

**§ 153.054 SINGLE-FAMILY RESIDENTIAL DISTRICTS.**

(A) *Single-Family Residential Districts: R-9, R-12, R-15, and R-20.* These districts are intended for single-family housing at various densities of population and certain nonresidential uses of public or semi-public nature. The regulations for these districts are designed to maintain a suitable environment for family living. Densities of development are controlled by minimum lot area requirements, which are different with each district. The minimum lot area requirement (in thousands of square feet) is indicated by the numerical identification of each district.

(B) *Permitted uses.* The following are permitted by right in all single-family districts:

- (1) Arboretum.
- (2) Dwellings, one-family detached.
- (3) Group homes with a minimum separation of 800 feet in a straight line distance between nearest points of separate group home properties. (Ord 1242, passed 8-12-02)
- (4) Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises.
- (5) Parks and playgrounds operated on a noncommercial basis for the purposes of public recreation.
- (6) Subdivision sales office to serve the subdivision in which it is located and adjoining subdivision or subdivisions by the same developer or affiliate, provided that the sales office shall be terminated upon completion of the sale of 75% of the total number of homes and/or lots, except if sales office is model home that otherwise complies with the zoning and subdivision regulations, then that model home (same one only) may remain a sales office until last home sold.
- (7) Trailer, recreational, and overnight camping vehicles (stored unoccupied on lot behind a line established by front of house).
- (8) Railroad rights-of-way.
- (9) Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of building permit.
- (10) Public utility transmission and distribution lines.

(11) Family Care Home. (Ord. No. 1562-A, passed 6-11-07)

***Cross-reference:***

*For screening requirements for institutional uses in residential districts, see § 153.053(F).*

(C) *Uses under prescribed conditions.* The following uses are permitted subject to the conditions governing each use as specified in the appropriate section.

- (1) Churches, synagogues, and related uses with less than 400 seating capacity and/or with programs of up to 100 persons operated on a daily (weekday) basis. See § 153.053.
- (2) Country clubs, community recreation centers, and swimming or racket clubs operated on a noncommercial membership basis. See § 153.186.
- (3) Customary home occupations. See § 153.166.
- (4) Equestrian-oriented subdivisions. See § 153.094.
- (5) Fire stations. See § 153.053.
- (6) Golf courses, public and private, for daytime use only. See § 153.186.
- (7) Public libraries. See § 153.053.
- (8) Office of doctor, dentist, lawyer, architect, accountant, sales representative, realtor, and similar professional, semi-professional and business representatives, conducted as customary home occupations. See § 153.166.
- (9) Room renting. See § 153.177.
- (10) Schools, elementary, junior, and senior high, public and private, which have a capacity of up to 100 students. See § 153.053. (Ord. No. 1008, passed 11-9-98)
- (11) Sewage treatment plants and control houses, pump and lift stations and similar uses. See § 153.183. Must be self-contained, not odorous, and meet all E.P.A. standards.
- (12) Telephone repeater stations and huts. See § 153.183.
- (13) Bed and breakfast Guest Homes. See § 153.169.
- (14) Water storage tanks. See § 153.076.
- (15) Private stables. See § 153.187.

**Matthews Zoning Code**

(16) On-site demolition disposal site. See § 153.190.

(17) Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.

(18) Child day care homes. See § 153.181.

(19) Electric and telephone poles supporting hardwire systems and communications antennas. See §153.172. (Ord. 912, passed 1-27-97)

(20) Accessory apartments. In addition to the minimum land area for single family districts, the following restrictions apply: a) the floor area of the accessory apartment must not exceed 50% of the floor area of the principal dwelling unit; and b) under no circumstances may the accessory apartment be greater than 750 square feet. (Ord. No. 1532, passed 1-8-07)

(D) *Accessory uses.* The following accessory uses are permitted in all single-family districts.

(1) Accessory residential uses and structures clearly incidental to the permitted principal use.

(2) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

(3) Parking for uses permitted within the districts.

(4) Accessory uses, clearly incidental to the principal permitted use or structure on the lot.

(5) Satellite dishes and swimming pools behind principal structure.

(6) A temporary, self-contained storage unit, not including trailers for office use, which is intended to be picked up and moved to various locations on demand. Prior to placement, the property and/or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping, street rights-of-way, and any neighboring drives or street intersections within 150' of the proposed placement location. When used in conjunction with a single family dwelling, a storage unit shall not be placed within the required front setback for more than 30 days. Maximum time a temporary storage unit shall be placed on an occupied single family parcel is 90 days. (Ord. No. 1532; passed 1-8-07)

(E) *Yard, area, and height regulations.* The following standards apply to residential uses in single-family residential districts.

(1) One-family detached dwellings.

	<i>R-9</i>	<i>R-12</i>	<i>R-15</i>	<i>R-20</i>
Minimum lot area	9,000	12,000	15,000	20,000
Minimum lot width	60	70	80	90
Minimum side yard*	8/6	10	10	12
Minimum setback	30	35	40	50
Minimum rear yard	45	50	55	60
Minimum unobstructed open space (% of lot)	55%	60%	65%	70%
Maximum height	35	35	35	35
* In R-9 one side yard must be at least six feet and the other side yard at least eight feet.				

(2) *Institutional uses.* These uses include churches, synagogues, and related uses with more than 50 but less than 400 seating capacity and/or with programs of up to 100 persons operated on a daily (weekday) basis; country clubs, community recreation centers, and swimming or racket clubs operated on a noncommercial membership basis; and golf courses, public and private, for daytime use only.

	R-9	R-12	R-15	R-20
Minimum lot area	2 Ac	2 Ac	2 Ac	2 Ac
Minimum lot width	200'	200'	200'	200'
Minimum side yard*	50'	50'	50'	50'
Minimum setback	45'	50'	55'	60'
Minimum rear yard	50'	50'	50'	50'
Minimum unobstructed open space (% of lot)	60%	65%	70%	75%
Maximum height	35'*	35'*	35'*	35'*
* Note: Structures for institutional uses listed above may exceed the maximum building height up to 60 feet provided that the required side and rear yards are increased one foot for each foot (or fraction thereof) in height over 35 feet.				

(Ord. No. 1008, passed 11-9-98)

**Cross-reference:**

*For landscaping requirements for institutional uses in residential districts, see § 153.053(F) and 153.075.*

(3) *Additional institutional uses.* For these uses, the same lot dimensions as given in division (E)(2) of this section apply, except:

(a) Churches or synagogues of up to 50 seating capacity and/or up to 3,000 square feet gross floor area:

1. Minimum lot area, one Ac.
2. Minimum lot width, 80.

(b) Schools, elementary, junior and senior high, public and private, which have a capacity of up to 100 students:

1. Minimum lot area, 2.5 Ac per each 100 students or fraction of 100 students.
2. Minimum lot width, 200.

**Cross-reference:**

*For landscaping requirements for institutional uses in residential districts, see §§ 153.053(F) and 153.075.*

(F) *Development standards for various uses.* Cluster developments may be permitted in single-family residential districts in accordance with the provisions of § 153.093.

(G) *Signs.* Signs are permitted in all single-family residential districts in accordance with the provisions of §§ 153.140 through 153.155.

(H) *Parking and loading standards.* Development of any use in a single-family residential district must conform to the parking and loading standards in §§ 153.115 through 153.129 and to the restrictions in § 153.092.

(I) *Skateboard ramps.* Skateboard ramps higher than three feet or longer than four feet in length are hereby prohibited in single-family residential zoning classifications. ('72 Code, § 24-3000) (Ord. 477, passed 2-8-88; Am. Ord. 643, passed 11-5-90; Am. Ord. 644, passed 11-5-90; Am. Ord. 752, passed 8-3-92; Am. Ord. 776, passed 4-12-93; Am. Ord. 869, passed 7-14-95; Am. Ord. 877, passed 5-9-94; Am. Ord. 885, passed 3-18-96; Ord. 1242, passed 8-12-02) Penalty, see § 153.999

**§ 153.055 MULTI-FAMILY RESIDENTIAL DISTRICTS.**

(A) *Multi-family districts: R-15MF and R-12MF.*

These districts are intended for a variety of residential uses, including single-family houses, duplexes, multi-family buildings, and high density apartment building developments.

Densities of development are controlled by minimum lot area requirements that are related to requirements of the corresponding single-family districts. The total lot area required for any residential building or group of buildings is based on the number of families housed within the buildings. Certain nonresidential uses of a public or semi-public nature are also permitted. The minimum lot area requirements (in thousands of square feet) are indicated by the numerical identification of each district.

(B) *Permitted uses.* The following uses are permitted by right in all multi-family districts.

- (1) Arboretum.
- (2) Group homes with a minimum separation of 800 feet in a straight line distance between nearest points of separate group home properties. (Ord. 1242, passed 8-12-02)
- (3) Dwellings, one-family detached.
- (4) Dwellings, one-family semi-detached.
- (5) Dwellings, condominium.
- (6) Dwellings, two-family.
- (7) Dwellings, multi-family, a single building on a lot.
- (8) Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced.
- (9) Parks and playgrounds operated on a noncommercial basis for purposes of public recreation.
- (10) Subdivision sales office to serve the subdivision in which it is located and adjoining subdivision or subdivisions by the same developer or affiliate, provided that the sales office shall be terminated upon completion of the sale of 75% of the total number of homes and/or lots, except if sales office is model home that otherwise complies with the zoning and subdivision regulations, then that model home (same one only) may remain a sales office until last home sold.
- (11) Trailer, recreational, and overnight camping vehicles (stored unoccupied on a lot behind a line established by the front of house).
- (12) Public utility transmission and distribution lines.
- (13) Railroad rights-of-way.
- (14) Telephone booths.
- (15) Temporary buildings and storage of materials

in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of building permit.

(16) Family Care Home. (Ord. No. 1562-A, passed 6-11-07)

(C) *Uses under prescribed conditions.* The following uses are permitted in all multi-family districts subject to the conditions governing each use as specified in the appropriate section.

- (1) Churches, synagogues, and related uses with less than 400 seating capacity and/or with programs of up to 100 persons operated on a daily (weekday) basis. See § 153.053.
- (2) Community recreation centers. See § 153.186.
- (3) Colleges and universities with all accessory facilities except stadiums, subject to the regulations in § 153.053.
- (4) Reserved.
- (5) Country clubs and swimming or racket clubs operated on a noncommercial membership basis. See § 153.186.
- (6) Customary home occupations. See § 153.166.
- (7) Dormitories for the students of colleges, commercial schools, and schools providing adult training and for the staffs of hospitals, operated by and located on the principal site of the institution served, subject to the regulations in § 153.053.
- (8) Dwellings, one-family attached. See § 153.171.
- (9) Dwellings, planned multi-family developments. See § 153.165.
- (10) Equestrian-oriented subdivision. See § 153.094.
- (11) Fire stations. See § 153.053.
- (12) Golf courses, public and private, for daytime use only. See § 153.186.
- (13) Public libraries. See § 153.053.
- (14) Nurseries and art galleries operated on a

noncommercial basis. See § 153.053.

(15) Monasteries and convents. See § 153.053.

(16) Office of doctor, dentist, lawyer, architect, accountant, sales representative, realtor, and similar professional, semi-professional, and business representatives conducted as customary home occupations. See § 153.166.

(17) Police Stations. See § 153.053.

(18) Private stables. See § 153.187.

(19) Room renting. See § 153.177.

(20) Schools, elementary, junior and senior high, public and private, which have a capacity of up to 400 students. See § 153.053.

(21) Sewage treatment plants, control houses, pump and lift stations and similar uses. See § 153.183. Must be self-contained, not odorous, and meet all E.P.A. standards.

(22) Child day care homes and child day care facilities of less than 80-child capacity. See § 153.181.

(23) Commercial uses in conjunction with multi-family and office buildings, including barber shops and beauty shops, laundry and dry cleaning pick-up stations, restaurants, cafeterias, snack bars, and sundries shops. See § 153.168.

(24) Electric and gas substations. See § 153.183.

(25) Electric and telephone poles supporting hardwire systems and communications antennas. See § 153.172. (Ord. 912, passed 1-27-97)

(26) Telephone repeater stations and huts. See § 153.183.

(27) Water storage tanks. See § 153.076.

(28) On-site demolition disposal site. See § 153.190.

(29) Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.

(30) Transit stop shelters. See § 153.184.

(31) Bed and Breakfast establishments. See § 153.169.

(D) *Accessory uses.* The following accessory uses are

permitted in all multi-family districts.

(1) Accessory residential uses and structures, clearly incidental to the permitted principal use.

(2) Accessory uses, clearly incidental to the permitted principal use.

(3) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

(4) Parking for uses permitted within the several districts.

(5) Vending machines for cigarettes, candy, soft drinks and similar items, and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.

(6) Satellite dishes and swimming pools with minimum visibility from front property line.

(7) A temporary self-contained storage unit, not including trailers for office use, which is intended to be picked up and moved to various locations on demand. Prior to placement, the property and/or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping, street rights-of-way, and any neighboring drives or street intersections within 150' of the proposed placement location. A temporary storage unit shall not be placed within the required front setback. Maximum time a temporary storage unit shall be placed on an occupied multi-family parcel is 90 days. (Ord. No. 1532; passed 1-8-07)

(E) *Yard, area, and height regulations.* The following standards apply to residential uses in multi-family districts.

(1) *One-family detached dwellings:*

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum lot area	12,000	15,000
Minimum lot width	70	80
Minimum side yard	10	10
Minimum setback	35	40
Minimum rear yard	50	55
Minimum unobstructed open space (% of lot)	60%	65%
Maximum height	35	35

(2) *One-family semi-detached dwellings.* A one-family semi-detached dwelling group must conform to the requirements for two-family dwellings for the district in which located. Minimum requirements for one-family semi-detached dwelling units are listed below:

**Matthews Zoning Code**

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum lot area	7,500	9,250
Minimum lot width	40	45
Minimum side yard*	10	10
Minimum setback	35	40
Minimum rear yard	50	55
Minimum unobstructed open space (% of lot)	60%	65%
Maximum height	35	35

\* Note: *Side yard requirements.* Indicated side yard requirements are for one side only, with other side being attached.

(3) *One-family attached dwelling:*

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum development area per dwelling unit	3,900	4,650
Minimum lot area	**	**
Minimum lot width	12	12
Minimum setback abutting street	25	25
Minimum setback abutting common	0	0
Minimum private open space	400	400
Minimum common open space* (% of lot)	30%	35%
Maximum height	35	35

\* Percent of total development area. (This requirement is not applicable in Planned Unit Developments.)

\*\* Sufficient to accommodate dwelling unit and private open space.

(a) A one-family attached dwelling group may not contain more than ten dwelling units.

(b) No portion of a one-family attached dwelling group may be closer than 20 feet to any portion of another group or to any exterior property line.

(c) No off lot parking may be more than 150 feet, by the most direct pedestrian route, from a door of the dwelling unit it is intended to serve.

(d) One-family attached dwellings must conform to the provisions contained in "Development Standards for Planning Developments" for site planning; External and internal relationship, except that underground utilities are not required.

(e) In no instance may the density of a one-family attached project be greater than that permitted for a multi-family project in the corresponding zoning district.

(4) *Two-family and multi-family dwellings:*

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum lot area	12,000	15,000
Area requirement for each additional unit	3,000	3,500
Minimum lot width	80	90
Minimum side yard	10	10
Minimum setback	35	40
Minimum rear yard	50	55
Minimum unobstructed open space (% of lot)	60%	65%
Maximum height	35	35

(5) *Institutional uses.* These uses include churches, synagogues, and related uses with up to 400 seating capacity and/or with programs of up to 100 persons operated on a daily (weekday) basis; country clubs, community recreation centers, and swimming or racket clubs operated on noncommercial membership basis; dormitories for the students of colleges, commercial schools, and schools providing adult training and for the staffs of hospitals, operated by and located on the principal site of the institution served; golf courses, public and private, for daytime use only; monasteries and convents; small group day care homes; day care centers of less than 30-child capacity:

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum lot area	2 Acres	2 Acres
Minimum lot width	200	200
Minimum side yard*	20	20

	<b>R-12MF</b>	<b>R-15MF</b>
Minimum setback	35	40
Minimum rear yard	20	20
Minimum unobstructed open space (% of lot)	60%	65%
Maximum height	35*	35*

Note: Structures for institutional uses listed above may exceed the maximum building height up to 60 feet provided that the required side and rear yards are increased one foot for each foot (or fraction thereof) in height over 35 feet.

**Cross-reference:**

*For screening requirements for institutional uses in residential districts, see § 153.053(F).*

(6) (a) *Additional institutional uses.*

1. These uses include colleges and universities with all accessory facilities except stadiums; dormitories for students of colleges, commercial schools, schools and providing adult training and for the staffs of hospitals, operated by and located on the principal site of the institution served; day care centers with 31-to 60-child capacity.

2. For these uses, the same lot dimensions as given in § 153.055(E)(5) apply, except: minimum lot area, seven Ac.

(b) *Remaining institutional uses.* These uses include schools, elementary, junior and senior high, public and private, which have a capacity of up to 400 students:

1. Minimum lot area, 2.5 Ac per each 100 students or fraction of 100 students.

2. Minimum lot width, 200.

**Cross-reference:**

*For screening requirements for institutional uses in residential districts, see § 153.053(F)(1).*

(F) *Development standards for various uses.*

(1) Cluster developments may be permitted in multi-family districts in accordance with the provisions of § 153.093.

(2) Planned multi-family developments may be established in any multi-family district in accordance with the provisions of § 153.165.

(G) *Signs.* Signs are permitted in all multi-family residential districts in accordance with the provisions of §§ 153.140 through 153.155.

(H) *Parking and loading standards.* Development of any use in a multi-family residential district must conform to the parking and loading standards in §§ 153.115 through 153.129 and the restrictions in § 153.092.

(\*72 Code, § 3010) (Ord. 477, passed 2-8-88; Am. Ord. 613, passed 12-11-89; Am. Ord. 643, passed 11-5-90; Am. Ord. 644, passed 11-5-90; Ord. 753, passed 9-14-92; Am. Ord. 869, passed 7-14-95; Am. Ord. 875, passed 5-9-94; Am. Ord. 877, passed 5-9-94; Am. Ord. 885, passed 3-18-96; Ord. 1242, passed 8-12-02) Penalty, see § 153.999

**§ 153.056 RESIDENTIAL/INSTITUTIONAL DISTRICT.**

This district is intended to allow complementary development of certain institutional or public uses in predominantly residential areas. Uses in the R/I District are generally considered compatible with residential growth but are of a significant size or scale which requires extra

conditions in order to lessen their impact on neighboring residences. It is intended that the R/I District designations be scattered within single- or multi-family zoning districts.

(A) *Permitted uses.* The following are permitted by right in the Residential/Institutional District.

(1) Arboretum.

(2) Parks and playgrounds, operated on a noncommercial basis for the purpose of public recreation.

(3) Temporary buildings and storage of materials in conjunction with construction of a building or use on a lot where construction is taking place or on adjacent lots, such temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of building permit.

(4) Fire stations, police stations, and emergency response stations.

(5) Public libraries.

(6) Cemeteries, with or without sales office, chapel, or other enclosed use, provided only one building is located for those uses on the site.

(B) *Uses under prescribed conditions.* The following uses are permitted subject to the conditions governing each use as specified in the appropriate sections.

(1) Churches, synagogues, and related uses. See § 153.053.

(2) Community recreation centers. See §§ 153.053 and 153.186.

(3) Country clubs, swimming, and racket clubs operated on noncommercial membership basis. See §§ 153.053 and 153.186.

(4) Schools, elementary, junior and senior high, public and private. See § 153.053.

(5) Child day care homes and child day care facilities. See §§ 153.053 and 153.181.

(6) Adult day care centers. See § 153.053.

(7) Nursing homes, rest homes, and homes for the aged. See §§ 153.053 and 153.182.

(8) Colleges and universities with all accessory facilities except stadiums. See § 153.053.

(9) Hospitals. See § 153.053.

(10) Dormitories for the students of colleges and schools providing adult training and for the staff of hospitals, operated by and located on the principal site of the institution served. See § 153.053.

(11) Monasteries and convents. See § 153.053.

(12) Cemeteries with mausoleums and/or crematoriums. See § 153.053.

(13) On-site demolition disposal site. See § 153.190.

(14) Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.

(15) Indoor and/or outdoor tennis and racket clubs, and associated swimming pools and swimming facilities, operated on a commercial basis, which meet all the requirements of the district, and additionally: (1) do not have permanent spectator viewing facilities; (2) have no more than ten courts total; (3) do not exceed 3,936 square feet in pool size; (4) are restricted to clubs which have no more than 300 pool memberships and no more than 300 tennis memberships; (5) pools are not within 100 feet of any adjoining property lines; (6) are limited to pool hours of operation from 10:00 a.m. to 8:00 p.m.; (7) pools are not within 150 feet of any residentially zoned or used property line and that there be a border that is 100% opaque to a height of six feet. Measurements on (5) and (7) above shall be from pool or decking exterior adjacent to the pool, whichever would produce the greater buffer. See §§ 153.053 and 153.186.

(16) Commercial riding stable where not more than two horses per acre may be boarded, ridden and trained. See §§ 153.053 and 153.192.

(17) Transit stop shelters. See § 153.184.

(18) Electric and telephone poles supporting hardwire systems and communications antennas or communications towers. See § 153.172. (Ord. 912, passed 1-27-97)

(19) Golf practice facilities, including driving ranges, practice greens and sand traps may be established as part of an indoor and/or outdoor tennis and racket club as permitted by Section 153.056(B)(15). Such facilities must comply with the provisions of Section 153.186. The development of a golf practice facility pursuant to this section is permitted only for tennis and swim clubs which have been established pursuant to Section 153.056(B)(15). Any such facility constructed as part of an indoor and/or outdoor tennis and racket club may have its own separate facilities in accordance with the provisions of Section 153.056(C). (Ord. No. 1096, passed 1-10-00)

(20) Motorcycle Safety Training Course operating under the supervision of the North Carolina Motorcycle Safety Education Program in conjunction with a Post Secondary Educational Facility and whose overall dimensions shall be no greater than 300' x 200' for the purposes of motorcycle safety awareness and certification. (Ord. No. 1252, passed 5-13-02)

(21) Young Men's Christian Association and comparable organizations. See Section 153.053. (Ord. 1302, passed 9-8-03)

(22) Continuing Care Retirement Communities. See § 153.195. (Ord. No. 1550, passed 3-12-07)

(23) Temporary Marketing/Sales Centers to serve Continuing Care Retirement Communities. The Temporary Marketing/Sales Center may be located in a modular or manufactured structure so long as all applicable building codes are followed, and the structure is removed from the site no later than one (1) month after the date on which the first certificate of occupancy for any building constructed on the site is issued. (Ord. No. 1550, passed 3-12-07)

(24) Adult care home 0-9 (Ord. No. 1562-A, passed 6-11-07)

(C) *Accessory uses.* The following accessory uses are permitted in the Residential/Institutional District.

(1) Accessory uses, clearly incidental to the permitted use.

(2) Parking for permitted uses.

(3) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

(4) Vending machines for cigarettes, candy, soft drinks and similar items, and coin-operated laundries located within an enclosed building.

(5) Commercial uses within an enclosed building of a permitted use, such as cafeterias, snack bars and sundries shops, providing they do not exceed 10% of the building's gross floor area.

(6) Satellite dishes and swimming pools with minimum visibility from front property line.

(7) An indoor and/or outdoor tennis and racquet club operated on a commercial basis may have a tennis pro shop and/or club office space provided they do not exceed in size a total of 500 square feet of heated space; as an accessory use to the tennis club and as a part of a single structure up to 1500 heated square feet may be used by club members for recreational and social purposes; included in this

1500 square foot calculation shall be included all locker/shower rooms, exercise rooms, social areas and rest rooms which shall be the only permitted uses within this area of the structure; maximum total heated square footage shall not exceed 2000 square feet.

(8) Storage sheds for the keeping and maintenance of animals at a commercial riding stable.

(9) A temporary, self-contained storage unit, not including trailers, for office use which is intended to be picked up and moved to various locations on demand. Prior to placement, the property and/or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping street rights-of-way, and any neighboring driveways or street intersections within 150' of the proposed placement location. A temporary storage unit shall not be placed within the required front setback. Maximum time a temporary storage unit shall be placed on an occupied parcel is 90 days.  
(Ord. No. 1532, passed 1-8-07)

(D) *Yard, area, and height regulations.* The following standards apply to uses in the Residential/ Institutional District.

(1) Facilities which would include one or more assembly rooms, any one of which will seat more than 200 persons but less than 1,000 persons:

Minimum lot area	2 Ac
Minimum lot width	200
Minimum side yard	50
Minimum setback	50
Minimum rear yard	50
Minimum unobstructed open space (% of lot)	65%
Maximum height	60*

\* Structures may exceed the maximum height, provided that the required side and rear yards be increased one foot for each foot (or fraction thereof) in height over 60 feet and provided the Fire Chief or County Fire Marshal confirms there is adequate firefighting equipment available (locally or through mutual aid).

(2) Facilities which include one or more assembly rooms, any of which will seat more than 1,000 persons:

Minimum lot area	10 Ac
Minimum lot width	250
Minimum side yard	50
Minimum setback	50
Minimum rear yard	50

Minimum unobstructed open space (% of lot)	70%
Maximum height	60*

\* Same allowance for added height as noted in § 153.056(D)(1).

(3) Facilities which do not include common assembly rooms:

Minimum lot area	2 Ac
Minimum lot width	200
Minimum side yard	50
Minimum setback	50
Minimum rear yard	50
Minimum unobstructed open space (% of lot)	60%
Maximum height	60*

\* Same allowance for added height as noted in § 153.056(D)(1).

(E) *Development standards for various uses.*

(1) Churches, synagogues, and related uses with more than 200-seating capacity; schools, elementary, junior and senior high, public and private; day care centers; adult day care centers; colleges and universities with all accessory facilities except stadiums; and hospitals must meet these additional locational requirements.

(a) These uses must be located on a nonresidential street, and the entrance must be from this non-minor residential street.

(2) Outdoor accessory uses shall be a minimum of 50 feet from any adjacent residentially zoned district, and parking areas shall be a minimum of 20 feet from any adjacent residentially zoned district.

(3) Area lighting shall be designed and located to be directed away from residential areas or shielded to protect them.

(F) *Signs.* Signs are permitted in the R/I District in accordance with the provisions of §§ 153.140 through 153.155.

(G) *Parking and loading standards.* Development of any use in the R/I District must conform to the parking and loading standards in §§ 153.115 through 153.129.

(H) *Landscape screening.* Development of any use in the R/I District must conform to the landscaping screening requirements of § 153.053(F). ('72 Code, § 3020) (Ord. 477, passed 2-8-88; Am. Ord. 644, passed 11-5-90; Am. Ord. 753, passed 9-14-92; Am. Ord. 775, passed 4-12-93; Am. Ord. 781, passed 7-12-93; Am. Ord. 838, passed 2-13-95; Am. Ord. 869, passed 7-14-95; Am. Ord. 875, passed 5-9-94; Am. Ord. 886, passed 2-12-96) Penalty, see § 153.999

**§ 153.057 MANUFACTURED HOME DISTRICT.**

(A) *Manufactured Home District: R-MH.*

(1) This District is intended to provide areas for the orderly development and growth of new and existing manufactured home parks and manufactured home subdivisions. Appearance, dimensional, and housing quality standards are so designed that uses within this District may be soundly and permanently developed and maintained in such a way as not to be harmful to adjacent properties.

(2) For the purposes of this subchapter, **MANUFACTURED HOME** means a dwelling unit, transportable in one or more sections, which in the traveling mode is more than eight-body feet in width, or more than 40-body feet in length, or when erected on-site, is more than 320 square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. **MANUFACTURED HOME** includes any structure that meets all of the requirements of G.S. Chapter 143-145 except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and that complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For manufactured homes built prior to June 15, 1976, **MANUFACTURED HOME** is a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width. **MANUFACTURED HOME** also means a double-wide manufactured home, which is two or more portable manufactured housing sections that are designed for transportation on their own chassis and

that connect on-site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

For the purposes of this subdivision a **MANUFACTURED HOME PARK** shall mean a parcel of land under single ownership that has been planned and improved for the placement of manufactured housing for dwelling purposes. A **MANUFACTURED HOME SUBDIVISION** shall mean any subdivision of land developed for the placement of manufactured homes, for dwelling purposes, on individual lots that front a public street.

(B) *Permitted uses.* The following are permitted by right in the Manufactured Home District.

- (1) Arboretum
- (2) Dwelling, one-family detached.
- (3) Manufactured home
- (4) Manufactured home parks.
- (5) Telephone booths (manufactured home park only)
- (6) Parks and playgrounds, operated on a non-commercial basis for purposes of public recreation.
- (7) Manufactured home park office or service building for recreational facilities, meeting room for residents, and similar uses.
- (8) Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of a building permit.
- (9) Public utility transmission and distribution lines.
- (10) Trailer, recreational, and overnight camping vehicles (stored unoccupied on a lot and not within the required setback).

(C) *Uses under prescribed conditions.* The following uses are permitted subject to the conditions governing each use as specified in the appropriate section.

- (1) Customary home occupations. See §153.166
- (2) Sewage treatment plants and control houses, pump and lift stations and similar uses. See §153.183. Must be self contained, not odorous, and meet all E.P.A. standards.

(3) Telephone repeater stations and huts. See §153.183.

(4) Electric and telephone poles supporting hardwire systems and communications antennas. See §153.172.

(D) *Accessory uses.* The following accessory uses are permitted in the Manufactured Home District.

(1) Accessory residential uses and structures, clearly incidental to the permitted principal use.

(2) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

(3) Vending machines for candy, soft drinks and similar items, and coin-operated laundries located within an enclosed building as an accessory use to the uses in a manufactured home park.

(4) Accessory uses, clearly incidental to the permitted principal use or structure on the lot.

(5) Satellite dishes and swimming pools behind the principal structure.

(6) Parking for uses permitted within the District.

(7) On-site demolition disposal site as regulated by § 153.190.

(8) Transit stop shelters. See § 153.184.

(9) A temporary, self-contained storage unit, not including trailers for office use, which is intended to be picked up and moved to various locations on demand. Prior to placement, the property and/or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping, street rights-of-way, and any neighboring drives or street intersections within 105' of the proposed placement location. A temporary storage unit shall not be placed within the required front setback. Maximum time a temporary storage unit shall be placed on an occupied manufactured home parcel is 90 days. (Ord. No. 1532, passed 1-8-07)

(E) *Manufactured home construction and appearance standards*

(1) Manufactured homes placed in a manufactured home subdivision must have been constructed after July 1, 1976 and must meet or exceed the construction standards promulgated by the United States Department of Housing

and Urban Development that were in effect at the time of construction. In addition, manufactured homes shall also meet the following criteria:

(a) All manufactured homes shall have a minimum of 600 square feet;

(b) All manufactured homes shall have a minimum width of 9 feet;

(c) The pitch of the roof shall have a minimum vertical rise of 3 feet for each twelve feet of horizontal run;

(d) The towing apparatus, wheels, axles, and transporting lights shall be removed and not included in the length and width measurement;

(e) All manufactured homes shall be set up in accordance with the standards set by the North Carolina Department of Insurance;

(f) Each manufactured home shall have a continuous masonry, metal, or vinyl curtain around its entire base which is unpierced except for required ventilation and access. Skirting materials shall be compatible with the exterior finish of the manufactured home. In addition, any access panel shall not be installed on the elevation facing the front lot line. It is the intent of this subsection to eliminate the exposure of the undercarriage of the manufactured housing unit and to prevent the harborage of rodents and other vermin which constitute a threat to the public health and safety;

(g) The exterior siding shall consist of one or more of the following:

(1) vinyl or aluminum lap siding whose reflectivity does not exceed that of a flat white paint; or

(2) cedar or other wood siding; or

(3) brick or stone siding

(h) Stairs, porches, entrance platforms, ramps, and other means of entrance and exit to and from the manufactured housing unit shall be installed or constructed in compliance with the North Carolina State Building Code, attached firmly to the primary structure and anchored firmly to the ground in a permanent fashion. Stairs shall only be used in conjunction with a porch or entrance platform with a minimum dimension (length and width) of 5 feet. It is the intent of this subsection to prohibit the use of stairs only at any entrance to a manufactured home.

(i) Before a manufactured home placement permit is issued, verification of an operative septic system and potable water supply shall be required.

(F) *Yard, area, and height regulations for manufactured*

*home subdivisions.* The following standards apply to residential uses in the Manufactured Home District when located in a Manufactured Home Subdivision.

(1) Manufactured and single-family site built homes:

Minimum lot area	10,000 square feet
Minimum lot width	70 feet
Minimum side yard	8 feet
Minimum set back	25 feet
Minimum rear yard	30 feet
Minimum unobstructed open space (% of lot)	55%
Maximum height	35 feet

(G) *Manufactured Home Park dimensional requirements.*

(1) Minimum tract size shall be five acres.

(2) Minimum tract lot frontage shall be 100 feet along a public road.

(3) Manufactured home sites and park structures shall be set back at least 50 feet from any abutting public street right-of-way line, and at least 30 feet from any abutting property line.

(4) Each manufactured home space shall have an area of at least 4,500 square feet.

(5) Each manufactured home space shall have a minimum of 45 lineal feet of lot frontage along an internal park road.

(6) At least 10% of the total area of a manufactured home park shall be devoted to recreational use by the residents of the park, including space for community recreation buildings, gardens, outdoor play areas, swimming pools, ball courts, and the like. Space for required landscaping shall not be included for purposes of meeting this requirement.

(7) There must be at least six spaces available at first occupancy.

(8) Individual manufactured home spaces.

(a) Manufactured homes shall be separated from each other by not less than 20 feet at any point. Expandable rooms, double-wides, and additions to manufactured homes shall be considered integral parts of the structure for these spacing requirements.

(b) Manufactured homes must meet or exceed the construction standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction. In addition, each manufactured home shall meet the following criteria:

(1) All manufactures homes shall be set up in accordance with the standards set by the North Carolina Department of Insurance;

(2) The towing apparatus, wheels, axles, and transporting lights shall be removed;

(3) Each manufactured home shall have a continuous masonry, metal, or plastic curtain around its entire base which is unpierced except for required ventilation and access.

(c) No storage shall be allowed on or around a manufactured home space other than in a completely enclosed storage facility. This requirement does not include the storage of operable grills, bicycles, and other similar items that are clearly incidental to the dwelling unit.

(9) *Building Height Limits.* No structure shall exceed 35 feet in height.

(H) *Additional requirements Manufactured Home Subdivisions.*

(1) No storage shall be allowed on or around a manufactured home other than items contained in a completely enclosed storage facility. This requirement does not include the storage of operable grills, bicycles, and other items that are clearly incidental to the dwelling unit.

(2) Manufactured homes shall be placed so that their longest axis is nearly parallel to the front lot line.

(I) *Additional requirements Manufactured Home Parks.*

(1) *Roads.* Private, hard-surfaced roads are required within a manufactured home park. Each manufactured home space shall be directly accessible from an internal private road, with no direct access to public streets. Internal private roads must have a minimum pavement width of 20 feet.

(2) *Utilities.* Each manufactured home park created under this section shall be provided with approved water supply systems and sewerage disposal systems.

(3) *Parking.* Each manufactured home space shall be provided with two off-street parking spaces, and there shall be one visitor space provided for every three manufactured home spaces, located within 200 feet of the manufactured home space they are intended to serve. In addition, each laundry facility shall be provided with one parking space for every five manufactured home spaces in the manufactured home park.

(4) *Landscaping requirements.* Manufactured home parks shall be landscaped in accordance with the provisions of §153.075.

(J) *Signs.* Signs are permitted in all Manufactured Home Districts in accordance with the provisions of §§ 153.140 through 153.155.

(Ord. 946, passed 12-8-97)