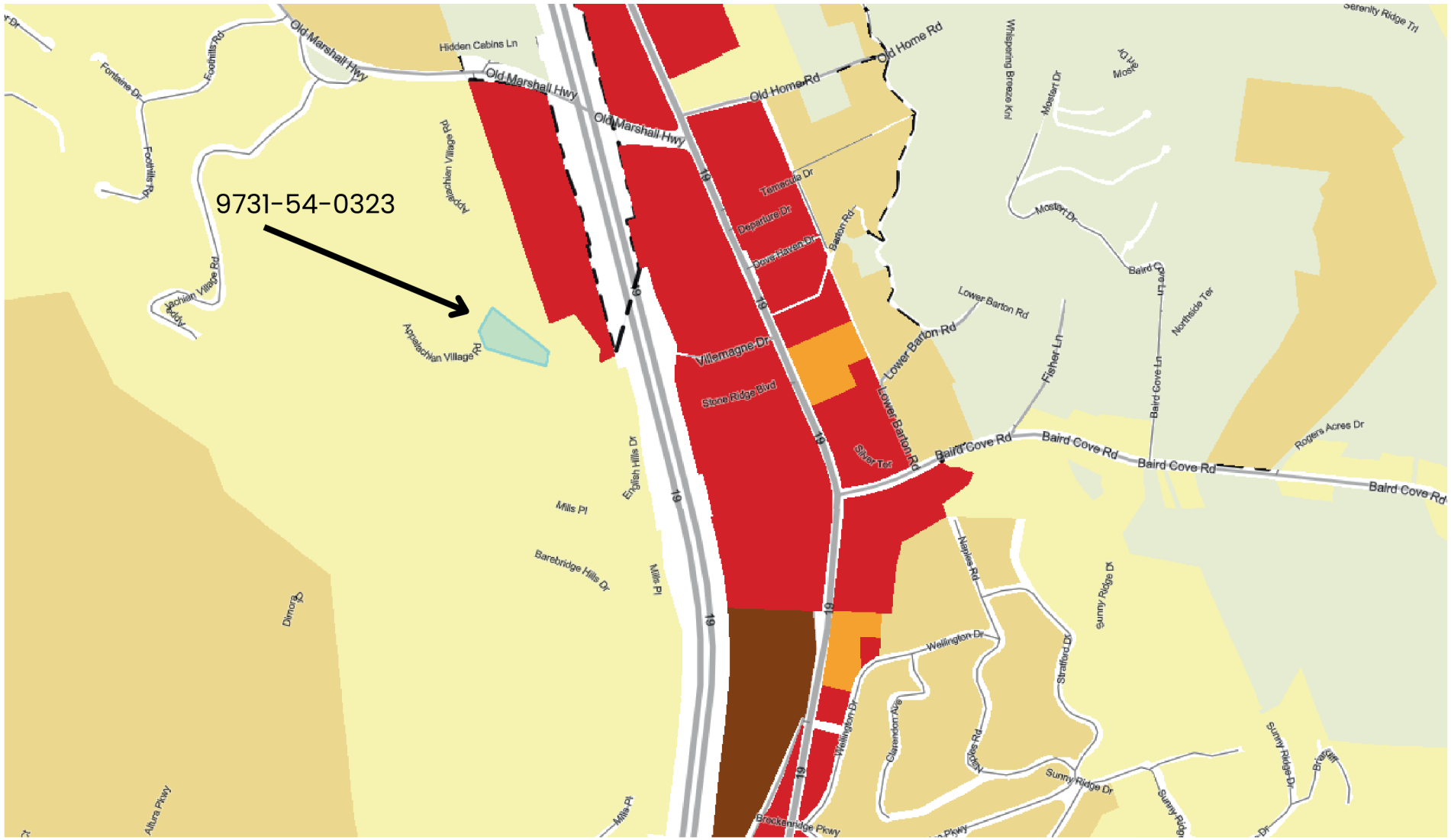
3/28/2024

World Street Map

EXHIBIT B--Aerial



Exhibit C - Woodfin Together - Future Land Use Map (FLUM)



Buncombe County, NC, State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

- Residential 1
- Residential 2
- Cluster Residential
- Industrial 2
- Mobile Home Community
- Commercial

3/28/2024

World Street Map

RECOMMENDATION FROM
TOWN OF WOODFIN PLANNING BOARD
OF ADJUSTMENT TO
WOODFIN TOWN COUNCIL

Having reviewed the **Zoning Map Amendment** to rezone property at 99999 Old Marshall Hwy (9731-54-0323) from TR Transitional District to R-21 Residential District on **April 2, 2024**, and having considered information from planning staff of the Town of Woodfin and comments from the other persons, pursuant to 160D-604(d), the Town of Woodfin Planning Board of Adjustment hereby adopts the following motion, effective April 2, 2024:

The Town of Woodfin Planning Board of Adjustment recommends approval of the proposed map amendment and finds that it is reasonable, in the public interest, and consistent with the Town of Woodfin Comprehensive Plan in that the proposed rezoning will:

1. Use the Future Land Use Map to guide development decisions that promotes fiscal responsibility by encouraging growth in areas with existing services (1.1.1, 1.2.6)
2. Protect steeps slopes and other environmentally sensitive areas (5.1.1)

Vote: _____ Ayes
_____ No

This document is a true and accurate statement of the findings and recommendations of the Woodfin Planning Board of Adjustment.

_____ _____
Chair Date

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STAFF REPORT

To: Planning Board of Adjustment

Agenda Title: Text Amendment – Table of Uses & Definitions

Staff Contact: Ricky Hurley

Meeting Date: April 2, 2024

Summary:

The proposed text amendments are intended to clarify and expand the number of uses enumerated within the Table of Uses found in ***Sec. 54.143. – Designation of districts and uses allowed(b***) and provide for additional and updated definitions found in ***Sec. 54-10. – Definitions.***

Background:

As previously discussed by this Board, periodic updates to the Town's zoning regulations are necessary in response to changing economic needs, evolving construction technology, and greater development pressure being felt by the greater Asheville-Buncombe region. Staff feels the proposed text amendments are necessary to provide clarity in development standards for residents and design professionals, while providing more guidance to town staff when interpreting the Town's zoning regulations.

Staff Analysis:

Table of Uses: Proposed updates will expand the number of *Business* uses, consolidate most of the *Industrial* and *Manufacturing* uses into a "light or heavy manufacturing" category within the table. Examples of additions to the table include uses such as firing ranges, family care and group homes, tattoo and piercing shops, data/server farms, solar and wind generation facilities, wireless telecommunications, and earth extraction operations that were missing or otherwise required to be interpreted as being allowed within the Town's zoning jurisdiction. Although not every use that can be imagined can be listed, targeted expansion of the permitted use table with updated definitions can reduce the chance for appeals related to a zoning administrator's determination on whether to allow a use within a certain zoning district.

Definitions: The proposed additional definitions for Sec. 54-10 work with the Table of Uses by broadening certain terms such as *Manufacturing, Light* to eliminate the need for a lengthy list of uses with similar impacts on adjacent properties. Absent more specific definitions, the NC Courts have ruled that the local government must use the current or most recognizable meaning for words, as may be found in the Merriman-Webster dictionary. The courts have stated that ambiguous provisions must be construed to be in the favor of the free use of property.

Staff Recommendation:

Staff recommends approval of the zoning text amendments.

Suggested Motion:

I move to approve the proposed text amendment and find that it is reasonable, is in the public interest, is consistent with the ***Woodfin Together*** comprehensive plan, and meets the development needs of the community in that the request:

1. Balances the supply of land for housing and employment and protect land for economic development and ensure an adequate supply of appropriately located and sized employment space (3.1.5, 3.2.5)
2. Supports initiatives to transition toward a green economy and encourages construction of developments that use renewable energy, design, and infrastructure that reduces pollution and energy costs (3.2.2, 3.3.2)
3. Makes government decision-making accessible and transparent to all residents while updating development standards to minimize risk from new development. (4.4.3, 5.4.2)

Attachments:

(1) Proposed Definitions – Sec. 54-10
(2) Proposed Table of Uses – Sec. 54-143
(3) Draft Planning Board of Adjustment Recommendation

Sec. 54-10. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory communication facility means an antennae configuration that is attached to a building, water tower, or other existing structure where the communication facility is customarily incidental to the main or principal building or structure.

Accessory dwelling unit means a separate and complete *dwelling unit* that is ancillary and subordinate to a principal single-family dwelling located on the same lot. Accessory dwelling units may be either detached or attached to the primary dwelling.

Accessory use or structure means a use or detached structure subordinate to the principal use of a structure or land and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure.

Addition means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings and structures shall comply with the requirements for new construction.

Adult entertainment establishment includes any of the following subcategories, and for purposes of this Ordinance shall be consistent with Chapter 14, Article 26A of the North Carolina General Statutes as currently written or hereafter amended. This use is defined to include adult video/book stores, adult motion picture theaters, adult mini motion pictures, adult live entertainment businesses, and massage businesses as those terms are defined by G.S.14-202.10, and adult motels and adult cabarets.

Agriculture and horticulture (any form) means the use of land for agricultural purposes including farming, silviculture, viticulture, fish culture, animal and poultry husbandry and/or horticultural purposes including the growing and production for income of fruits, vegetables, flowers, nursery stock, or ornamental plants.

~~*Air conditioning and heating equipment manufacturing* means companies in this industry manufacture residential, commercial, and industrial heating, ventilation, air conditioning and refrigeration (HVACR) equipment. Industry revenue includes miscellaneous receipts for the resale of products without further manufacturing, contract work done for others on respective items and acknowledgements for repair, scrap and refuse sales. Automotive units are excluded from this industry.~~

~~*Alcohol and alcohol beverage manufacturing* means a manufacturer engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or malt beverage.~~

Alley means a special public right-of-way affording only secondary access to abutting properties.

Alteration means any change because of construction, repair, maintenance or otherwise to buildings.

Alteration. The word "alteration" shall include any of the following.

(1) Any addition to the height or depth of a building;

(2) Any change in the location of any of the exterior walls of a building;

(3) Any increase in the interior accommodations of a building.

~~*Amusement, recreational and sporting goods manufacturing* means processing, fabrication, assembly, treatment and packaging of amusement, recreational and sporting goods products and incidental storage, sales and distribution of such products.~~

~~*Animal hospitals* means any building or portion of a building designed or used for the care, observation, or treatment of domestic animals.~~

Animal shelter means a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, government agency, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

Applicant means a person or entity filing an application under this Ordinance.

Application means any development application submitted to the Town of Woodfin for approval of a permit, site plan, certificate or any other authorization required for development and includes all forms, site plans and building plans as required by the Town of Woodfin.

Appraised value means the value assigned to a structure by the Buncombe County Tax Assessor or by an MAI-certified real estate appraiser.

Architecturally compatible means the use of design and materials to adequately disguise a wireless antenna or tower in such a manner so that the structure housing the tower takes on the appearance of a structure other than that of a communication tower. The design and materials used on the structure and its exterior materials blend harmoniously with the buildings and the use of the host sight.

Arena means a structure or facility designed and intended to be used primarily for athletic events and containing seating for spectators of those events, but not including a raceway or drag strip.

Asphalt plant means a manufacturing or processing plant in a fixed location associated with the storage of raw materials used in the production of asphalt and the mixing of asphalt products prior to their use or transportation.

Assembly halls, coliseums, armories, ballrooms, and similar structures means a building or portion of a building in which facilities are provided for civic, educational, political, religious, or social purposes.

Auction sales means any sale where tangible personal property is sold by an auctioneer who is either the agent for the owner of such property or is in fact the owner thereof.

Auditorium means a place of assembly to watch and/or to hear athletic events, musical performances, dramatic or terpsichorean performances, speeches, and/or ceremonies; the term is intended to include such uses as stadium, coliseums, athletic centers and theaters. (enclosed/indoor; floor, walls and roof)

Automobile car wash means a facility that is used to clean the exterior and, in some cases, the interior of motor vehicles. The following are different types of car wash facilities. a) Hand car wash facilities. Where the vehicle is washed by employees; b) Self-service facilities. Generally coin-operated, where the customer does the washing, including "jet washing". c) In-bay automatics. Consists of an automatic machine that rolls back and forth over a stationary vehicle - often seen at filling stations and stand-alone wash sites. d) Tunnel washes. Use a conveyor to move the vehicle through a series of fixed cleaning mechanisms.

Automobile parts supplies, retail means stores that sell new automobile parts, tires, and accessories. May also include minor parts installation.

Automobile repair garages means any building structure, improvements, or land used for the ~~repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, or oil change and lubrication painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.~~ storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work. Minor repairs shall be limited to battery and tire changes, light and fuse replacement, wiper blade changes and similar activities. Also referred to as vehicle repair. Junk vehicles or operation of an automobile wrecking and junking yard are not permitted as part of this use.

Automotive service station means any premises where gasoline and other petroleum products are sold and light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning may be

conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body work are conducted. Also referred to as retail sale of gasoline.

Automobile sales (new and used) means storage and display for sale of more than two motor vehicles or any type of trailer provided the trailer is unoccupied, and where repair or body work is incidental to the operation of the new or used vehicle sales includes motor vehicles retail or wholesale sales.

Automobile wrecking and junking yards means any lot or place that is exposed to the weather and upon which more than five motor vehicles of any kind incapable of being operated and not currently licensed are placed, located, or found.

~~*Bakeries, manufacturing* means a place for prepping, cooking, baking, and selling of products intended for off premise distribution.~~

Bakeries, retail means a place for preparing, cooking, baking, and selling of products on the premises.

Banks and other financial institutions means a financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

Barber and beauty shop means any establishment where cosmetology services are provided including hair care, nail care and skin care on a regular basis for compensation.

Bed and breakfast inn means a use that takes place within a building that, prior to such an establishment, was a single family detached residence, that consists of renting from one to six dwelling rooms on a daily basis to tourists, vacationers, and business travelers, where the breakfast meal only is provided and is available only to guests. The homeowner shall reside on site and employment shall not exceed two full time employees in addition to the owner(s).

Billboard. See Sign, Off-Site (Billboard)

Board of adjustment means a quasi judicial board composed of five residents of the Town of Woodfin empowered to hear appeals from decisions of the Zoning Administrator, grant variances from provisions of the Zoning Ordinance and grant special use permits.

Boat and trailer repairs ~~and manufacturing~~ means a facility, including a boat repair garage or boat storage yard where boats are repaired and stored until repairs are completed.

~~*Bowling alleys and skating rinks* means an establishment that provides indoor facilities for the sport of ten-pin or duck-pin bowling or participant skating, with customary accessory uses such as snack bars.~~

Buffer strip shall consist of a planted strip at least ten feet in width, composed of deciduous or evergreen trees or a mixture of each, spaced not more than 20 feet apart and not less than one row of dense shrubs, spaced no more than five feet apart.

Build-to line means a line extending through a lot which is generally parallel to the front property line and marks the location from which the principle vertical plane of the front building elevation, exclusive of porches, bay windows and similar appurtenances, must be erected; intended to create an even building façade line on a street.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building frontage means the linear length of only that portion of a building used by an individual tenant in a multiple tenant development and which faces a public street or alley.

Building setback line means a line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided. If the property line extends into a roadway or highway itself, then the setback line shall be measured from the edge of the traveled way (which is the edge of the road or the actual area that vehicles travel upon) when computing setback requirements on lots abutting highways.

Bus passenger station means a building terminal and parking area that serves bus passengers.

Caliper means the size of a tree's trunk diameter as measured six (6) inches above the ground for trees six (6) inches or less. This measurement of caliper is used to determine if newly planted trees meet the requirements of this ordinance.

Canopy means a permanent attached structure which projects from and is supported by a building, which serves as a cover providing shelter or decoration and which extends beyond the building.

Cemetery means a tract of land used for burials.

Certificate of occupancy means a statement, signed by the Zoning Administrator, setting forth that the building, structure or use complies with this Ordinance and that the same may be used for the purposes stated therein.

Certificate of zoning compliance means a statement, signed by the Zoning Enforcement Officer, stating that the plans for a building, structure, or use of land complies with the zoning chapter of the county, the County Health Department, and the State Department of Human Resources, Division of Health Services.

~~*Car wash* means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.~~

Change of use means the act of eliminating the type of land use in a structure or on a lot and replacing it with another type of land use; or the act of adding another type of land use in a building or on a lot which did not previously exist there. A change of use may or may not involve any type of new construction or building renovation.

Channel means those flood lands normally occupied by a stream of water under average annual high-water flow conditions while confined within generally well-established banks.

~~*Churches*~~ *Place of worship* means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

Citation means an order to pay a civil penalty for a violation, delivered to a violator by the Zoning Administrator or designated Code Enforcement Officer, issued after the time period set out in the notice of violation for taking corrective measures has expired.

Civil penalty means a remedial monetary penalties assessed as partial reimbursement to the Town of Woodfin for the enforcement of this Ordinance.

Clubs and lodges (nonprofit) means any person(s), partnership, association, corporation, or other group whose activities are conducted for civic or humanitarian motives and not for the gain of any private individual or group and may include, but shall not be limited to, social service, welfare, education, civic, fraternal, or cultural activities.

Co-location means an arrangement whereby more than one (1) use occupies a single tower or structure. Co-location is encouraged in order to maximize the use of towers and to reduce the number of towers needed to serve the county.

Commercial recreational facility (Indoor) means any business establishment which is primarily engaged in providing an amusement and/or recreational activity such as a public or private health or exercise clubs, tennis or other racquet courts, swimming pools, YMCA's, YWCA's, video arcade, billiard parlor, skating rink, bowling alley, axe throwing, or similar uses which are enclosed in buildings, but does not include indoor motion picture theaters.

Commercial recreational facility (outdoor) means any business establishment which is primarily engaged in providing amusement and/or recreational activity on a commercial recreation premises consisting of woodland,

water courses, and fields used for active recreational activities including but not limited to, miniature golf course, skateboard course, paintball. water slide and swimming pools, batting cages, laser tag, mechanical ride, par 3 golf course, golf driving range, go-cart or motorcycle course, fish ranch, or similar activity to the general public, but does not include outdoor motion picture theaters.

Common plan of development means a construction or land disturbing activity is part of a larger common plan of development if it is completed in one or more of the following ways: in separate stages; in separate phases; or in combination with other construction activities. It is identified by the documentation (including, but not limited to, a sign, public notice or hearing, sales pitch, advertisement, loan application, drawing, plats, blueprints, marketing plans, contracts, permit application, zoning request, or computer design) or physical demarcation (including, but not limited to, boundary signs, lot stakes, or surveyor markings) indicating that construction activities may occur on a specific plot; it can include one operator or many operators.

Comprehensive plan means a long range plan for the desirable use of land in the Town of Woodfin which has been adopted by the Woodfin Town Council. The purpose of the plan is to serve as a guide in the zoning of land, in the subdividing and use of undeveloped land, and in the acquisition of rights-of-way or sites for public purposes such as parks, public buildings, streets.

Concrete plant means a manufacturing or processing plant in a fixed location associated with the storage of raw materials used in the production of concrete and the mixing of concrete products prior to their use or transportation.

Condominium means a dwelling unit owned as a single-family home within a multiple-unit property together with an undivided portion of ownership in areas and facilities held in common with other property owners in the development. Condominiums may take a number of forms such as attached townhouses, apartments, or other forms of residential structures. The common areas and structures may include underlying land, parking areas, recreation facilities, swimming pools, and in the case of an apartment house, hallways, basements, heating units, and elevators.

Conference and training center means facilities used for business or professional conferences, seminars, and training programs, which shall include accommodations for sleeping, eating and recreation.

Contractors' offices means any land or buildings used primarily for the storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or building craft.

Convenience store means a small retail store that is open long hours and that typically sells staple groceries, snacks, and motor vehicle fuels, but does not include automobile service or repair.

Country club means a membership organization and facilities for swimming, tennis, golf or other recreation. May include accessory or incidental eating and drinking establishment, assembly hall that are limited to use only by members.

~~*Channel* means those flood lands normally occupied by a stream of water under average annual high-water flow conditions while confined within generally well-established banks.~~

Customary incidental home occupations means any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof, and in connection with which there are no retail sales or display on the premises and no person not a resident of the premises is employed by the following home occupations: lawyer, physician, optometrist, dentist, osteopath, and chiropractor. Provided further that no mechanical equipment is installed or used except such as normally used for domestic or professional purpose, and that not over 25 percent of the total floor space of any structure is used for home occupations.

Day care center means an individual, agency, or organization providing supervision or care on a regular basis for children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the

supervising adult; usually serving 9 or more children at a time OR for 7 or more adults in a place other than their usual place of abode, on less than a 24-hour basis. not an accessory to residential use;

Day Care Home (small, accessory use) means supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for up to 8 children who are not related by blood or marriage to, and who are not the legal wards or foster children of the supervising adult OR for up to 6 adults who do not reside in the dwelling

Dedication means a gift, by the owner, of his property to another party without any consideration being given for the transfer. Since a transfer of property is involved, the dedication is made by written instrument and is completed with an acceptance.

Development approval means an administrative or quasi-judicial approval made pursuant to this Chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, certificates of appropriateness, plat approvals, development agreements, building permits, subdivision of land, State agency permits for development, driveway permits, erosion and sedimentation control permits.

Diameter at breast height (DBH) means the caliper of an existing semi-mature or mature tree measured at 4 1/2 feet above the existing ground on the uphill side of the tree.

Dimensional nonconformity means any lawful nonconformity involving a dimensional or numerical development requirement except those involving outdoor lighting or signs which are addressed in chapter 26 and chapter 34, respectively. Dimensional nonconformities may include, without limitation, nonconformities associated with lot size, lot width, lot depth, lot coverage setbacks, impervious surface standards, open space, number of parking spaces, or separation requirements between particular uses or zoning districts, and structure size and placement standards including height, gross floor area, footprint area, number of stories, build-to zone, fenestration, step-back and building frontage.

Drive-in theater means a form of cinema structure consisting of a large outdoor screen, a projection booth, a concession stand and a large parking area for automobiles. Within this enclosed area, customers can view movies from the privacy and comfort of their cars.

Drive-through service window means a window or series of windows associated with a commercial establishment that permits patrons to transact business or order goods while remaining in a vehicle.

Driveway means an access, with no specified development standards, to a single lot from either a public or private roadway.

~~*Dry cleaning and laundry pickup stations* means an establishment which launders or dry cleans articles dropped off on the premises directly by the customer or where articles are dropped off, sorted, and picked up but where laundering or cleaning is done elsewhere.~~

Dwelling means a building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

Dwelling, detached means a dwelling entirely surrounded by open space on the same lot.

Dwelling, multiple-family means a dwelling containing three or more dwelling units.

Dwelling, single-family means a dwelling containing one dwelling unit either attached, semi-attached, or detached.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, sleeping, eating, cooking and sanitation. A room or group of rooms forming a single independent habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating by one family; for owner occupancy or for rental, lease or other occupancy on a weekly or

longer basis, and containing independent cooking, sanitary and sleeping facilities. Units otherwise meeting this definition, but occupied by transients on a rental or lease basis for periods of less than one month, shall be construed to be lodging units.

Eave line means the extension of a roof line beyond the vertical wall of a building.

Efficiency means a dwelling unit consisting of one principal room with no separate sleeping rooms.

Electricity generation facility means an industrial facility for the generation of electric power or electricity.

environmental context with an emphasis on avoiding, minimizing, and mitigating adverse impacts.

Essential Services means publicly or privately owned facilities or systems for the distribution of gas, electricity, steam or water, the collection and disposal of sewage or refuse; the transmission of communications; or similar functions necessary for the provision of public services. Radio transmission facilities for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not essential services, provided no transmitter or antenna tower exceeds 100 feet in height. Wireless telecommunications are not included within this definition. Essential Services are divided into three classes:

(1) Class 1 Transmission lines (above and below ground) including electrical, natural gas, and water/wastewater distribution lines; pumping stations, lift stations, and telephone switching facilities (up to 200 square feet).

(2) Class 2 Water storage tanks; package treatment plants; telephone switching facilities (over 200 square feet), substations, or other similar facilities used in connection with telephone, electric, steam, and water facilities; raw water treatment facilities; battery storage facilities when accessory to a substation.

(3) Class 3 Generation, production, or treatment facilities such as power plants, sewage treatment plants, and recycling sorting facilities. But does not include solid or hazardous waste landfills, construction and demolition landfills.

Erect means to construct, build, raise, assemble, install, place, locate, relocate, affix, attach, display, alter, use, create, paint, draw, illuminate or in any other way bring into being or establish.

Expansion means any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Extraction of earth products means the process of removing natural deposits of minerals, ore, soil or other solid material from their original location, and may include on-site processing.

Facade means building sides including parapet and wing wall.

Family care home means a home defined and described in Article 3 of NCGS 168 as having support and supervisory personnel that provides room and board, personal care and habitation services in a family environment for not more than six (6) resident handicapped persons.

Family means any number of related persons living together as a single housekeeping unit.

Familial relationship, close means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Farm machinery, sales, and repairs means establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and process pertaining to farming and ranching.

~~*Feed and seed stores* means a retail store selling primarily agricultural products, including the bulk storage of fertilizers and related agrichemicals.~~

Firing range, indoor means an enclosed firing range with targets for rifle or handgun practice. For the purposes of this Ordinance, noise should be significantly reduced to 40 dbl at neighboring residences and must conform to the minimum design standards as outlined in the latest revised edition of The NRA Range Source Book.

Firing range, outdoor means a facility used for firearm practice outdoors. For the purposes of this Ordinance skeet, trap, rifle, pistol and turkey practice shooting is included.

Fleamarket means a sales area indoors or outdoors in which space is set aside or rented and which is intended for use by one or more individuals to sell a variety of articles such as those which are either handmade, used, old or obsolete.

Flag lot means a type of lot whose shape resembles a flag and where the access to the road is commonly provided along a long narrow flagpole, and the shape of the buildable portion of the lot is rectangular, similar to a flag.

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

Freight terminal means a processing node for freight. Most freight terminals are located at ports or along rail lines. They may include airports, seaports, railroad terminals, and trucking terminals.

Frontage means all the property abutting on one (1) side of a street between two (2) intersecting streets, measured along the street line.

Fuel oil dealer means a facility and business used to warehouse and dispense various types of fuel oil.

Funeral homes and mortuaries means a building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral supplies funeral urns, and other related funeral supplies; (e) facilities for cremation where funeral home is permitted, a funeral chapel shall also be permitted.

Game and amusement rooms, including pool halls means a place or facility where pinball or other similar electronic games are played for amusement only. Shall not be construed to include gambling devices prohibited by law.

Golf course means a course of holes, tees, greens and fairways consisting of a large landscaped area for playing golf or disc golf

Golf driving range means an area to practice golf shots. The depth of the driving range along the driving axis shall not be less than 350 yards measured from the location of the tees and the breadth not less than 200 yards at a distance of 350 yards from the tees. Lighting shall be so shielded as to cast no direct light upon adjacent properties.

Golf, miniature means a miniature version of a golf course in which players hit a golf ball short distances into a hole. Obstacles or hazards may make the game more difficult; the scenery usually creates a playful atmosphere.

Governing body means as it pertains to this Ordinance, the Governing Body may be considered the Town of Woodfin Town Council or the Woodfin Planning Board of Adjustment as authorized by General Statute or the Town Council.

Governmental emergency services means an organization that ensures public safety by addressing different emergencies. Some agencies exist solely for addressing certain types of emergencies whilst others deal with ad hoc emergencies as part of their normal responsibilities. These agencies typically engage in community awareness and prevention programs to help the public avoid, detect, and report emergencies effectively.

Governmental offices means a facility that houses governmental service offices.

Grade means the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Greenway means a series of independent and interconnected paths, officially designated by a County or Town Plan, that will allow bikers, walkers, joggers, etc., to go from one area of the town to another without driving their car or using local roads.

Gross floor area means the total floor area of all buildings in a project including basements, mezzanines, and upper floors, exclusive of stairways and elevator shafts. Gross floor area excludes separate service facilities outside the main building such as boiler rooms and maintenance rooms.

Group care facility; group home means a residential facility for 12 or less persons, licensed by the state of North Carolina by whatever name it is called (e.g. domiciliary home, home for the aged, rest home, etc.) other than a "family care home" as defined by this Ordinance.

Group development means a group of two or more principal structures built on a single lot, tract, or parcel of land not subdivided into the customary streets and lots and which will not be subdivided, and designed for occupancy by separate families, businesses, or other enterprises. Examples would be:

(1) Cluster-type subdivisions;

(2) Row houses;

(3) Apartment courts;

(4) Housing projects;

(5) School and hospital campuses;

(6) Shopping centers; and

(7) Industrial parks.

Halfway House means a facility providing sheltered services and/or rehabilitation for up to 6 unrelated residents (not including staff or supervisors) that is not otherwise classified as a family care home. Examples may include but are not limited to persons who are recovering from substance abuse and/or are on probation, parole or are initially placed in-lieu of more restrictive custodial confinement (such as a pretrial release program), and juveniles in order to help them readjust and transition back into mainstream society. This definition does not include persons who are dangerous to others as defined in G.S. 122C-3(11)(b).

Height, building means the average of the shortest and tallest sides of a building, from the tallest peak of the roof to the base of the building at grade. Chimneys, ventilators, antennas, skylights, tanks, bulkheads, or solar panels shall not be considered part of the height of the building if they do not extend more than four feet above the specific height limit. Domes, towers, or spires which are an integral part of institutional buildings shall not be subject to these limitations, provided that such features shall in no way be occupiable space.

Height, structure means the greatest vertical distance from the top of the structure to the base of the structure at grade.

Home occupation means an accessory use of a dwelling unit or an accessory structure for limited non-residential purposes which is clearly incidental and subordinate to the use of the dwelling unit as a permanent and full-time residence.

Homestay means a lodging use that occurs within a resident-occupied single-family dwelling wherein space in the home is rented to transients for compensation for a period of less than one month, and where the use is incidental and subordinate to the primary residential use of the property. A homestay may or may not have a separate kitchen, bathroom and/or entrance.

Hospital means an institution for health care providing patient treatment by specialized staff and equipment, and often, but not always providing for longer-term patient stays.

Hotels, motels, inns means a lodging use contained within a building or series of buildings under single ownership providing accommodations to transients for compensation, offering either short or extended-stay facilities, and that may customarily include incidental or ancillary services including housekeeping, dining, meeting rooms and recreational facilities.

Impact means the effect of one land use upon another as measured by traffic or noise generation, site activity, hours of operation, site lighting, vibration, smoke or odor emissions, or similar factors.

Impervious area means a surface composed of any material that impedes or prevents natural infiltration of water into the soil. Impervious surfaces may include, but are not limited to roofs, streets, parking areas, tennis courts, driveways, patios, sidewalks, or any concrete, asphalt or compacted gravel surface. Public roads are excluded from computations of impervious area.

Internet sweepstakes means a principal business where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Internet Sweepstakes do not include any lottery approved by the State of North Carolina.

Jewelry repair and pawn shops means any place of business which is regularly engaged in the business of making pawns but does not include a financial institution or any business that regularly loans money or any other thing of value on stocks, bonds, or other securities.

Junkyard means a lot, land, or structure or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and/or salvaging of machinery or vehicles not in operating condition and for the sale of parts thereof.

~~*Kennel* means the boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises, and/ or for commercial gain.~~

Kennel, commercial means an establishment wherein any person engages in business or practice, for fee, of boarding, breeding, grooming, letting for hire, or training of multiple domesticated animals at any one time, not including pets owned by the landowner; or an establishment wherein any person engages in the business or practice, for a fee, of selling more than one (1) litter of domesticated animals at any one time.

Kindergarten or day nursery means any day care center which receives children between the ages of two and six years and which is established and professionally operated primarily for educational purposes to meet the development needs of the children served.

Laboratory (analytical, experimental or testing) means a facility that provides controlled conditions in which scientific research, experiments, and measurement may be performed.

Landfill means a facility for disposal of solid waste on land in a sanitary manner, in accordance with rules concerning sanitary landfills set by the NC Department of Environmental Quality, called for in NCGS 130-A.

~~*Launderette and* L~~*laundromat* means a facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Lawful nonconformity means any nonconformity involving a dimensional or numerical requirement or use of property that affects a structure erected or a lot created in conformity with the then-applicable development requirements of the town, but subsequently made nonconforming by action of the town through a zoning map or unified development code amendment. For non-construction related purposes such as but not limited to, financing, appraisals, or zoning verification, a lawful nonconformity shall be regarded as conforming.

Libraries, museums and art galleries means a room or building for exhibiting, or an institution in charge of, a collection of books, artistic, historical, or scientific objects.

Lodging means a land use that includes the renting of room(s) for transient stays. A single-family dwelling, or any portion thereof, rented or leased for intervals of less than one month is considered a "lodging" use.

Lot means a parcel of land occupied or intended for occupancy for a building together with its accessory building. For the purposes for this chapter, the term "lot" means any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are to be erected.

Lot, corner means a lot abutting two or more streets at their intersection, provided that the corner of such intersection has an angel of 135 degrees or less, measured on the lot side.

Lot line means a line which marks the boundary of a lot.

Lot line, front means in the case of an interior lot, the lot line separating said lot from the street; in the case of the corner lot or through lot, the lot line separating said lot from the street which is designed as the front street in the request for a building permit.

Lot line, rear means the lot line opposite and most distance from the front lot line; in the case of irregularly-shaped lots, such lot line shall be an imaginary

Lot line, side means any lot line which is not a front lot line or a rear lot line; a lot line separating a lot from a side street is an exterior side lot line, while a lot line separating a lot from another lot, or lots, is an interior side lot line.

Lot coverage means the area under a roof and enclosed by the exterior permanent walls.

Lot of record means any lot or parcel of land that was lawfully created and recorded by a subdivision or a lawfully created unit of land that was created by deed or land sales contract prior to the town's subdivision regulations.

Lot width means the distance between the side lines of a lot measured at the front building setback line.

Low explosives means any explosive materials which can be caused to deflagrate when confined, but do so at less than the speed of sound (for example, black powder, safety fuses, igniters, igniter cords, fuse lighters and "display fireworks" classified as UNO333, UNO334, UNO335 by the U.S. Department of Transportation regulations at 49 CFR 172.101, except for bulk salutes as defined by the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms/Federal Explosives Law and Regulations).

Machine shop (see also welding shop) means a workshop where metal is cut and shaped etc., by machine tools

Mall. See *shopping center*.

Manufactured home means a transportable structure suitable for year-round single-family occupancy and having water, electrical, sewage connections similar to those of conventional dwellings.

Manufactured home park means any parcel of land under one ownership that has been planned and improved for the placement of two or more mobile homes for rental purposes for non-transient use.

Manufacturing, heavy means the assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, vibrations, or health and safety hazards; or that otherwise do not constitute "light manufacturing"; or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds 25 percent of the floor area of all buildings on the lot.

Manufacturing, light means the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, vibrations, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place; where such processes are housed entirely within a building; or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed 25 percent of the floor area of all buildings on the property.

Meat market means a building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.

Medical and dental clinics means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, massage therapy, and other health care professionals, or similar professions.

Metal fabricating plants means the assembly of metal parts including blacksmith and welding shops, sheet metal shops, machine shops, that produce metal duct work, tanks, towers cabinets, and enclosures, metal doors and gates, and similar products.

~~*Mini storage warehouses* means the operation of warehousing and storage wherein the storage capacity of individual units is less than 1,000 square feet of floor area and individual keys are provided to lock each unit during the term of a rental agreement.~~

Mini-warehouse means a building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customers' goods or wares.

Mixed use (also mixed commercial and residential use) means a building where the primary use is commercial and a residence is attached vertically or horizontally to the commercial structure.

Multiple-tenant development means a development in which there exists a number of individual and or separate activities and in which there are appurtenant shared facilities (such as parking areas or pedestrian mall areas).

MUSEUM. A building used for collecting and displaying objects having scientific, historical or artistic value.

~~*Newspaper office* means a publication, printed on newsprint, intended for general circulation, and published regularly at short intervals, containing information and editorials on current events and news of general interest. The events and news of general interest. The term "newspaper" does not include magazines, trade publications or journals, credit bulletins, and advertising inserts, circulars, directories, maps, racing programs, reprints, newspaper clipping and mailing services or listings, publications that include an updating or revision service, or books or pocket editions of books.~~

Nightclub means any commercial establishment serving alcoholic beverages and/or providing entertainment for patrons, including bars, lounges, taverns, cabarets, and similar establishments.

Noncommercial parks, playgrounds, and community centers (public and private) means a place, structure, area, or facility used for and providing religious, fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. Also includes clubs, lodges, golf courses, swimming pools and fishing lakes.

Nonconforming lot means any lot of record which does not meet the minimum area, width or open space requirements established in these regulations or any amendment thereto, whichever may be applicable.

Nonconforming open use of land means a use not enclosed by a building and which was in existence prior to the effective date of this chapter or at the time the lot was brought into the town's jurisdiction and which would not be permitted by this chapter in the zoning district in which it is located. An open use of land may be the principal use or ancillary to another use on the property.

Nonconforming structure means any structure, lawfully existing on the effective date of these regulations or on the effective date of any subsequent amendments to these regulations or the zoning maps which render such structure nonconforming, which does not comply with all standards and regulations of this ordinance or any amendments thereto, whichever may be applicable.

Nonconforming use means a nonconformity involving the use of the property when that use was lawfully established. This may include, without limitation, nonconformities associated with a use not permitted in the zoning district in which it is located, a use specially allowed in the zoning district in which it is located but for which no special use permit has been obtained, or residential density that exceeds the maximum permitted in the zoning district in which it is located.

Nursing and/or rest home means a facility that provides residentially based services for people who require constant nursing care and have significant deficiencies with activities of daily living. Residents include the elderly and younger adults with physical or mental disabilities.

Occupied building means a residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when a permit application is submitted.

Off-street loading space means an off-street area with a minimum width of twelve (12) feet, a minimum depth of sixty (60) feet and have a vertical clearance of sixteen (16) feet above finished grade of the space for the purpose of loading and unloading delivery and transfer trucks without interference with required off-street parking areas.

Offices (business, professionals, and public) means administrative, executive, professional, research, or similar organizations, and laboratories having only limited contact with public, provided that no merchandising services are sold on the premises, except such as are incidental or accessory to the principal permissible use.

Outdoor advertising sign or billboard means an outdoor structure or display, pictorial or otherwise, either freestanding or attached to a building, which advertises or attracts attention to a business, commodity, service, or other activity, conducted, sold, or offered elsewhere than on the premises where displayed.

Outdoor storage yard means an outdoor area used for storage.

Outdoor recreation means recreational uses conducted almost wholly outdoors, including golf driving ranges, go-cart track, riding stables, miniature golf, firing ranges, water parks, amusement parks, and similar uses.

Paper products manufacturing means the manufacturing of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper etc.

Parapet means that portion of a building wall that rises above the roofline.

Parking space means a graded and surfaced area of at least nine feet wide and 18~~9~~ feet long, either enclosed or open, for the parking of a motor vehicle, having adequate ingress or egress to a public street or alley.

Permanently affixed means anchored to a foundation.

Person means an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative.

~~*Photographic studios and camera supply stores* means a facility primarily engaged in the retail sale, lease, and service of photography equipment and supplies, including limited on-site processing or development.~~

Photovoltaic system means an active solar energy system that converts solar energy directly into electricity.

Plastic products manufacturing means the manufacturing of rubber products including rubber footwear; mechanical rubber goods; heels and soles; flooring; and rubber sundries from natural, synthetic, or reclaimed rubber. Also includes establishments engaged in molding primary plastics for the trade and manufacturing miscellaneous finished plastics products; fiberglass manufacturing; and fiberglass application services.

Principal building means a building in which is conducted the principal use of the lot on which it is located.

Principal use means the primary use and chief purpose for which a lot is used.

Printing and reproduction establishments means a commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing.

Public and private elementary schools means a public or private schools offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the state.

Public road means a full passage right-of-way, dedicated to the public and constructed to meet NCDOT road standards.

Public safety facilities means a government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities.

Public works and public utility facilities means any improvement facility or service, together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy, or similar essential services.

Race track, drag strip; speedway means a facility for racing of automobiles, motorcycles or other motorized vehicles.

Radio and television station means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished using electronic and telephonic mechanisms excluded are facilities classified as major utility services or broadcasting or communication towers typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities.

Recreation, active means leisure-time activities, usually of a formal nature and often preformed with others, requiring equipment and taking place at prescribed places, sites or fields. Active recreation space may include facilities such as ball fields, tennis courts, or swimming pools, or tot-lots and other similar type play areas. Active recreation space may also be used for picnicking, boating, fishing, swimming, outdoor games and sports, equestrian activities, and activities incidental and related to the foregoing, all on a non-commercial basis.

Recreation, passive means activities that involve less equipment than active recreation and are unorganized activities, such as walking, bicycling, or picnicking.

Recycling drop-off center means a facility where residents may drop off recyclable materials separated or bundled.

Renovation means the repairing or remodeling of a structure in which the exterior walls, foundation and roof are maintained structurally intact.

Restaurants (also eating and drinking establishments) means ~~any establishment, however designated, at which food is sold for consumption on the premises to patrons seated within an enclosed building, or elsewhere on the premises. Also includes drive-in restaurants.~~ any establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or method of operation provides for consumption of foods, frozen desserts or beverages within the restaurant building, within a motor vehicle parked upon the premises, off-premise consumption (to-go orders), or at other facilities on the premises outside the building. This definition does not include bars, nightclubs, lounges, hookah or cigar bars.

Retail establishment means a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser, where products include but are not limited to clothing, fabric, shoes, varieties, notions, drugs, hardware, furniture, appliances, floor coverings, paints, antiques, art goods, jewelry, gifts, music, toys, sporting goods, books and stationary, magazines, candy, tobacco, pets, hobbies, and crafts.

(1) Retail, large means any individual tenant greater than 20,000 sq ft gross floor area.

(2) Retail, small means any individual tenant 20,000 square feet or less in gross floor area.

Retreat center; rural resort; conference center means a public or private establishment consisting of a detached structure or structures located in a rural setting in which lodging units are offered as the principal use, along with conference and meeting facilities, restaurant and/or banquet facilities, and recreational or outdoor amenities principally intended for vacationing, relaxation and conference activities for visitors to the community. It may include single-family dwellings (attached or detached) guest homes, or an accessory apartment to be used only by employees or owners of the resort and retreat. Permitted also are commonly incidental, recreation-oriented uses, including golf courses, horseback riding, swimming, tennis, and other similar outdoor activities; as well as facilities contained within the principal resort building.

Riding academy means a commercial establishment offering facilities for the teaching and practice of horseback riding and the boarding and care of horses and ponies.

Roof pitch means the final exterior slope of a building roof calculated by the rise over the run, typically but not exclusively expressed in twelfths such as 3/12, 9/12, 12/12.

Rooming house means a building which contains more than three (3), but fewer than ten (10) guest rooms which are let to individuals for compensation.

Sanitary sewage system means an approved sanitary sewage system means a complete system collection, treatment and disposal and includes.

(1) connection to a public, community, or municipal sewage treatment and disposal system.

(2) connection to a private or individual septic tank and ground absorption sewage treatment and disposal system with its collection and treatment components.

(3) proper and specific approval, including permits, operation, and maintenance, from the governing bodies and agencies having jurisdiction.

Sawmills means a facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

School, primary or secondary means an institution where academic or technical instruction is given to persons under college age.

Self-contained travel trailer means a travel trailer which may operate independently of connections to electricity, water, and sewer for a limited period of time, having its own battery or LP gas system or both, to operate lights, refrigerator, stove, and heater; having a water tank with a pressure system; and having a holding tank with a toilet.

~~*Service stations* means any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.~~

Setback line means a line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

Sewage pumping station means a facility including pumps and equipment for pumping sewage from one place to another. Installed where gravity sewer lines are not sufficient.

Shadow flicker means a visible flicker effect when rotating turbine blades cast shadows on the ground and nearby structures causing the repeating pattern of light and shadow.

Shopping center means a group development of commercial or retail establishments which are planned and developed and owned or managed as a unit with off street parking provided on the premises.

Short-term rental (STR) means a lodging use that occurs within a single dwelling unit containing a maximum of three bedrooms that is rented to transients for compensation for a period of less than one month.

Sight visibility triangle means an unoccupied triangular space at the intersection of highways or streets with other highways or streets or at the intersection of highway or streets with railroads. Such vision clearance triangle shall be bounded by the intersection highway, street, or railroad right-of-way lines and a setback line connecting points located on such right-of-way lines by measurement.

Sign, on-site means a sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises. On-site signs do not include signs erected by the outdoor advertising business.

Single tenant means a single business establishment, activity or use.

Site plan means a scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision, and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

Skirting means as related to manufactured homes, skirting shall be of noncombustible material or material that will not support combustion. Skirting material shall be durable and suitable for exterior exposures. Any wood framing used to support the skirting shall be of approved moisture resistant treated wood. Skirting manufactured specifically for this purpose shall be installed in accordance with the manufacturer's specifications.

Small electric and appliance repair shops means establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, or repair of musical instruments.

Soffit means the underside of a structural component such as an arch, beam or cornice.

Solar farm means a use where a series of solar collectors are placed in a area for the purpose of generating photovoltaic power for an area greater than the principal use on the site. Also referred to as solar power plant and solar photovoltaic farm.

Special event means a temporary outdoor activity held on public or private property, including, but not limited to, seasonal sales, the display of goods and merchandise associated with a retail use, community or cultural events, music or arts events, performances, celebrations/parties, festivals, fairs, and carnivals.

Street means a dedicated and accepted public right- of-way for vehicular traffic which affords the principal means of access to abutting properties.

Street, local street means a local street is any link not a part of a higher-order urban system and serves primarily to provide direct access to abutting land and access to higher systems. It offers the lowest level of mobility and through traffic is usually deliberately discouraged.

Street, minor thoroughfares means are important streets in urban systems and perform the function of collecting traffic from local access streets and carrying it to the major thoroughfare system. Minor thoroughfares may be used to supplement the major thoroughfare system by facilitating a minor through-traffic movement and may also serve abutting property.

Street, major thoroughfares means an interstate, other freeway and expressway links, and major streets that provide for the expeditious movement of high volumes of traffic within and through urban areas.

Street, alley means a strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or site of properties otherwise abutting on a street.

Street, cul-de-sac means a short street having but one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided.

Street, freeway means a freeway is a divided street or road which serves through traffic with full control of access and with grade separations at all intersections.

Street, private means an undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with GS 136-102.6. Emergency and other public services may not be provided over such private streets, and they shall be privately maintained.

Street, public means a street located on a right-of-way dedication under the requirements of this Ordinance and maintained by the Town of Woodfin or the NC Department of Transportation.

Street frontage means that portion of a lot abutting a publicly-maintained street or alley.

Structure means any erection or construction, such as buildings, towers, mash poles, booms, signs, decorations, carports, machinery, and equipment excluding utility lines and appurtenances.

Subdivision means the divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets as specified in NCGS 160D-802.

Switching station. See Telephone Exchange.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Improvements, modifications, and additions to existing buildings are counted cumulatively for at least three years.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, renovation, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure before the start of construction of the improvement or when an existing building is structurally altered such that the gross floor area is increased by more than 25 percent. Improvements, modifications, and additions to existing buildings are counted cumulatively for three years. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement of a structure to correct existing violations of state or local health, sanitary, or safety codes specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe conditions; or (2) any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantial modification (wireless communications) means the mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. The burden is on the local government to demonstrate that a mounting that does not meet the listed criteria constitutes a substantial change to the physical dimensions of the wireless support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the following criteria:

(1) Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet.

(2) Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes

horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.

(3) Increasing the square footage of the existing equipment compound by more than 2,500 square feet.

Taxicab business means a service that offers transportation in passenger automobiles and vans to persons including those who are handicapped in return for renumeration. The business may include facilities for servicing, repairing, and fueling taxicabs or vans.

Telephone exchange means a building housing equipment that establishes connections between telephones.

Temporary health care structure means a transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the State Building Code and G.S. 143-139.1(b).

Theatres, indoor means a building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Townhouse development means a development of one or more structures containing a total of two or more units intended for owner occupancy, where ownership of the land beneath each unit runs with that unit, where units and the individually owned lands on which they rest do not meet conventional lot requirements for street frontage and yard sizes, and where walls between units are constructed in accordance with North Carolina state building code requirements.

Trademark means a name, symbol, or other device identifying a product which is officially registered and legally restricted to the use by its owner.

Travel trailer park and campground means an outdoor area designed to accommodate non- permanent travel trailer and recreational vehicles on a temporary basis. Electrical, cable, water and sewage hookups may be provided on site.

Truck stop means an establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews.

Use means the purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Utilities means public, quasi-public or private facilities such as water well water and sewage pumping stations, water storage tanks, power and communications transmission lines, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, gas regulation stations, sewage disposal plants, sludge incinerators, warehouses, shops, and storage yards.

Utility pole means a structure that is designed for and used to carry lines, cables, wires, lighting facilities, or small wireless facilities for telephone, cable television, electricity, lighting, or wireless services.

Utility pole, city means a pole owned by a city (i) in the city right-of-way that provides lighting, traffic control, or a similar function and (ii) as part of a public enterprise owned or operated by a city pursuant to Article 16 of Chapter 160A of the General Statutes consisting of an electric power generation, transmission, or distribution system.

Utility sub-station means a collection of switching, protection and control equipment including transformers used for electricity transmission.

Utility tower means a tower used to carry electrical transmission wires or other physical lines of communication.

Vending kiosk means a free-standing machine intended to facilitate a commercial transaction resulting in the dispensing of products or goods in an automated fashion, such as self-service ice dispensary.

Veterinary clinic means a use or structure intended or used primarily for the testing and treatment of the physical disorders of animals; not principally used for the overnight boarding or grooming of well animals; not permitting outdoor cages, pens, or runs for the confinement of animals unless expressly permitted in the district; and not used for the training of animals.

Violator means any person or entity that owns, leases, rents, occupies, manages, or builds any structure or engages in any land development activity in violation of this Ordinance and any person or entity that owns, leases, rents, or occupies a use in violation of this Ordinance.

~~*Vision clearance* means an unoccupied triangular space at the intersection of highways or streets with other highways or streets or at the intersection of highway or streets with railroads. Such vision clearance triangle shall be bounded by the intersection highway, street, or railroad right-of-way lines and a setback line connecting points located on such right-of-way lines by measurements from their intersection as specified in this chapter.~~

Warehouse means ~~a building used primarily for the storage of goods and materials~~ a commercial building for storage of goods. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, etc.

Wastewater treatment plant means a facility that receives influent wastewaters (and sometimes runoff accumulated in the collection system) from domestic and/or industrial sources and, by a combination of physical, chemical, and biological processes.

Water tank & tower means a standpipe or elevated tank used as a reservoir or for maintaining equal pressure in the water supply system.

Water treatment plant means a facility that treats raw water so that it is safe for human consumption. A water treatment plant may treat water from a reservoir using four distinct processes: coagulation, sedimentation, filtration, and disinfection.

Wholesale, bulk storage means the storage of bulk materials, supplies and/or equipment in a warehouse setting.

Wholesale establishments means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies this is not considered a general commercial use.

Wind energy facility means an electric generating facility, whose main purpose is to supply electricity, consisting of one or more Wind Turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures & facilities. For the purpose of this Ordinance, the term does not apply to roof-mounted or building integrated roof mounting systems.

Wind energy facility, principal use means a wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a total rated capacity of more than 25 kW.

Wind energy facility, accessory use means a single system designed to supplement other electricity sources as an accessory use to existing buildings or facilities, wherein the power generated is used primarily for on-site consumption. A small wind energy conversion system consists of a single wind turbine, a tower, and associated control or conversion electronics, which has a total rated capacity of 25 kW or less.

Wind power means power that is generated in the form of electricity by converting the rotation of turbine blades into electrical current by means of an electrical generator.

Wind turbine means a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and may include a nacelle, rotor, tower, and pad transformer.

Wind turbine height means the distance measured from grade at the center of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

Wine tasting room means a facility in which wine products grown or processed on the owner's bona fide farm may be tasted and sold, including the following associated uses: gift/retail sales, assembly areas, meeting rooms, dining and catering facilities, and a restaurant facility, if expressly requested and permitted. A facility operated in association with an existing vineyard and located on the same property, or multiple adjoining properties in same ownership.

Winery means a manufacturing facility or establishment engaged in the processing of grapes to produce wine or wine-like beverages as defined by the North Carolina General Statutes.

Wireless, micro facility means a small wireless facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

Wireless, small facility means a wireless facility that meets the following qualifications:

a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.

b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

Wireless support structure means a new or existing structure, such as a monopole, lattice tower, or guyed tower that is designed to support or capable of supporting wireless facilities. A utility pole or a city utility pole is not a wireless support structure. This does not include amateur radio antennas.

Wireless telecommunication towers & facilities (co-location) means the placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, city utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes. The term does not include the installation of new utility poles, city utility poles, or wireless support structures. When placed on existing towers, there must be no increase in height of existing tower, and must present site plan showing the location of equipment structures to be located within previous approved fenced-in area.

Wireless telecommunication towers, concealed means a tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two types of concealed facilities:

(a) Antenna attachments. Antenna attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers, or other architectural features that blend with an existing or proposed building or structure; and

(b) Freestanding. Freestanding concealed towers usually have a secondary, obvious function which may include church steeple, windmill, bell tower, clock tower, light standard, flagpole with or without a flag, or tree.

Wireless telecommunication towers (monopole) means a single steel pole erected for the purpose of transmitting or receiving signals, including, without limitation, telephone, radio, television, cable television, or microwave signals.

Yard means a space on the same lot with a principal building, open, unoccupied and unobstructed by buildings or structures from ground to sky, except where encroachments and accessory buildings are expressly permitted.

Yard, front means an open, unoccupied space on the same lot with a principal building, extending ~~a~~ the full width of the lot and situated between the street or property line and the front line of the building projected to the side lot lines of the lot.

Yard, rear means an open, unoccupied space on the same lot with the principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lot lines of the lot.

Yard, side means an open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line extending from the rear line of the front yard to the front line of the rear yard.

Zoning administrator means the Town of Woodfin employee or employees appointed by the Town Manager to have overall responsibility for the enforcement and interpretation of this Ordinance, to include zoning officers, planners and the planning director.

Zoning approval means an approval issued by the Zoning Administrator which authorizes the use of land as permitted by the Ordinance. A Zoning Approval shall be obtained prior to establishment of a use within a zoning district.

(Ord. of 5-18-2021; Ord. of 12-21-2021; Ord. of 2-15-2022(2); Ord. of 5-17-2022(3); Ord. No. 2022-0802, § 1, 8-16-2022; Ord. No. 2022-151101, § 1, 11-15-2022; Ord. No. 2022-151102, § 1, 11-15-2022; Ord. No. 2023-024, § 1, 10-17-2023; Ord. No. 2023-026, § 1, 11-21-2023)

Sec. 54-143. Uses allowed. Only the following permitted "P", limited "L" and special "S" uses may be allowed in any district as enumerated in the following table~~:~~. Use marked as “EXP” are expressly prohibited in the district.

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
Residential	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Single-family dwellings	P	P	P	P		S	S	P	P				
Two-family dwellings			P	P		S	S	P	P				
Multi-family dwellings			P	P		S	S	P	P				
Manufactured Home – Class A	P	P	P	P				P				P	P
Manufactured Home – Class B												P	P
Manufactured Home – Class C													P
Manufactured Home Community													P
Accessory Dwelling Units	L	L	L	L				L	L				
Rooming and Boarding house						P	S						
Business	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Adult entertainment establishment	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	S	EXP	EXP
Animal hospitals					S	S	S			S	S		
Animal shelter											P		
Assembly halls, arena, armories, ballrooms, auditorium; indoor					P		P						
Assembly halls, arena, ballrooms, auditorium; outdoor					S		S						
Auction sales, except livestock					S		S			P	P		
~~Automobile parts and supplies, retail~~					~~P~~		~~P~~			~~P~~	~~P~~		
Automobile car wash					P	S	P						

Automobile repair garages and service stations, but excluding body works and open storage of wrecked cars					P		P			P	P		
Automobile repair garages, including body works and open storage of wrecked cars							S			S	P		
Automobile sales, new and used					P		P			P	P		
Bakeries, retail					P	S	P	S		P			
Business	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Banks and other financial institutions, including loan and finance companies					P	P	P		P				
Barber and beauty shops					P	P	P	S	P				
Billboard (off premise outdoor advertising)	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP
Boat and trailer sales and repair					P		P			P	P		
~~Car wash~~					~~P~~	~~S~~	~~P~~			~~P~~	~~P~~		
~~Catalogue sales~~					~~P~~	~~P~~	~~P~~		~~P~~				
Campground, travel trailer parks						S	P						
Cemetery	S	S	S	S			S		S				
Commercial recreation facility, indoor					P	P	P						
Commercial recreation facility, outdoor							S						
Conference and training centers; rural resort and retreat centers						P	P						
Confections, ice cream, and other sundries ~~Dairy bars~~ and ~~ice cream~~ manufacturing for retail sales on the premises only					P	S	P		P				
Convenience store					P	P	P						

Country Club	S	S	S	S	S	S	S	S					
Day care center					P	P	P	P	P				
Day care home	P	P	P	P	P	P	P	P	P				P
Drive-in theater							S						
Drive-through service window, accessory to a use permitted in the district					P	S	P		P				
~~Dry cleaning and laundry pickup stations~~					~~P~~	~~S~~	~~P~~						
~~Electrical wholesale supply house and repair shops~~							~~S~~			~~P~~			
Exterminators						S	S			P	P		
Family care home	P	P	P	P		P		P	P				
Farm machinery sales							P						
Farm supplies sales~~ Feed and seed stores~~					P	~~S~~ P	~~S~~ P			S	S		
Firing range, indoor											P		
Firing range, outdoor											S		
Flea market, indoor or outdoor							P						
Floral shops					P	P	P	P	P				
Fuel oil dealer										P	P		
Funeral homes and mortuaries					P	S	S			P			
~~Game and amusement rooms, including pool halls, bowling alleys and skating rinks~~					~~S~~		~~S~~			~~S~~			
Group care facility; group home			S	S		P	P		P				
Homestay	L	L	L	L				L					
Home occupation	L	L	L	L				L	L			L	L
Hotels, motels, inns					P	P	P			~~P~~			
Jewelry repair and pawn shops					P	P	P						
Kennels, commercial/stand alone					S	S	S			~~P~~	~~P~~		
~~Launderette and~~ laundromats coin operated and open to public					P	S	P			~~P~~			

Laundry facility, institutional							S			P			
Locksmiths and gunsmiths					P	P	P			P			
Manufactured home display area							S			~~P~~	~~P~~		
Meat markets, retail only, but excluding the killing or dressing of any flesh or fowl					P	P	P			P			
~~Business~~	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Medical and dental clinics; hospitals					P	P	P		P	~~P~~			
Microbrewery					P	P	P	P	P				
~~Miniature golf, disc golf, batting cages,~~					~~P~~	~~P~~	~~P~~			~~P~~			
Nightclubs, bars, lounges, hookah or cigar bars					S		P						
~~Newspaper offices~~					~~P~~	~~P~~	~~P~~			~~P~~			
~~Office supplies and equipment, sales and service~~				~~P~~	~~P~~	~~P~~	~~P~~		~~P~~				
Offices, business, and professional services ~~and public~~					P	P	P	S	P	P	P		
~~Opticians and optical goods stores~~					~~P~~	~~P~~	~~P~~		~~P~~				
~~Outdoor recreation uses such as go-cart track, and riding stables~~							~~S~~				~~P~~		
Parking, principal use					P	P	S						
Pawn shops					P	S	P						
~~Photographic studios and camera supply stores~~					~~P~~	~~P~~	~~P~~	~~S~~	~~P~~				
~~Printing and reproduction establishments~~						~~P~~	~~P~~			~~P~~	~~P~~		
Printing, engraving ~~and~~ publishing, and reproduction establishments						P	P			P	P		
Race track, drag strip, speedways											S		
Radio and television stations					P	S	S			P	P		
~~Radio and television repair shops~~					~~P~~	~~P~~	~~P~~		~~P~~	~~P~~			
Recycling drop-off center							P		P	P	P		

Rest and ~~convalescent~~ nursing homes		~~S~~	S	S		S	~~S~~ P			~~S~~			
Restaurants, quick and seated service; ~~including drive-in~~ drive thru permitted separately					P	P	P		P	~~P~~	~~P~~		
Retail establishments not otherwise listed, small					P	~~S~~ P	P						
Retail establishments not otherwise listed, large							P						
Riding academy	S						P						
~~Service stations~~					~~S~~		~~S~~			~~S~~	~~P~~		
~~Shoe repair and shine shops, seamstress, and tailors~~					~~P~~	~~P~~	~~P~~		~~P~~				
Short-term rental					L	L	L			~~L~~			
~~Small electric and appliance repair shops~~					~~P~~	~~P~~	~~P~~						
~~Tailor, dressmaking and millinery shops~~					~~P~~	~~P~~	~~P~~		~~P~~				
Tattoo shop, piercing studios					P	P	P						
Taxicab stands and bus stations					P		S						
~~Telephone and telegraph offices~~					~~P~~	~~P~~	~~P~~						
Theatres, indoor					P	P	P			~~P~~			
Truck stop							S			P			
Vape and tobacco stores					P	S	P						
Vending kiosk, accessory use only					P	S	P						
Veterinary clinic, no kennel					P	P	P						
Veterinary clinic, kennel/boarding					S	S	S						
Warehousing, except for the storage of dangerous ~~or offensive~~ items ~~such as uncured hides~~ or explosives (does not include mini-storage)					P		S			P	P		
Wholesale establishments							S			P	P		
Winery					P	S	P				P		

Industrial	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Industrial, Light							P			P	P		
Industrial, Heavy											P		
Automobile wrecking and junkyards											S		
Building ~~materials storage and~~ supply sales yards							S			~~S~~ P	~~S~~ P		
Concrete and/or asphalt production plant											S		
Contractors' offices with the interior storage of materials					P					P	P		
Contractors' offices with storage yards							S			S	S		
Crypto-currency mining; data/server farms											S		
Electrical generation facility											P		
Extraction of earth products											S		
~~Farm machinery, sales and repairs~~							~~S~~			~~S~~	~~S~~		
~~Flour and feed mills~~											~~P~~		
~~Freezer lockers and ice plants~~							~~S~~			~~P~~	~~P~~		
Freight terminal, truck or rail											P		
~~Industrial supplies and equipment, sales and service~~							~~S~~			~~S~~	~~S~~		
~~Metal fabricating plants, including boiler and tank works~~											~~P~~		
Mini storage warehouses										P	P		
~~Planting works~~											~~P~~		
~~Plumbing and heating supply houses~~							~~S~~			~~P~~	~~P~~		
Sawmills, ~~planning mills, pallet and basket factories~~											P		
~~Sheet metal, roofing, plumbing, heating and refrigeration shops~~							~~S~~			~~P~~	~~P~~		

Wholesale storage of gasoline and oil products, including bottled gas and oxygen										P	P		
~~Manufacturing~~	~~R43~~	~~R21~~	~~R10~~	~~R7~~	~~CS~~	~~CS2~~	~~CS3~~	~~MV~~	~~TR~~	~~LI~~	~~HI~~	~~MHO~~	~~MHC~~
~~Air conditioning and heating equipment manufacturing~~											~~P~~		
~~Alcohol and alcohol beverage manufacturing~~					~~S~~		~~S~~			~~P~~	~~P~~		
~~Amusement, recreational and sporting goods manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Apparel and clothing manufacturing, including hosiery~~							~~S~~			~~P~~	~~P~~		
~~Apple packing sheds~~											~~P~~		
~~Automobile parts and accessories manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Bakeries and other establishments manufacturing prepared food products for wholesale distribution~~						~~S~~	~~P~~			~~P~~	~~P~~		
~~Bedding and carpet manufacturing and cleaning establishments~~							~~S~~			~~P~~	~~P~~		
~~Belting and brake lining manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Boat and trailer repairs manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Bottling works~~							~~S~~			~~P~~	~~P~~		
~~Bowling alleys and skating rinks~~					~~P~~		~~P~~			~~P~~	~~P~~		
~~Business machines manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Cabinet, caskets and woodworking shops~~							~~S~~			~~P~~	~~P~~		
~~Carbon and battery products manufacturing~~											~~P~~		
~~Coffee, tea and spices processing~~							~~S~~			~~P~~	~~P~~		

Drugs, medicines, and cosmetics manufacturing							S			P	P		
Dry cleaning and laundry plants							S			P	P		
Manufacturing	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Electrical appliances and electronic equipment manufacturing							S			P	P		
Felt and sandpaper manufacturing							S			P	P		
Fertilizer manufacturing and sales											P		
Furniture manufacturing						S	S			P	P		
Furriers and fur storage					P		P			P	P		
Glass, ceramic and tile manufacturing							S			P	P		
Hardware and housewares manufacturing							S			P	P		
Hotels, inns and motels					P	S	P			P			
Insulation materials and wall board manufacturing							S			P	P		
Leather products, including luggage and shoe manufacturing							S			P	P		
Musical instrument manufacturing						S	S			P	P		
Paper products manufacturing						S	S			P	P		
Plastic products manufacturing										P	P		
Pottery, porcelain, or vitreous china manufacturing											P		
Precision instruments manufacturing							S			P	P		
Printing plants						S	S			P	P		
Textile and cordage manufacturing							S			P	P		

~~Trailer manufacturing~~							~~S~~			~~P~~	~~P~~		
~~Window and door manufacturing~~							~~S~~			~~P~~	~~P~~		
Civic, Educational, and Governmental	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
~~Assembly halls, coliseums, armories, ballrooms, and similar structures~~					~~P~~		~~P~~			~~P~~	~~P~~		
Business colleges, barber and beauty colleges and schools, music and dance studios					P	P	P	S	P	~~P~~			
~~Churches and their customary~~ Places of Worship incl. accessory related uses (on-premise graveyards child care, etc).	S	S	S	S	~~S~~ P	~~S~~ P	~~S~~ P	S	S	S	S		
Clubs and lodges, fraternities, sororities, and social, civic, and other similar organizations operating on a nonprofit basis					P	S	S	S		P	P		
Essential services, Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential services, Class 2	S	S	S	S	P	P	P	S	P	P	P	S	S
Essential services, Class 3											P		
Industrial trade schools and research laboratories					P	S	S			P			
~~Kindergartens and day nurseries~~			~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~P~~	~~S~~	~~S~~		
Libraries, museums and art galleries					P	P	P	P	P	~~P~~			
Noncommercial, public or private parks, playgrounds, community centers, clubs and ~~lodges~~, golf courses, swimming pools and fishing lakes	P	P	P	P	P	~~S~~ P	~~S~~ P	P	P	~~P~~	~~P~~	P	P
Public elementary schools and private schools having curricula approximately the same as ordinarily given in public schools	P	P	P	P	P	S	P	~~S~~ P	P	P			

Public safety facilities such as fire and police stations and rescue squad headquarters	~~S~~ P	~~S~~ P	~~S~~ P	~~S~~ P	~~S~~ P	~~S~~P	~~S~~P	P	P	~~S~~ P	~~S~~ P	P	
Public works ~~and public utility~~ facilities, sanitation and streets						S		~~S~~	P	S	~~S~~ P		
~~Public works and public utility facilities such as transformer stations, pumping stations, water towers and telephone exchanges~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~		
~~Public works and utility facilities, but excluding service and storage yards~~					~~P~~	~~S~~	~~S~~	~~S~~		~~P~~			
Solar farm										P	P		
Wind energy facility											S		
Wind energy facility, accessory use	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless telecommunication co-locations; including mico-cells	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless telecommunications, tower and facilities; maximum of 100 feet					S	S	S		S	S	P		
Wireless telecommunications, concealed tower; maximum of 100 feet	S	S	S	S				S	P	P	P	S	
Other	R43	R21	R10	R7	CS	CS2	CS3	MV	TR	LI	HI	MHO	MHC
Any form of agriculture or horticulture, including the sale of products on the property where produced	P	P	P	P	P	P	P	P	P	P	P		
~~Customary incidental home occupation~~	~~P~~	~~P~~	~~P~~	~~P~~		~~P~~	~~P~~	~~S~~					
Group development			S	S	S	S	S		S	S	S		

(1) Special uses shall be permitted in specified districts after review and approval by the planning board of adjustment in accordance with procedures and standards established in section 54-69, section 54-144 and other standards identified elsewhere in this chapter.

RECOMMENDATION FROM TOWN OF WOODFIN PLANNING BOARD OF ADJUSTMENT TO WOODFIN TOWN COUNCIL

Having reviewed the **Table of Uses and Definitions Text Amendments** of the Town of Woodfin Code of Ordinances for amendments to Zoning (Ch. 54) Ordinances on **April 2, 2025,** and having considered information from the planning staff of the Town of Woodfin along with comments from other persons, pursuant to 160D-604(d), the Town of Woodfin Planning Board of Adjustment hereby adopts the following motion, effective April 2, 2024:

The Town of Woodfin Planning Board of Adjustment hereby advises the Town of Woodfin Town Council that the proposed text amendment is reasonable and in the public interest and consistent with the ***Woodfin Together*** Comprehensive Plan because the proposed text amendment will:

1. Balance the supply of land for housing and employment and protect land for economic development and ensure an adequate supply of appropriately located and sized employment space (3.1.5, 3.2.5)
2. Support initiatives to transition toward a green economy and encourages construction of developments that use renewable energy, design, and infrastructure that reduces pollution and energy costs (3.2.2, 3.3.2)
3. Make government decision-making accessible and transparent to all residents while updating development standards to minimize risk from new development. (4.4.3, 5.4.2)

Vote:

Ayes/No

This document is a true and accurate statement of the findings and recommendations of the Woodfin Planning Board of Adjustment.

_____ _____

Chair Date