Proposed changes are shown in red underline		
Word/Phrase	**Current Definition**	**Proposed Defnition**
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.	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 or ancillary 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		means 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, including definitions found in 14 202.10, as currently written or hereafter amended.
Agriculture and horticulture	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.	
Alteration	means any change because of construction, repair, maintenance or otherwise to buildings.	means any change because of construction, repair, maintenance or otherwise to buildings that does not result in an increase in the gross floor area or expand the structure in any horizontal or vertical dimension.
Animal shelter		means a facility that houses or contains animals that are seized, stray, homeless, quarantined, abandoned, or unwanted. Animal shelters are owned, operated, or maintained by a county, city, town, or other municipality, or by a nonprofit organization devoted to the welfare, protection, rehabilitation, or humane treatment of animals.
Applicant	means a person or entity filing an application under this ordinance.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	
Automobile repair garages Motor vehicle repair garage	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.	means any building, structure, improvements, or land used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work. Also referred to as vehicle repair shop. Junk vehicles or the operation of an automobile wrecking and junking yard are not permitted as part of this use.
Automobile sales (new and used) Motor vehicle sales	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. Sales of boats, recreational equipment, ATVs, motorcycles, trailers, tractors, and travel trailers are included within this definition.	
Bank and/or other financial institution	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.	
Billboard		(See Outdoor advertising sign).

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.
Brewery		means an establishment where beer and malt beverages are made on the premises at an annual beer production rate of over 15,000 barrels. A brewery of this scale is considered a heavy manufacturing use.
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.	means 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.
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.	
Building supply sales yard		means a business primarily engaged in selling building materials and construction supplies.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Campground		means an outdoor area designed to accommodate non-permanent travel trailers, tents, cabins, camper vans, and recreational vehicles on a temporary basis. Electrical, cable, water and sewage hookups may be provided on site.
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.	
Car wash	means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.	means a facility that is used to clean the exterior and/or interior of motor vehicles. Including but not limited to hand washing, coin-operated, automatic in-bay and tunnel washing.
Cemetery		means a tract of land used for burials not associated with a place of worship.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Clubs and lodges (nonprofit) Community center, clus and/or lodge	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.	means any government or non-profit 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, recreation, social service, welfare, education, civic, fraternal, or cultural activities.
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.	
Concrete and/or asphalt plant		means a manufacturing or processing plant in a fixed location associated with the storage of raw materials used in the production and mixing of concrete and/or asphalt products prior to their use or transportation.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Condominium		means a dwelling unit 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/or training center		means facilities used for business or professional conferences, seminars, and training programs.
Data center and/or server farm		means an establishment engaged in the storage, management, processing, and/or transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Includes crypto-currency mining.
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.
Day care home		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 5 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 5 adults who do not reside in the dwelling.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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-through		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. A drive-thru service window shall only be permitted as an accessory use.
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, accessory 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.
Dwelling, multiple-family Dwelling, multi-family	means a dwelling containing three or more dwelling units.	means a building containing three or more dwelling units.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Dwelling, single family detached		means a home on an individual lot or parcel of land intended, designed, used, and/or occupied by no more than one family.
Dwelling, single-family	means a dwelling containing one dwelling unit either attached, semi-attached, or detached.	
Dwelling, single-family attached		means a dwelling which occupies its own lot, but which is physically connected to one or more other dwellings. The lot line separating the lots is congruent with the part wall connecting the dwellings.
Eating and drinking establishment		means 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.
Eave line	means the extension of a roof line beyond the vertical wall of a building.	
Equipment rental		means an establishment that rents or leases construction tools or equipment to an entity for a period of time but does not transfer ownership of the tools or equipment to the entity renting or leasing it.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Essential service		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 communications shall be deemed accessory uses and not under this definition as Essential Services, provided no transmitter or antenna tower exceeds 40 feet in height, with the exception of 100 feet for governmental communications. Wireless telecommunications are not included within this definition. Essential Services are divided into three classes: (1) Class 1 means transmission lines (above and below ground) including electrical, natural gas, and water/wastewater distribution lines; small, enclosed facilities up to 200 square feet such as and including pumping stations, lift stations, and telephone switching facilities. (2) Class 2 means water storage tanks; package treatment plants; telephone switching facilities, substations, or other similar facilities used in connection with telephone, electric, steam, and water facilities greater than 200 square feet; raw water treatment facilities; battery storage facilities when accessory to a substation. (3) Class 3 means generation, production, or treatment facilities
Event venue, indoor		means a fully enclosed and conditioned space to watch and/or to hear athletic events, musical/dramatic performances, including auditoriums, arenas, stadiums, coliseums, athletic centers and theaters. Use of a membrane structure (e.g. tent) does not qualify as an indoor venue.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Event venue, outdoor		means an outdoor or partially enclosed space to watch and/or to hear athletic events, musical/dramatic performances including auditorium, arena, stadium, coliseums, athletic centers, theaters, and drive-in theaters.
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.	
Façade	means building sides including parapet and wing wall.	
Familial relationship, close	means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.	
Family		means any number of related persons, or up to five unrelated persons, living together as a single housekeeping unit.
Family care home		means a home that provides room, support and supervision to no more than six (6) persons with disabilities as defined in NC GS 160D-907(a)2
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.	
Freight terminal		means a collection and distribution point for trucks or freight.
Fuel oil dealer		means a facility and business used to warehouse and dispense various types of fuel oil.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Funeral home and mortuary	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.	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; (d) facilities for cremation where funeral home is permitted, a funeral chapel shall also be permitted.
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.
Grade	means the average level of the finished surface of the ground adjacent to the exterior walls of the building.	
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		means a residential facility for 12 or fewer persons that requires a license by the state of North Carolina.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	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) Apartments; (4)Shopping centers and; (5) Industrial parks.
Group living		means any residential facility, dwelling unit, and/or combination thereof that does not meet the definition of a family care home or group care home; Examples include boarding/rooming houses, half-way homes, dwellings occupied by 6 or more unrelated persons, fraternity and sorority houses. Lodging uses are not included under this definition.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	
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.
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.	
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. Shall also include any outdoor area containing more than five motor vehicles that do not display a current license plate, or are partially dismantled or wrecked, or cannot be self-propelled or moved in the manner in which it is intended to move.	
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.	means a commercial establishment wherein any person engages in business or practice, for fee, of boarding, breeding, 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.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Laboratory		means an analytical, experimental or testing 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. Construction and demolition landfills are also included in this definition.
Launderette and laundromat 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.	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 text 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.
Library, museum and/or art gallery	means a room or building for exhibiting, or an institution in charge of, a collection of books, artistic, historical, or scientific objects.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	means any land 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 that includes the renting of room(s) for transient stays. This includes any of the following hotels, motels, bed and breakfast inns, and short-term rentals. Use of a 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 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.	
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Manufactured home – Class A	means a multi section manufactured home with a permanent, masonry perimeter curtain wall, having siding consistent with standard residential construction and built/constructed in accordance with the standards established by the North Carolina Department of Insurance as set forth in the most current edition of the State of North Carolina Regulations for Manufactured Homes.	
Manufactured home – Class B	means a manufactured home that does not meet the definition of a Manufactured Home - Class A, meeting the following appearance criteria: continuous skirting under all sides of the home except for required ventilation and access; skirting shall be installed no later than 60 days after the set-up of the home, and built/constructed in accordance with the standards established by the North Carolina Department of Insurance as set forth in the most current edition of the State of North Carolina Regulations for Manufactured Homes.	
Manufactured home – Class C	means any manufactured home built before 6/15/1976 and does not meet the definitional criteria of a Manufactured Home Class - A or Manufactured Home - Class B.	
Manufactured home lot	means any space, area, or tract of land, or portion of a manufactured home community (park), which is designated or used for occupancy by one manufactured home.	
Manufactured home park	means a parcel (or contiguous parcels under common ownership) of land which has been so designated and improved that it contains three or more manufactured home lots available to the public for the placement thereon of manufactured homes for occupancy.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Manufactured home space	means any lot within a manufactured home community (park), which is designated or used for occupancy by one manufactured home.	
Manufacturing, heavy		means the assembly, fabrication, or processing of goods and materials using processes that 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 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.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Medical and dental clinics Medical office	means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, other health care professionals, or similar professions.	means the clinic or office of physicians, medical doctors, chiropractors, or dentists licensed to practice medicine or dentistry in the State of North Carolina, where the primary use is the delivery of health care services, where sale of merchandise is incidental to the delivery of services. This use includes addiction recovery facilities that provide for the treatment of persons having drug or alcohol abuse problems under the supervision of professional health care or social services providers, where no overnight accommodations are provided.
Microbrewery		means an establishment where beer and malt beverages are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (a barrel is approximately 31 gallons) of beer per year. Microbreweries must sell 25% or more of its beer on-site and does not include an eating and drinking establishment.
Mining		means the breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter; any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, and other solid matter from its original location; and the preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use; and shall not include excavation or grading when conducted solely in aid of on site farming or construction.
Motor vehicle service station		means any premises where gasoline and other petroleum products are sold, and light maintenance activities are performed. Also called a gas station.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Multiple-tenant development Multi-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).	
Nightclub, bar and/or lounge		means any commercial establishment serving alcoholic beverages and/or providing entertainment for patrons that do not operate significant food services.
Noncommercial parks, playgrounds, and community centers (public and private) Park and/or playground	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.	means a place, structure, area, or facility used for one or more sports or recreation activities such as, but not limited to, bowling, skating, water sports, baseball, basketball, tennis, golf, riding, hiking, fishing or similar sports or recreational uses and providing social or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	
Offices (business, professionals, and public) Office	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 offsite sign means a sign which directs attention to a business, commodity, service, good, product, entertainment, or similar enterprise not related to the site upon which such sign is located or to which it is affixed.
Outdoor storage		means the storage of any material for a period greater than 24 hours not in an enclosed building. Outdoor storage may be standalone or ancillary to another use.
Parapet	means that portion of a building wall that rises above the roofline.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Parking lot		means any place maintained for the outdoor parking of motor vehicles not associated with another use. Parking lots do not include parking on public streets.
Parking space	means a graded and surfaced area of at least nine feet wide and 19 feet long, either enclosed or open, for the parking of a motor vehicle, having adequate ingress or egress to a public street or alley.	
Parking, off-street		means a designated area intended to support another use(s) by providing space for temporary storage of motor vehicles for employees, residents, and visitors.
Permanently affixed	means anchored to a foundation.	
Personal service		means a business providing personal or household services typically by appointment or on a walk-in basis during normal business hours with some limited weekend hours. Examples include barber and beauty shops, nail salons, spas, shoe repair, tailors, massage therapists, and other personal or household services accomplished on site.
Planning board		means an advisory board composed of seven residents of the Town of Woodfin that provides recommendations to the Woodfin Town Council on legislative requests for conditional rezonings, general rezonings, and text amendment to the Zoning Ordinance.
Prefabricated home display area		means any business engaged in the sale and distribution of prefabricated homes for resale. Including, but not limited to manufactured and modular homes.
Principal use		means the primary use and chief purpose for which a lot is used.
Prison		means a facility, public or private, established for the temporary placement of persons who require secure custody for their own or the community's protection in physically restricting facilities.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	means a government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities. The term shall not include jails, prisons, hospitals, or institutional and commercial services.
Public transportation		means transportation of passengers whether or not for hire by any means of conveyance, including but not limited to motor vehicle or motor bus, either publicly or privately owned and operated, holding itself out to the general public for the transportation of persons within the territorial jurisdiction of the authority, including charter service.
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.	means a government facility for public works services, such as refuse collection, street and building maintenance, parks and land management, vehicle maintenance, parking, and associated accessory uses.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Recreational facility, indoor		means any business establishment which is primarily engaged in providing an amusement and/or recreational activity within a fully enclosed building such as a public or private health or exercise clubs, tennis or other racquet courts, swimming pools, 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, adult establishments, or firing ranges.
Recreational facility, outdoor		means any business establishment which is primarily engaged in providing amusement and/or recreational activities that are outside of a fully enclosed building that include but not limited to, miniature golf, skateboard parks, paintball, water slide and swimming pools, batting cages, laser tag, mechanical ride, 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 or firing ranges.
Recreational vehicle/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. A travel trailer shall not be used as a dwelling.
Recycling drop-off center		means a facility where residents may drop off recyclable materials, typically unstaffed.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Recycling facility		means an establishment primarily engaged in (1) operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage); and/or (2) operating facilities where commingled recyclable materials such as paper, plastics, used beverage cans, and metals are sorted into distinct categories.
Rehab and/or skilled nursing facility		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.
Renovation	means the repairing or remodeling of a structure in which the exterior walls, foundation and roof are maintained structurally intact.	
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.	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. Manufacturing, wholesale, bulk storage, and/or processing is not considered a retail use. Uses specifically enumerated in the Table of Uses shall follow the more specific standards.
Retail, large		means any building or collection of buildings as part of a single development greater than 20,000 sq ft gross floor area.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Retail, small		means any building or collection of buildings as part of a single development that are 20,000 square feet or less in gross floor area.
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		means an institution where academic instruction is given to persons K-12.
School, post-secondary		means a public or private educational institution providing higher education that grants associate degrees or higher, or specific professional or vocational training.
Self-storage 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.
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.	
Shooting range, indoor		means an indoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.
Shooting range, outdoor		means an outdoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.
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.	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. (See Lodging).

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Sign, on-site		means any sign, the content of which relates to the site on which it is located, referring exclusively to businesses, commodities, services, products, goods, entertainment, or similar enterprise on the site, or the sale, lease, or construction of those sites. 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 a weather-resistant material used to enclose the perimeter, under the living area of the home, from the bottom of the manufactured home to grade.	
Soffit	means the underside of a structural component such as an arch, beam or cornice.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
Solar farm		means a use where a series of solar collectors are placed in an 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 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.	
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	
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).	
Trademark	means a name, symbol, or other device identifying a product which is officially registered and legally restricted to the use by its owner.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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.	
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.
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.	

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	**Current Definition**	**Proposed Defnition**
Warehouse	means a building used primarily for the storage of goods and materials.	means a commercial building for storage of goods. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, etc. Self-storage is not included within this definition.
Wholesale storage		means a facility engaged in the storage or movement of goods for themselves or other businesses. Goods are generally delivered to other businesses or the final consumer, except for some will-call pickups. There is little on-site sales activity.
Wireless telecommunication, 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. Attachment to existing utility owned transmission towers (e.g. high-tension power line support towers) may be permitted as a co-location type. 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 a site plan showing the location of equipment structures to be located within previous approved fenced-in area.
Wireless telecommunication, 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.
Wireless telecommunication, tower		means a tower erected for the purpose of transmitting or receiving signals, including, without limitation, telephone, radio, television, cable television, or microwave signals.

DRAFT

Proposed changes are shown in red underline		
Word/Phrase	Current Definition	Proposed Defnition
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 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.	means an open, unoccupied space on the same lot with a principal building, extending 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.

DRAFT

Explanation of table abbreviations:

P = indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter.

L = indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter.

S = indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter.

EXP = indicates that the use type is expressly prohibited in that zoning district.

Land Use	Zoning District												
	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
Residential													
Day care home	L	L	L	L	P	P	P	P	P				L
Dwelling, accessory unit	L	L	L	L	L				L				
Dwelling, multi-family	P	P			P	L	P	P	P				
Dwelling, single-family attached	P	P	P	P	P		S	S	P				
Dwelling, single-family detached	P	P	P	P	P		S	S	P				
Family care home	P	P	P	P	P		P	P	P			P	
Group care facility						P	P	P	P				
Group living						P	P	P					
Home occupation	L	L	L	L	L				L			L	L
Manufactured home – Class A	P	P	P	P								P	P
Manufactured home – Class B												P	P
Manufactured home – Class C													P
Manufactured home park													P

DRAFT

Explanation of table abbreviations:

P = indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter.

L = indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter.

S = indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter.

EXP = indicates that the use type is expressly prohibited in that zoning district.

Land Use	Zoning District												
	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
Civic, Institutional & Government													
Animal shelter											P		
Cemetery	L	L	L	L				L	L				
Community center, clubs and/or lodge					P	P	P	P		P	P		
Essential service - Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential service - Class 2	S	S	S	S	S	P	P	P	P	P	P	S	S
Essential service - Class 3											P		
Landfill	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP
Library, museum and/or art gallery					P	P	P	P	P				
Park and/or playground	P	P	P	P	P	P	P	P	P			P	
Place of worship	L	L	L	L	L	P	P	P	p				
Prison											S		
Public safety facility	P	P	P	P	P	P	P	P	P	P	P	P	
Public works facility						P	P	P	P		P		
School	P	P	P	P	P	P	P	P	P	P			
School, post-secondary						P	P	P		P	P		
Solar farm											P		
Wireless telecommunication, co-location	L	L	L	L	L	L	L	L	L	L	L	L	L
Wireless telecommunication, concealed	S	S	S	S	S	S	S	S	P	P	P	S	EXP
Wireless telecommunication, tower						S	S	S	S	S	P		EXP

DRAFT

Explanation of table abbreviations:

P = indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter.

L = indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter.

S = indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter.

EXP = indicates that the use type is expressly prohibited in that zoning district.

Land Use	Zoning District												
	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
Business													
Adult entertainment establishment	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	S	EXP	EXP
Bank and/or other financial institution						P	P	P	P				
Campground						S	S	S					
Conference and training center							P	P					
Day care center					P	P	P	P	P				
Drive-through						P	P	P					
Eating and drinking establishment						P	P	P	P				
Equipment rental										P	P		
Event venue, indoor						P	P	P					
Event venue, outdoor						S	S	S					
Fuel oil dealer										P	P		
Funeral home and/or mortuary						P	P	P		P			
Hospital						P	P	P					
Kennel						S	S	S		P	P		
Laundromat						P	P	P					
Lodging						P	P	P					
Medical office						P	P	P	P				
Microbrewery						P	P	P	P				
Motor vehicle repair garage						P	P	P		P	P		
Motor vehicle sales						P	P	P					
Motor vehicle service station						P	P	P		P	P		
Nightclub, bar, and/or lounge						S		P					
Office					P	P	P	P	P	P	P		
Parking lot						P	P	P					
Personal service					P	P	P	P	P				
Prefabricated home display area								P					
Public transportation						S	S	S		P			
Radio and/or television station						S	S	S		P	P		
Recreation facility, indoor						P	P	P					

DRAFT

Explanation of table abbreviations:

P = indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter.

L = indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter.

S = indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter.

EXP = indicates that the use type is expressly prohibited in that zoning district.

Land Use	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
	Zoning District												
	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
Business													
Recreation facility, outdoor								S					
Recycling drop-off center								P	P	P	P		
Rehab and/or skilled nursing facility						P	P	P	S				
Retail, large								P					
Retail, small						P	P	P	P				
Shooting range, indoor											L		
Shooting range, outdoor											S		
Short-term rental						L	L	L					
Truck stop								S					
Veterinary clinic						P	P	P					
Warehouse						P		S		P	P		

DRAFT

Explanation of table abbreviations:

P = indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter.

L = indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter.

S = indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter.

EXP = indicates that the use type is expressly prohibited in that zoning district.

Land Use	Zoning District												
	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
Industrial													
Brewery										P	P		
Building supply sales yard								S		P	P		
Concrete and/or asphalt plant											S		
Data center and/or server farm											S		
Freight terminal											P		
Junkyard											S		
Laboratory								P		P	P		
Manufacturing, heavy											P		
Manufacturing, light								P		P	P		
Mining											S		
Recycling facility										S	P		
Sawmill											P		
Self-storage warehouse											P		
Wholesale storage											P		

DRAFT

Explanation of table abbreviations: **P =** indicates that the use type is permitted by right in that zoning district, subject to compliance with applicable standards set forth in this chapter. **L =** indicates that the use type is permitted in that zoning district after review and approval by the planning director in accordance with the standards established in section 54-144 and other applicable standards set forth in this chapter. **S =** indicates that the use type is permitted in that zoning district 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 applicable standards set forth in this chapter. **EXP =** indicates that the use type is expressly prohibited in that zoning district.	7,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	10,000 sq. ft. min. lot size Setbacks: 25' Front, 10' or 15' Side, 20% or 30' Rear	21,000 sq. ft. min. lot size Setbacks: 30' Front, 15' or 20 Side, 20% or 30' Rear	43,000 sq. ft. min. lot size Setbacks: 30' Front, 15' Side, 20% or 30' Rear	0 sq. ft. min. lot size Setbacks: None	No yards are required. Abutting a residential district, 15' side and rear yard clearance.			20,000 sq. ft. min. lot size Setbacks: 20' Front, 10' Side, 20% or 30' Rear	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	43,560 sq. ft. min. lot size Setbacks: 50' Front, 15' side 25' from each principal building	Can be applied over the following residential districts: R-7, R-10, R-21, R-43 and MV.	4,000 sq. ft. min. lot size Setbacks: 25' Front, 10' Side, 20' Rear
	Zoning District												
Land Use	R7	R10	R21	R43	MV	CS	CS2	CS3	TR	LI	HI	MHO	MHC
Other													
Agriculture and/or horticulture	P	P	P	P	P	P	P	P	P				
Group development	S	S				S	S	S	S	S	S		
Outdoor storage						L	L	L	L	P	P		

DRAFT

Sec. 54-144. Limited uses.

(a) *Limited uses.* Limited uses are permitted by right, in the districts identified in the Table of Uses found in section 54-143 above, and provided that the specific standards set forth in this section are satisfied. The specified standards are intended to ensure these uses fit the intent of the districts within which they are permitted, and that these uses are compatible with other development permitted within the districts. Identified limited uses shall comply with the following specific standards.

1 Accesory dwelling units (ADUs)

Limited use in R7, R10, R21, R42, MV, and TR

a. General provisions. The following standards apply to all ADUs located in all residential districts.

ADUs shall be:

1. Co-located on a residential lot containing no more than one single-family detached structure. The residential lot may contain other accessory structures, as allowed in this ordinance.
2. Located on lots that conform to the minimum dimensional standards for the district in which it is located.
3. Subordinate to the principal structure in size, location, and height (except as otherwise allowed).
4. Provided parking at a minimum rate of one space per ADU. Parking for the primary dwelling unit must also be maintained or replaced on site.

ADUs shall not be:

1. Regarded as additional dwelling units for the purpose of determining minimum lot size, lot width, or maximum density.
2. Used as a short-term rental.

b. Additional Standards. ADUs may be either attached or detached to the primary dwelling unit, subject to complying with the following standards.

1. Detached ADUs:
   (a) The gross square floor area of the detached ADU shall not exceed 70 percent of the gross floor area of the primary dwelling unit, or 800 square feet, whichever is greater.
   (b) The height of a detached ADU may not exceed the height of the principal unit, up to a maximum height of 25 feet.
   (c) Detached ADUs must comply with all required setbacks for the district in which it is located.
   (d) Detached ADUs must be located to the side or rear of the primary unit and no closer to the street than the leading edge of the primary dwelling on lots that are less than two acres. For lots equal to or greater than two acres, a detached ADU may be placed in any location on the lot provided the structure can comply with all setback requirements.
2. Attached ADUs that expand the footprint of the existing structure:
   (a) The gross floor area of the attached accessory dwelling unit may not exceed 70 percent of the gross floor area of the primary dwelling unit, or 800 square feet, whichever is greater.
   (b) The height of the accessory dwelling unit may exceed the height of the existing primary dwelling unit by up to four feet, but may not exceed the height limit of underlying district.
   (c) The expansion area must comply with all setback requirements for the district in which it is located. located.
3. Attached ADUs that do not expand the existing structure and share a common foundation, exterior walls, and roof of the principal dwelling:
   (a) May be included within a non-conforming residential structure.
   (b) Will not be limited in gross floor area or height.

DRAFT

2	**Cemetery** *Limited use in R7, R10, R21, R43, CS3, and TR*
	a. All burial plots, columbarium, and mausoleum shall be setback 20 feet from all property boundaries and habitable structures of the property.
3	**Day care home** *Limited use in R7, R10, R21, and R43*
	a. Maximum enrollment: Five children. b. Any outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space and must be setback 10 feet from all property lines. c. Client drop-off and pick-up shall not obstruct traffic flow on adjacent public streets. d. Parking shall not be located in the front yard.
4	**Home occupation** *Limited use in R7, R10, R21, R43, and MV*
	a. The business activity shall be conducted entirely within the dwelling and carried on by the occupants thereof. b. A maximum of one employee who is not a resident of the property shall be allowed. c. No retail sales or display of goods, products, services, signage, or other forms of advertising shall be visible from outside of the dwelling. d. A maximum of 25% of the total floor space of the home may be used for the home occupations. e. No mechanical equipment is installed or used except such as normally used for domestic or professional purposes.
5	**Multi-family dwelling** *Limited use in CS District*
	a. Multi-family dwelling units may only be located on the upper floors of buildings located within 200 feet of Weaverville Road. Distance is measured from the edge of pavement.
6	**Outdoor storage** *Limited use in CS, CS2, CS3, and TR*
	a. Only permitted as part of a principal use. b. If located adjacent to residential use, must provide a screened buffer yard defined in 54-10.

DRAFT

7	Place of worship *Limited use in R7, R10, R21, R43, and MV*

a. For the purposes of these development standards, places of worship shall be placed in the following categories based upon the number of seats in the sanctuary(ies):

1. Small place of worship—Less than 400 seats in the sanctuary(ies).
2. Large place of worship—400 seats or more in the sanctuary(ies).

b. Minimum lot size: The minimum lot size for places of worship shall be as follows:

1. Small place of worship—Minimum lot size for the zoning district in which the place of worship is located.
2. Large place of worship—Two acres.

c. Lot location: Places of worship shall be located as follows:

1. Small places of worship may be located on any street.
2. Large places of worship shall be located on property which abuts a major thoroughfare. Places of worship wishing to expand, and which owned the property on which they wish to expand prior to September 1, 2024, shall not be required to meet the lot location standards.

d. Setbacks: Setbacks for all places of worship shall be as follows:

1. Front: Same as residential uses in the zoning district. Side: 20 feet. Rear: 30 feet.
2. No parking or other activities shall be located in any of the required setbacks. In addition, parking shall not be located in front of the principal structure(s).

e. Access points: Access onto place of worship property from local residential streets shall be limited to a total of two driveway access points onto all surrounding local residential streets.

f. Parking. Off street parking shall be provided at a minimum of one (1) space per eight seats in the sanctuary(ies).

g. Parking and outdoor activity areas shall be buffered from adjacent residential uses with a buffer as defined in 54-10.

h. Impervious surface standards. Impervious surfaces shall not exceed 70 percent impervious.

i. Offices associated with the activities or business of the place of worship shall not occupy more than 25% of the total floor area of the buildings on the lot.

j. No commercial activities (selling of items to the general public on an on-going basis) shall be permitted.

k. No warehouse structures shall be permitted.

l. No facilities for vehicle maintenance shall be permitted.

m. No grading shall be permitted within ten feet of side and rear property lines, other than for utilities, landscaping, and access.

n. Outdoor speaker systems are prohibited.

8	Shooting range, indoor *Limited use in HI*

a. Noise shall be reduced to 40 dbl as measured at the closest residence property line.

b. Conform to the minimum design standards as outlined in the latest revised edition of The NRA Range Source Book.

DRAFT

9 Short-term rental

Limited use in CS, CS2 and CS3 districts

a. A permit to establish a short-term rental use is required prior the use occurring on the property.

b. Only one short-term rental shall be permitted for any single-family dwelling or single-family property.

c. Short-term rental permits shall be limited to one per person, immediate household, LLC, corporation, trust or other legal entity. A person's immediate household shall include a spouse, children, or any other relative residing in the same home. An ownership stake of five percent or more in an LLC, corporation, trust or other legal entity shall constitute ownership for the purposes of this limitation.

d. No more than ten percent of units in a multi-family or multi-tenant building or development may be used as short-term rentals.

e. No non-residential activities other than lodging shall be allowed.

f. No special events may be hosted on a short-term rental property.

g. No signage shall be allowed for homestays.

h. The short-term rental owner shall maintain liability insurance on the property, which covers the lodging use and short-term rental guests.

i. Emergency and contact information including a name, phone number and email address must be posted prominently inside the short-term rental.

j. The short-term rental owner must pay any applicable taxes, including occupancy and sales taxes, to the appropriate governmental entity.

k. The short-term rental shall comply with applicable building code.

l. Violations of these standards, or failure to obtain a permit for a short-term rental shall be subject to enforcement action as set forth in section 54-41 and shall be subject to the following schedule of penalties:

First offense	$100.00
Second offense	$300.00
Third offense	$500.00 and revocation of permit for one year

10 Wireless telecommunication, co-location

Limited use in all districts

a. Co-located wireless telecommunication facilities are permitted on buildings and other existing structures (other than off-premises signs) which do not require an increase in height to accommodate the facility.

b. For purposes of this section, antennas mounted on an electric transmission tower shall qualify as a co-located wireless telecommunication facility provided antennas associated with such a facility do not extend more than ten feet above the top of the supporting structure nor more than two feet from the sides of the structure. Equipment enclosures associated with such a facility may be mounted on the structure or placed underground or on the ground. If placed on the ground, equipment enclosures shall be placed on a concrete pad and screened to make them unobtrusive.

c. All antennas associated with co-located wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be flush mounted against the side of the building or structure and camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted.

d. Antennas associated with a co-located wireless telecommunication facility mounted on a utility pole must be mounted atop the pole or flush mounted against the sides of the pole and shall be colored to match or complement the color of the utility pole and shall be mounted in as unobtrusive a manner as possible.

DRAFT

Wireless telecommunication, co-location - *continued*
Limited use in all districts

e. Antennas associated with wwith a wireless telecommunication facility may not be co- located on a tower or other support structure used by an amateur radio operator.

f. Equipment enclosures associated with wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be mounted inside the building or structure, attached to an exterior surface, or placed underground or on a concrete pad on the ground outside the building or structure. If mounted on an exterior surface, the enclosures shall be colored or camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted. If placed on a concrete pad on the ground, the enclosures shall be screened to make them unobtrusive.

g. Equipment enclosures associated with a co-located wireless telecommunication facility mounted on a utility pole, must be mounted on the utility pole; provided, however, if combiners are used to allow co-location by sharing of an antenna or antenna array and pole-mounting of equipment enclosures cannot be accommodated on the pole, the combiner and additional equipment enclosures may be placed underground or on a concrete pad on the ground. If placed on a concrete pad on the ground, such additional equipment enclosures shall be screened so as to make them unobtrusive.

h. All cabling and wiring connecting antennas, equipment enclosures, and other components of a wireless telecommunication facility shall be colored or concealed in a manner as to render them unobtrusive.

i. Wireless telecommunication facilities located in a local historic district or on a historic landmark shall require a certificate of appropriateness from the historic resources commission.

j. Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.

k. A copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the wireless telecommunication facility and must submit a copy of each such wireless service provider's FCC license. If FCC licenses have previously been filed with the Town in conjunction with other wireless telecommunication facilities, the applicant may certify that such licenses remain in full force and effect.

l. Abandoned or unused wireless telecommunication facilities shall be removed within 180 days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed as provided in the permittee's maintenance/removal agreement and the costs of removal recovered from the permittee's bond or other security. Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give 30 days' written notice of its intention to do so to the permittee at its last known address.

DRAFT

Sec. 54-159. Special uses.

(a) Each special use is unique in nature, and needs special consideration and conditions. Section 54-69(e)(2)b provides conditions applicable to all uses listed as special in the designated zoning district that the board of adjustment must find to exist. The following special uses may have additional specific conditions that the board of adjustment must find to exist before granting the special use permit. These special requirements are not conclusive, in that, the board of adjustment may add or modify such requirements as they deem necessary.

(1) Such uses are limited to those permitted within the zoning district in which the project is located. In no case shall the board of adjustment authorize a use prohibited in the district in which the project is to be located.

(2) The distance of every building shall meet the setback requirements of the district in which the project is located.

(3) A proposed project should be designed by the appropriate design professional. It shall be so designed that the overall intensity of land use shall be no greater than that permitted in the zoning district in which the project is located. Furthermore, the design should guarantee permanent retention of open space and ensure its care and maintenance.

(4) Developments shall follow the review procedures for special uses as outlined in section 54-69.

(5) The procedure for approval shall include the submission of a design plan showing the proposed layout, including the location of buildings, driveways, street parking spaces, and recreation areas, to the board of adjustment for study prior to final approval. Where applicable, the design plan package shall include approvals for the proposed sanitary sewer and water distribution systems from the appropriate state and local agencies.

(b) Special uses listed

1 Adult entertainment establishment
2 Building supply sales yard
3 Campground
4 Concrete and/or asphalt plant
5 Community center, club and/or lodge
6 Data center and/or server farm
7 Dwelling, single-family attached
8 Dwelling, single-family detached
9 Essential service, Class 2
10 Event venue, outdoor
11 Group development
12 Junkyard
13 Kennel
14 Mining
15 Nightclub, bar, and/or lounge
16 Prefabricated home display area
17 Prison
18 Public Transportation
19 Public works facility
20 Radio and television station
21 Recreation facility, outdoor
22 Recycling facility
23 Rehab and/or skilled nursing facility
24 School, post-secondary
25 Shooting range, outdoor
26 Truck stop
27 Wireless telecommunications, concealed
28 Wireless telecommunications, tower

DRAFT

(c) Checklist. The following checklist shall be completed by the applicant. The applicant shall infer that all information is required at the public hearing, unless prior arrangements have been made.

SPECIAL USE SITE PLAN REVIEW CHECKLIST

Site plans for special use permits require the following:

(1) GENERAL REQUIREMENTS.

a. Submission of site plans prepared by an appropriate registered professional.
b. Identification of property by street address and tax map reference.
c. Site plans shall also contain the following general information:
    1 North arrow, legend, and seal of registered professional;
    2 A vicinity map showing relative location of project to surrounding area;
    3 Adjoining property liens, ownership, and land use;
    4 Existing and proposed topography at contour intervals of no greater than two feet; and
    5 The plan shall not be drawn to a scale of less than one inch to 100 feet.

(2) LAND AND LANDSCAPING, RECREATION AND OPEN SPACE PLAN. The following requirements shall be provided on a single detached plan:

a. If the proposed development is to be located in a designated flood hazard area. All base flood elevation data
b. Location of wooded areas.
c. Amount of wooded area to be removed.
d. Existing and proposed contours at intervals of no less than two feet.
e. Streams, ponds, drainage ditches shall be illustrated.
f. Location of existing and proposed utilities.
g. Area to be covered by structures, parking, and streets and the like.
h. Buffering shall be illustrated.
i. Location and heights of all fences, walls, and hedges.
j. Type and location of proposed plantings.
k. Location of nearest fire hydrant and proposed fire hydrant.
l. Areas intended for open space and common areas.

(3) STRUCTURE AND UTILITY SYSTEM PLAN. The following requirements shall be provided on a single detached plan:

a. Location and dimension of all existing and proposed structures, including gross floor area and number of stories.
b. Location of entrances and loading points.
c. Proposed schedule of development including stages likely to be followed.
d. Existing and proposed use of all structures. If multifamily use, list number of bedroom units proposed:
    1 bedroom ___ 2 bedroom___ 3 bedroom ___ 4 bedroom ___
e. Water and sewer system.
    1 Location and size of all existing and proposed lines.
    2 Letter from the respective utility providing water or sewer services stating availability of water and sanitary sewer. The letter shall state the results of a flow and pressure test for water lines and the volume of capacity/current flow for sewer lines.
    3 Location and size meters.
    4 Rights-of-way and easements.
f. Underground utility lines including electrical power, telephone, gas, cablevision, fire alarm system and exterior area lighting.
g. Seal and signature of registered professional engineer.

DRAFT

(4) STREET, PARKING, AND LOADING AREA PLAN. The following requirements shall be provided on a single detached plan:

a. An approved North Carolina Department of Transportation (N.C.D.O.T.) Driveway Permit for any driveway or other curb cut on a state system street or highway.
b. Curb design and material.
c. Street plans and profiles.
d. Rights-of-way and pavement widths.
e. Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, man holes, etc.
f. Location of traffic control devices.
g. Street lighting.
h. Parking calculations showing required and provided spaces.
i. Type of surfacing and curbing in all parking and loading areas.
j. An illustration of the interior flow of vehicular and pedestrian traffic.
k. Location of dumpsters, illustrating access areas.

(5) STORMWATER DRAINAGE PLAN. The following requirements shall be provided on a single detached plan:

a. The stormwater plan shall illustrate the outline of all areas to be cleared, graded, or otherwise disturbed, outline of areas to be cut, and outline of areas to be filled.
b. If on-site cut and fill do not balance, identify location of borrow and/or spoil areas.
c. Show approximate location of proposed silt fences and similar work to be installed to protect the site and adjacent property during construction.
d. Show, by flow lines, direction of runoff of stormwater.
e. Provide estimate of stormwater runoff rates both before and after development and approximate size and location of retention walls.
f. Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, manholes, etc.

(d) Uses with additional standards. Before issuing a special use permit, the board of adjustment shall find that all standards for specific uses listed in this section, as well as all procedures listed in section 54-69, have been met. The following additional standards are applied to specific special uses:

(1) Adult entertainment establishment.

a. The purpose of this section shall be to set forth the appropriate special requirements by which adult establishments may be established within the Town of Woodfin zoning jurisdiction. Adult entertainment establishments, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when they are located near a residential zoning district or certain other districts which permit residential, educational, religious, or recreational uses. Studies have shown that lower property values and increased crime rates tend to accompany and are brought about by the concentration of adult establishments. The town council finds that regulation of these uses is necessary to ensure that these adverse effects do not contribute to the blighting of surrounding neighborhoods and to protect the integrity of the town's residential areas, schools, places of worship, libraries, childcare centers, and public parks and playgrounds which are typical areas in which juveniles congregate.
b. To address the purposes set forth above, the following restrictions are established:
    1 No adult establishment shall be located within a 1,000-foot radius of another adult establishment.
    2 No adult establishment shall be located within a 1,000-foot radius of any residential zoning district. Provided, however, the establishment of a residential zone subsequent to the lawful commencement of an adult establishment will not render the adult establishment non-conforming.

DRAFT

3 No adult establishment shall be located within a 1,000-foot radius of any place of worship, school, library, licensed childcare center, public recreation center, or public park or playground. Provided, however, the establishment of any place of worship, school, library, licensed childcare center, public recreation center, or public park or playground subsequent to the lawful commencement of an adult establishment will not render the adult establishment non-conforming.

4 The required distance shall be measured from the edge of the building occupied by an adult establishment to the closest edge of the property occupied by a protected use, zone, or by another adult establishment. Provided, however, that an adult establishment is located in a multi-tenant facility, the distance shall be measured from the closest edge of the portion of the facility occupied by such establishment.

5 Except for permitted business identification signage, no printed material, slide, video, photograph, written text, live show, or other visual presentation shall be visible, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.

6 Any external lighting shall be arranged so as not to be directed toward any residential area.

(2) Building supply sales yard.

a. All open storage shall be fenced by a solid fence not less than six feet in height.

(3) Campground

a. No travel trailer may be permanently affixed or utilized as a permanent single-family residence. No single trailer may be located within the park for more than 180 days out of any given calendar year.

b. Travel trailer spaces must be clearly identified on the site plan and delineated within the park through the provision of a physical boundary marker or designated pad. In no case shall a travel trailer be placed within 20 feet of another travel trailer

c. A buffer consisting of evergreen trees or shrubs shall be provided against all adjacent properties but shall not extend beyond the established setback line along any street. Such buffer strip shall meet the standard defined in Section 54-10. This planting requirement may be modified by the Board where adequate buffering exists in the form of vegetation and/or terrain.

d. Waste management/dump station(s).

1 The park owner/operator shall provide capacity for a weekly accumulation of solid waste and recycling on site through the provision of dumpsters or acceptable containers. These dumpsters or other acceptable containers must be serviced at least once a week, unless the park has been vacant for the entirety of the week. These dumpsters shall not be located within any required setbacks.

2 The park owner/operator shall provide for adequate waste disposal through the provision of dump stations. Dump stations shall be inset at least 20 feet from all property lines and must be permitted by NCDENR prior to installation.

e. Any lighting to be provided within the park must be indicated on the site plan and adhere to the lighting standards as set forth within the Town's lighting ordinance.

f. At least one bathroom and shower shall be provided within a permanent structure. If the park does not provide full water and sewer hookups at each site, one additional bathroom and shower shall be provided for every ten travel trailer spaces in the park without water and sewer connections.

g. Documentation from the fire marshal shall be provided of the adequacy of the development's facilities for emergency medical and fire services.

DRAFT

(4) Concrete and/or asphalt plants

a. The parcel on which the facility is located shall be set back at least 2,640 feet from any parcel where a hospital; hospice facility; licensed nursing home; drop-in or short-term childcare center providing care to at least ten preschool children; licensed child care center; private or public elementary, middle or high school; or municipal or county park or recreation facility is located.

b. The facility must comply with the Town's Flood Damage and Prevention Ordinance. But in no case shall production facilities or storage of hazardous materials be located in the one percent (1%) special flood hazard area.

c. The area of operations shall be set back from all perennial waters, as shown on the most recent version of the quadrangle topographic maps prepared by the United States Geological Service, and from all wetlands, as defined by G.S. 143-212(6) for a distance sufficient to protect surface and groundwater from spills and leaks. The setback shall be a vegetative buffer no less than 100 feet in width, with no less than the first 50 feet from the stream or wetland being undisturbed and the remaining area consisting of managed vegetation.

d. The facility shall be served by a public water system or situated a sufficient distance from any water supply well to ensure public health and safety. In all cases, the facility shall be located no closer to a water supply well than the minimum separation distance specified by N.C. Department of Environmental Quality.

e. There shall be sufficient access to a major highway so as to minimize truck travel through residential neighborhoods.

f. A buffer strip along all property lines shall be required that is sufficient in height, density, and foliage at all times of the year to minimize the visual impact to persons and motorists not on the property and to maximize the buffering of noise and particulate matter. Said buffer strip shall not extend into the established setback along any street. The required buffer shall be placed according to one or a combination of the following methods, as approved by the board of adjustment as fitting for the use and surrounding areas:

1 A continuous, natural and undisturbed 100-foot buffer strip of trees, shrubbery, and other natural vegetation.

2 A 100-foot planted buffer strip consisting of at least three rows of evergreen trees, whose species shall be approved by the board of adjustment, which at the time of planting shall be at least six feet in height, and which at maturity, shall be at least 15 feet in height. In each row the trees shall be spaced no more than ten feet apart (from base of tree to base of tree) at time of planting, with trees in adjacent rows offset (staggered) five feet. The rows shall be no more than 30 feet apart and centered within the buffer strip. The buffer strip shall also contain at least two evergreen shrubs for every one tree and the shrubs shall be intermixed between the trees.

3 An earthen berm landscaped with evergreen shrubs and topped with a row of evergreen trees. The berm shall be a minimum of eight feet in height and shall have slopes that do not exceed one foot in height to three feet horizontal. The row of evergreen trees shall be at least five feet in height at the time of planting and which at maturity shall be at least ten feet in height. The trees shall be spaced no more than eight feet apart (from base of tree to base of tree) at the time of planting. No less than two evergreen shrubs for every tree shall be planted in two rows; the first row shall be planted at the base of the berm. The second row shall be planted at the midpoint of the berm and shall be offset (staggered) from the first row.

g. A security fence shall surround the entire production area, shall be a minimum of six feet in height, and shall be located between the production area and the required buffer strip. Driveways or entranceways shall be gated during the hours when the plant is not open and operating.

h. The facility shall employ the most current, state-of-the-art methods, systems, techniques, and production processes available to achieve the greatest feasible air and odor emissions reductions, including fugitive emissions and fugitive dust.

DRAFT

(5)	Data centers/server farms

a. All structures shall maintain a setback of one hundred (100) feet.

b. Data centers/server farm operations shall not be constructed or newly located within 1,000 feet of an existing dwelling unit (not located on the same property as the use), residential zoning district, library, day care facility, park, place of worship, or within two (2) miles of a school, all distances in straight-line distance.

c. Operations shall not be conducted between the hours of 9:00 pm to 6:00 am, or anytime on Sunday.

d. Noise pollution generated from data centers/server farm operations shall not exceed 50 decibels per unit. The equipment in a data centers/server farm operation shall be calibrated every six (6) months and a report of this calibration shall be provided to the Town of Woodfin.

e. Data centers/server farm operations shall not be permitted on sites visible from Scenic Byways as designated by the North Carolina Department of Transportation.

f. Data centers/server farm operations shall be completely enclosed with a NCDOT approved precast sound wall. The wall shall be at least eight (8) feet in height. A buffer is required on all exterior sides of the security wall.

g. An electrical disconnect switch shall be clearly marked and unobstructed. Switches are permitted to be secured within a fenced area or building. Duke Energy or any other power utility provider to the operation shall have access to the disconnection switch at all times or an onsite manger must be present at all times.

h. All new power transmission lines to any building, structure or utility connection shall be located underground.

i. Duke Energy or any other power provider to the operation shall have the authority during select high power usage events to cut or significantly reduce or restrict power to any data centers/server farm operation. The power utility provider is requested to cut or reduce power to these operations before considering reducing power to residential homes or other commercial or industrial facilities.

j. Data centers/server farm operations shall be required to develop or purchase sufficient new renewable energy to offset 100 percent of the electricity consumed by the Data centers/server farms operation. To meet this condition, the data centers/server farm operation must be able to establish that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise.

k. Verification must be provided to the Town of Woodfin that all qualified recyclable materials, including electronic waste, generated at the data centers/server farm operation will be recycled including packing foam, computer chips, and cardboard.

l. No structures, equipment, storage, or buildings shall be located within the Special Flood Hazard Area.

m. Lighting shall comply with the Town's Lighting ordinance.

n. The use may not be applied for as a conditional rezoning application.

(6)	Essential service, Class 2

a. No vehicles or materials shall be stored on the premises.

b. All buildings and apparatus shall be set back at least 20 feet from all property lines.

c. Shall be designed and landscaped in such a way as to blend in with the surrounding area, and;

d. A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone.

(7)	Event venue, outdoor

a. The hours of operation shall be limited to 10:00 a.m. through 10 p.m

b. Shall only be accessed directly from a major or minor thoroughfare.

c. Shall provide a designated off-street passenger loading zone for ride sharing service pick-up.

DRAFT

(8) Group development

a. As a special use, in the case of two or more buildings to be constructed on a plot of ground of at least two acres not subdivided into the customary streets and lots and which will not be so subdivided, the application of this article may be varied by the board of adjustment in a manner that will be in harmony with the character of the neighborhood.

(9) Junkyard

a. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place in which rates, mice, or other vermin may be harbored, reared, or propagated.

b. Because of the tendency for salvage yards to promote the breading of vermin, no such operation shall be permitted closer than 200 feet from any established residential zone.

c. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight to 12 feet in height. Storage between the road or street and such fence, screen, or wall for screening purposes shall be properly painted or otherwise maintained in good condition.

d. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety.

e. The number of vehicular access driveways permitted on any single street frontage shall be limited to:

1 One driveway where the parcel to be used has a maximum road street frontage of 100 feet or less.

2 Two driveways where the road or street frontage exceeds 100 feet.

f. Driveways used for ingress and egress shall be limited to 25 feet in width.

(10) Kennel

a. The animal kennel, including all structures and fencing, shall be set back at least 50 feet from all external property lines of the facility.

b. The kennel facility shall be enclosed within a security fence of at least six feet in height. The fence and facility may require a vegetation buffer along any part of the fenced areas which abuts a residential use.

c. Provisions for daily removal and/or disposal of all animal waste shall be incorporated within the operation and maintenance of the animal kennel.

d. The design and operation of the facility shall be reviewed and approved by the state department of agriculture.

(11) Mining

a. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting shall comply with the Town's Lighting ordinance.

b. All unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

c. A mining or extraction operation shall not be constructed or newly located within:

1 One-half (½) mile of an existing school, library, day care facility, hospital, rehab/skilled nursing facility, and/or place of worship; and

2 One thousand (1,000) feet of an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).

d. The operation of an extraction operation shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.

DRAFT

e. A setback of one hundred (100) feet is required for all buildings.
f. A plan outlining rehabilitation procedures and financing options for restoration of the extraction site is required. Within two (2) years after the cessation of a extraction operation, rehabilitation processes must be complete.
g. Permanent control measures are required to retain all non-compacted soil on site.

(11) Nightclub, bar, and/or lounge

a. No outdoor speaker systems.
b. It shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering 55 db between 9:00 a.m. and 9:00 p.m.; or 50 db between 9:00 p.m. and 2:00 a.m., as measured anywhere within the boundary line of the nearest residentially occupied property. No amplified sound shall be allowed between 2:00 a.m. and 9:00 a.m.
c. All buildings containing amplified entertainment shall be insulated, have fixed windows and an adequate air conditioning system, all as required by the North Carolina State Building Code.
d. The main entrance of the buildings shall have STC (sound transmission control) doors with a rating of not less than 35.

(12) Recreation facility, outdoor

a. The hours of operation shall be limited to 10:00 a.m. through 10 p.m.
b. Shall only be accessed directly from a major or minor thoroughfare.

(13) Recycling facility

a. New uses and expansions of this type must operate in an enclosed building(s).
b. The temporary loading of materials into trucks for transport or distribution may occur in outdoor areas provided materials are not stored for a period of greater than 24 hours.

(14) School, post-secondary

a. No truck or motor vehicle driving training school.
b. No living quarters may be provided.

(15) Shooting range, outdoor

a. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting shall comply with the Town's Lighting ordinance.
b. Unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.
c. An outdoor shooting range shall not be constructed or newly located within:
    1 One-half (½) mile of an existing school, library, day care facility, hospital, rehab/nursing facility and/or
    2 One thousand (1,000) feet of an existing dwelling unit (located in a residential zoning district and not
d. The operations of an outdoor shooting range shall be totally enclosed by:
    1 A security fence at least eight (8) feet in height; or
    2 A wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
e. A setback of fifty (50) feet is required. The storage of debris, equipment and other materials, including accessory structures, is permitted within the perimeter setback.
f. Perimeter Buffer. Twenty-five (25) feet.
g. Outdoor shooting ranges must be designed to contain all projectiles fired on-site.
h. Hours of Operation are limited to 9:00 a.m. to 8:00 p.m.

DRAFT

(16) Truck stop	
	a. The minimum lot size shall be w acres.
	b. All vehicular use areas shall be setback at least 25 feet from adjacent residentially zoned property.
	c. All vehicular use areas shall be paved using concrete, asphalt, or similar durable all weather surface. Use of

(17) Wireless telecommunications, concealed	
	a. Reserved

(18) Wireless telecommunications, tower	
	a. Reserved

DRAFT