



City of Trinity
PLANNING & ZONING BOARD MEETING

August 26, 2024 at 6:00 PM

Trinity City Hall Annex

AGENDA

NCGS § 143-318.17 Disruption of official meetings

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

Action may be taken on agenda items and other issues discussed during the meeting

1. Call to Order

- a) **Pledge of Allegiance**
- b) **Invocation**
- c) **Welcome Guests and Visitors**
- d) **Approve and/or Amend Agenda**

2. Approval of Minutes

- [a.](#) Approve the June 24, 2024 Planning and Zoning Minutes
- [b.](#) Approval of July 29, 2024 Planning and Zoning Workshop Minutes
- [c.](#) Approval of August 12, 2024 Planning and Zoning Workshop Minutes

3. Public Meeting

- [a.](#) **Ordinance Workshop** (*Planning Consultant Carrie Spencer*)

4. Comments from Board

5. Adjournment



City of Trinity
PLANNING & ZONING BOARD MEETING

June 24, 2024
Trinity City Hall Annex

MINUTES

PRESENT

Vice Chair Debbie Jacky
Board Member Keith Aikens
Board Member Pattie Housand
Board Member Eddie Eaton

ABSENT

Chairman Hunter Hayworth

OTHERS PRESENT

City Clerk Darien Comer
Planning Director Jill Wood
Planning Jay Dale
Planning Consultant Carrie Spencer
Attorney Bob Wilhoit

Board Vice Chair Jacky called the meeting to order at 6:00 PM.

Board Vice Chair Jacky led the Pledge of Allegiance and Mayor McNabb gave the invocation.

Board Vice Chair Jacky called for a motion to amend or approve the agenda as presented.

Board Member Aikens made a motion to approve the agenda as presented. The motion was seconded by Board Member Housand with a unanimous vote of 4 ayes and 0 nays.

Swearing in of Planning and Zoning New Board Member; Eddie Eaton

Board Member Eddie Eaton was sworn in for a three-year term. City Clerk Darien Comer administered the Oath of Office.

Approval of Minutes

Board Member Housand made a motion to approve the April 22, 2024 meeting minutes. The motion was seconded by Board Member Aikens with a unanimous vote of 4 ayes and 0 nays.

Public Meeting

Request for Property Rezoning - 0 Surrett Dr. Pin #7708323924

Planner Jay Dale presented a summary of the request for property rezoning of 0 Surrett Drive. Monica Ponce, the property owner, is requesting that .67 acres located at 0 Surrett Dr. PIN# 7708323924, be rezoned from R-40 (Residential) to HC (Highway Commercial). It is the desire of the property owner to operate an outdoor storage yard as per site plan. The property owner will need to acquire a Special Use Permit to operate an outdoor storage yard.

Monica Ponce, the property owner was present to answer questions from the board.

Speaking For:

None

Speaking Against:

None

Board Member Housand made a motion to recommend to the Council that this request be denied due to the fact it is inconsistent with the Land Development Plan. The motion was seconded by Board Member Aikens with a unanimous vote of 4 ayes and 0 nays.

Work Session - Article 5 Zoning and Article 8 Subdivision

Planning Consultant Carrie Spencer and Roger Bardsley conducted a work session of the proposed Article 5 Zoning and Article 8 Subdivision.

Comments from Board

No comments from the Board at this time.

Adjournment

Board Member Housand made a motion to adjourn. The motion was seconded by Board Member Aikens with a unanimous vote of 4 ayes and 0 nays.

Attest:

Hunter Hayworth, Board Chairman

Darien P. Comer, City Clerk



City of Trinity
PLANNING & ZONING WORKSHOP MEETING

July 29, 2024
Trinity City Hall Annex

MINUTES

PRESENT

Chairman Hunter Hayworth
Vice Chair Debbie Jacky
Board Member Keith Aikens
Board Member Pattie Housand
Board Member Eddie Eaton

OTHERS PRESENT

City Clerk Darien Comer
Planning Director Jill Wood
Public Works Director Rodney Johnson
MSI Planning Consultant Project Manager Carrie Spencer
MSI Planning Consultant Roger Bardsley
MSI Planning Consultant Kirk Ericson

Board Chairman Hayworth called the meeting to order at 2:00 PM.

Board Chairman Hayworth led the Pledge of Allegiance and gave the invocation.

Board Member Eaton arrived at 3:00 PM.

Trinity Water Management Ordinance

Planning Consultant Roger Bardsley gave a quick review of the proposed Water Management Ordinance that was present at the last Planning Board Meeting. Mr. Bardsley asked the Planning Board if they would make a recommendation so that the Water Management Ordinance could be forwarded to the City Council for their review.

Vice Chair Jacky made a motion to recommend to the Council that the Water Management Ordinance be adopted. The motion was seconded by Board Member Housand with a unanimous vote of 4 ayes and 0 nays.

Zoning Workshop

Planning Consultant Carrie Spencer, Roger Bardsley and Kirk Ericson conducted a work session on the proposed Land Management Ordinance.

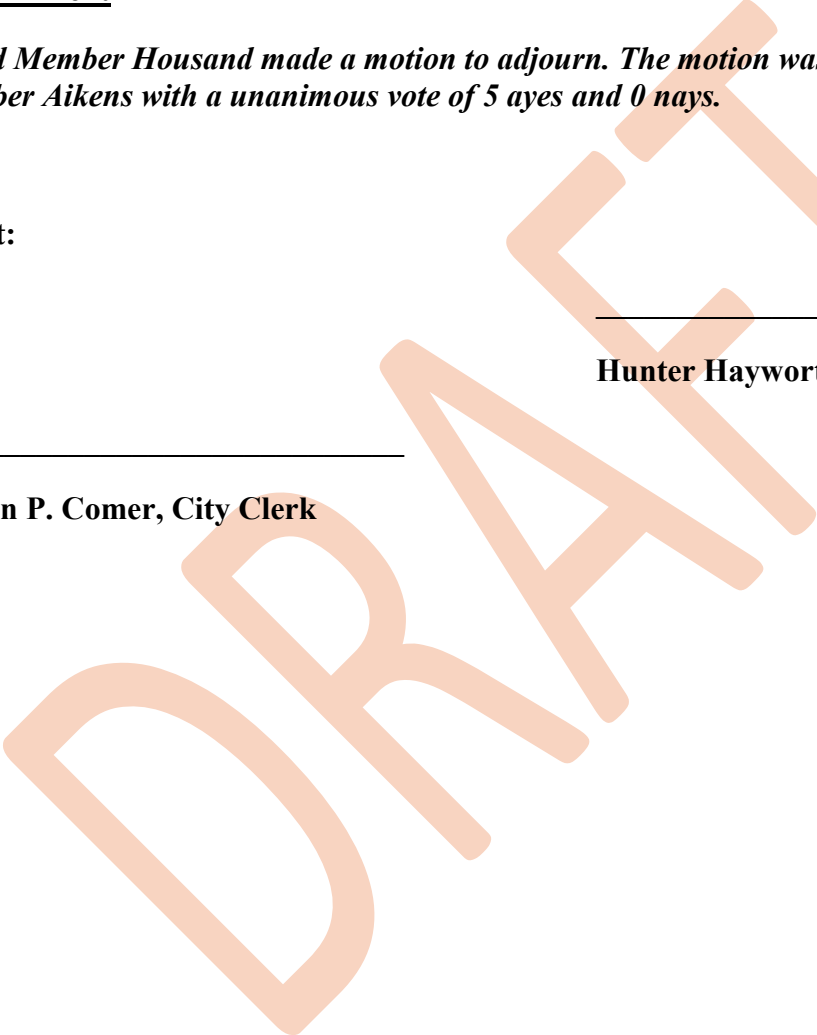
Adjournment

Board Member Housand made a motion to adjourn. The motion was seconded by Board Member Aikens with a unanimous vote of 5 ayes and 0 nays.

Attest:

Hunter Hayworth, Chairman

Darren P. Comer, City Clerk





City of Trinity
PLANNING & ZONING WORKSHOP MEETING

August 12, 2024
Trinity City Hall Annex

MINUTES

PRESENT

Chairman Hunter Hayworth
Vice Chair Debbie Jacky
Board Member Pattie Housand
Board Member Eddie Eaton

ABSENT

Board Member Keith Aikens

OTHERS PRESENT

City Clerk Darien Comer
Planning Director Jill Wood
Public Works Director Rodney Johnson
MSI Planning Consultant Project Manager Carrie Spencer
MSI Planning Consultant Roger Bardsley

Board Chairman Hayworth called the meeting to order at 2:00 PM.

Development Ordinances

Planning Consultants Carrie Spencer and Roger Bardsley, with MSI conducted a work session on the proposed Land Management Ordinances.

The meeting adjourned at 3:40 PM.

Attest:

Darien P. Comer, City Clerk

Hunter Hayworth, Chairman

Table XX, Principal Use Table

P = Permitted, subject to any applicable use standards
 S = Permitted, subject to the standards in Section XX, Special Use Permit, and any applicable use standards
 XX and any applicable use standards

/#/ = Table footnote

Use Category	Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standards
Residential Uses													
Household Living	Manufactured Dwelling/ Manufactured Dwelling Park											P	XX
	Single-Family Detached Dwelling	P	P	P	P								XX
	Single-Family Attached Dwelling – 2 units	P			S								XX
	Single-Family Attached Dwelling – 3 or 4 units				S								XX
	Multi-family Dwelling				S								XX
	Mixed Occupancy					P		S	P				
Group Living	Family Care Home (only one- or two-family homes)	P	P	P	P								XX
	Group Home	S	S		S								XX
	Halfway House	S						S					XX
Life Care	Assisted Living/ Nursing Facility	S	S		S	P							XX
	Continuing Care Retirement Community (CCRC)	S	S		S	P							XX
Institutional Uses													
Civic	Amphitheater (Outdoor)	S				S			S				
	Community/Youth/Senior Center					P	P	P					
	Cultural Facility, Library, or Museum					P	P	P					
	Fraternal Club or Lodge	S	S			P	P	P					XX
Day Care	Adult Day Care Center	S	S		S	P	P	P					XX
	Child Day Care Center (primary use)	S	S		S	P	P	P					XX
Education	College or University	S				S							
	Dormitory, Private	S				S							XX
	Fraternity or Sorority House	S				S							XX
	School, Elementary	S	S	S	S	S	S	S					XX
	School, High/Middle	S	S	S	S	S	S	S					XX
	School, Vocational	S				S				S			XX
Health Care	Drug/Alcohol Treatment					S							XX
	Hospital					P		P					XX
	Laboratory and Laboratory Services					P		P					
	Outpatient Treatment Facility					P		P					
	Urgent Care					P	P	P					XX
	Dental or Medical Office					P	P	P					
Internment	Cemetery, Columbarium, or	P	P										XX

Use Category	Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standard
	Mausoleum												
Open Space		P	P	P	P	P	P	P	P	P	P	P	
Government	Fire/EMS/Police Station	P	P	P	P	P	P	P	P	P	P	P	XX
	Government Office					P	P	P					
	Post Office					P	P	P					
	Police/Fire Training Facility	S				S				S			
	Public Works Facility	P	P			P		P		P	P		
Religious Institution	Religious Institution	P	P	P	P	P	P	P	P	P	P	P	XX
Commercial Use Categories													
Adult Uses	All										S		XX
Animal Care	Animal Grooming	P					P	P	P				XX
	Animal Shelter	S											XX
	Kennel Indoor or Small Outdoor	S											
	Kennel Large Outdoor	S											XX
	Veterinary Clinic with outdoor kennel	S					S	S	S				XX
	Veterinary Clinic without outdoor kennel	P					P	P	P				
Drinking Establishment	Bar or Cocktail Lounge						S	S	S	S	S		XX
	Bottle Shop						S	P	P	P	P		XX
	Microbrewery or Micro distillery						S	S	P	P	P		XX
	Private Club (Not Classified as an Adult Use)	S	S					S	P	P			XX
Eating Establishment	Coffee Shop					P	P	P	P	P			
	Restaurant, Drive-Through/Drive Up Service					P		P	P	P			
	Restaurant, Indoor Seating					P	P	P	P	P			
	Restaurant, Indoor or Outdoor Seating					P		P	P	P			
	Restaurant, Walk-up Only					P		P	P	P			
Indoor Commercial Recreation	Bowling Alley							P	P				
	Electronic Gaming Operation										S		XX
	Event Venue	S						S	P				XX
	Fitness Center							P	P				
	Nightclub or Dance Hall							S	S				XX
	Pool Hall							S	P				
	Shooting Range (Indoor)							P	P	P			XX
	Sports Facility, Indoor							P	P				
	Theater (Film or live performance not classified as an Adult Use)							P	P				
Themed Recreation							P	P					
Office	Medical/Dental Office					P	P	P	P				
	Professional Office					P	P	P	P	P			
	Golf Course	P											XX
	Golf Driving Range	S											XX
	Racetrack	S											XX
	Shooting Range (Outdoor)	S											XX
	Sports Facility, Outdoor	S											XX
	Theater, Drive-In	S											XX

Use Category	Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standard
	Vehicle Sports	S											XX
Outdoor Public Recreation	Arboretum or Formal Garden	P											
	Community Garden	P											
	Park	P	P	P	P	P	P	P	P	P		P	XX
	Public Recreation Facility	S						S	S				XX
Outdoor Advertising	Sign, Off-Premises	S							S	S	S		
Parking	Parking Lot				S	P	P	P	P	P	P		XX
	Parking Structure				S	P		P	P	P	P		XX
Personal Service	Computer Services						P	P	P	P			
	Equipment and Tool Rental							P	P	P	P		XX
	Financial Institution With or Without out Drive-Through Service							P	P				
	Funeral-Related Services					P		P	P				XX
	Hair, Nails, and Skin-Related Services					P	P	P	P				
	Laundry/Dry Cleaning					P		P	P				XX
	Packaging and Printing					P		P	P	P	P		
	Repair Shop						P	P	P	P	P		XX
Retail	Convenience Store (With Gasoline Sales or Restaurant)							P	P	P			XX
	Convenience Store (Without Gasoline Sales or Restaurant)							P	P	P		P	XX
	Flea Market (Indoor)							P					
	Flea Market (Outdoor)	S											
	Firearm Sales and Service							P		P			XX
	General Retail						P	P	P				
	Grocery Store						P	P	P				
	Large Format Retail								P				
	Outdoor Sales, Excluding Nursery/Lawn and Garden Center						P	P	P				
	Nursery/Lawn and Garden Center						P	P	P				
	Pharmacy							P	P				
	Retail, Second-Hand							P					
Storage and Warehousing	Outdoor Storage Yard							S		P	P		XX
	Warehouses - Self-Storage Facilities							S		P	P		XX
	Above Ground Liquid Storage Tanks									S	S		XX
	Warehouse, Distribution									P	P		XX
	Warehouse, Storage									P	P		XX
Visitor Accommodations	Bed and Breakfast	S					S	P	P				XX
	Campground	S											XX
	Hotel/Motel							P	P				
	Short-Term Rental	S					S	P	P				XX
Vehicle-Related	Vehicle Repair and Servicing (Without Painting or Bodywork)							P		P	P		XX

Use Category	Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standard
	Vehicle Sales or Rentals							P	P	P	P		XX
	Vehicle Painting/Body Shop							P		P	P		XX
	Vehicle Parts and Accessory Sales							P	P	P	P		
	Vehicle Towing and Storage Lot									P	P		XX
	Car Wash or Automobile Detailing							P	P	P	P		XX
Industrial Use Categories													
Industrial Services	Contractor Services and Sales without outdoor storage							P		P	P		
	Contractor Services and Sales with outdoor storage									P	P		XX
	Electrical/Plumbing Fabrication									P	P		
	Fuel Oil/Bottled Gas Distributor									S	S		XX
	Heavy Equipment Sales and Service (Excluding Farm Machinery Sales)									P	P		XX
Manufacturing and Production	Advanced Battery or Fuel Cell Manufacturing										S		XX
	Asphalt or Concrete Plant										S		XX
	Bakery (large scale)									P	P		
	Bottling Plant									P	P		
	Chemical Manufacturing										S		XX
	Firearms Manufacturing										P		XX
	Foundry										S		XX
	Manufacturing, Heavy, Not Otherwise Categorized										S		XX
	Manufacturing, Light (with or without accessory sales)									P	P		XX
	Meat Packing and Processing										S		XX
	Metal Fabrication and Welding										P		
	Quarrying or Mining										S		XX
	Wood Fabrication										P	P	
Telecommunications	Antenna Collocation, Major	S								S	S		
	Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	
	Broadcasting Studio	S								S	S		XX
	Small Wireless Facility Collocation	P	P	P	P	P	P	P	P	P	P	P	
	Telecommunications Tower, Major	S								S	S		XX
	Telecommunications Tower, Minor or Concealed	S								S	S		XX
Transportation	Airport										S		XX
	Airfield/Heliport	S				S			S	S	S		XX
	Bus Station									P	P		
	Rail Yard									P	P		
	Transit Shelter (eg bus stop)	P	P	P	P	P	P	P	P	P	P	P	
	Truck Terminal									S	S		XX
Utilities	Solar Farm	S											XX
	Utility Substation, Minor	P	P	P	P	P	P	P	P	P	P		XX

Use Category	Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standard
	Utility Substation, Major	S								S	S		XX
	Water Storage Facility	S						S		P	P		XX
	Water Treatment Facility	S								S	S		XX
Waste-Related Services	Landfill, LCID	S								S	S		XX
	Landfill, Sanitary										S		XX
	Recycling Center, Processing									S	S		XX
	Recycling Center, Convenience Stop	S								S	S		XX
	Salvage or Junkyard										S		XX
	Transfer Station										S		XX
	Wholesale Trade	All									P	P	
Agricultural Use Categories													
Agricultural Related Uses	Agricultural Events Facility	S											
	Agricultural Production	P											
	Animal Husbandry	P											
	Agricultural Supply Sales (Feed, Seed, Fertilizer)							P	P		P		
	Commercial Stable (includes Boarding and/or Training)	S											XX
	Farm Machinery Sales	S											
	Livestock Sales	S											
	Riding Academy	S											
	Horticulture	S											

Table XX, Table of Common Accessory Uses													
P = Permitted, subject to any applicable use standards													
S = Permitted, subject to the standards in Section XX, Special Use Permit, and any applicable use standards													
/#/ = Table note at end of table													
Use Type	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standards	
Accessory Dwelling Unit, Attached or Detached	P	P	P	P									XX
Amateur Communications Equipment	P	P											XX
Automated Teller Machine					P	P	P	P	P	P			XX
Child or Adult Care, Incidental	P	P	P	P							P		XX
Detached Garage or Carport	P	P	P	P	P	P	P	P	P	P	P		XX
Dish Antenna (Large)					P	P	P	P	P	P			XX
Drive-Through					P	P	P	P					XX
Electric Vehicle Charging Station (available to the public)					P	P	P	P	P	P			XX
Greenhouse	P	P	P			P	P	P					
Guard House or Gatehouse					P				P	P			
Home Occupation	P	P	P	P									XX
Outdoor Display or Sales						P	P	P					XX

Outdoor Storage, Non-residential	P					S	S	P	P	P			
Recycling Convenience Site	P	P	P	P	P	P	P	P	P	P	P	P	XX
Solar Energy System (Small-Scale)	P	P	P	P	P	P	P	P	P	P	P	P	XX
Storage Structure	P	P	P	P	P	P	P	P	P	P	P	P	XX
Private Swimming Pool	P	P	P	P									XX

Table XX, Table of Temporary Uses

P = Permitted, subject to any applicable use standards
 /#/ = Table note at end of table

Use Type	Maximum Duration	RA	RR	SR	UR	OI	NB	GB	RC	LI	HI	MHO	Standards
Family Health Care Structure	60 days after no longer needed	P	P	P	P								XX
Food Truck	Must be removed each day						P	P	P				XX
Horse or Pet Show	Limited to 72 hours per parcel for up to 3 times per year	P											XX
Itinerant Merchant Sales	45 days per development per year							P					XX
Outdoor Seasonal Sales	45 days per development per year	P					P	P	P	P			XX
Portable Storage Container	90 days per parcel per year	P	P	P	P								XX
Public Event		P	P	P	P	P	P	P	P	P	P	P	XX
Special Event	7 days per parcel, up to 4 separate events per year	P				P	P	P	P				XX
Temporary Accessory Educational Structure	12 months /2/	P	P	P	P	P	P	P					XX
Temporary Disaster Housing	Up to 18 months	P	P	P	P								XX
Temporary Construction Office	Completion of project					P	P	P	P	P	P		
Temporary Real Estate Office	Completion of sales or 12 months /2/ whichever is shorter	P	P	P	P	P	P	P	P	P	P	P	XX
Temporary Wireless Telecommunications Facility	14 days /1/	P	P	P	P	P	P	P	P	P	P	P	XX

NOTES:
 /1/ Permit is renewable up to three times per year.
 /2/ Permit is renewable for successive 12-month periods.

Article 7. DEVELOPMENT STANDARDS PARTICULAR TO INDIVIDUAL USES

Sec. 7.1 LAND USES DISTINGUISHED

Article 7 contains all the standards related to land uses within the City of Trinity's planning jurisdiction, and is organized according to three types of uses: principal, accessory, and temporary. These use types are described in Article 5 Section XX.

Sec. 7.2 STANDARDS APPLICABLE TO PARTICULAR PRINCIPAL USES

A. Purpose.

This section includes standards which apply to the named principal use in addition to the Development Standards of Section XX, which apply to all development, and the zoning district standards of Section XX.

1. Above Ground Liquid Storage Tank.

- i. The minimum lot size for this use shall be one (1) acre in size.
- ii. All storage tanks and loading facilities shall be located at least twenty-five (25) feet from any side or rear property line.
- iii. All storage tanks and loading facilities shall be located a minimum of 100 feet from any adjacent residential zoning district.
- iv. All facilities shall comply with the American Insurance Association's Flammable and Combustible Liquids Code, in addition to other relevant state and federal regulations.

2. Adult Day Care Center.

- i. Adult Day Care Centers shall be certified by the North Carolina Department of Health and Human Services, and shall obtain any licenses and permits required by the City of Trinity and Randolph County.
- ii. Adult Day Care Centers shall not serve any individual client for a continuous period of more than 24 hours.

3. Adult Use.

The following standards are intended to prevent the concentration of adult uses and to separate these uses from residential neighborhoods, educational facilities and day care centers, religious institutions, parks, and public recreation facilities.

- i. Any lot containing an adult use must be separated by a distance of at least 1,000 feet from any lot containing another adult use; any use within the residential use classification; any use within the education, day care, or religious institution use categories; and any park or public recreation facility use.
- ii. Any structure containing an adult use must be separated by a distance of at least 200 feet from any lot within a zoning district where such use is

prohibited.

- iii. No more than one (1) adult use shall be located within the same structure or on the same lot.
- iv. An adult use lawfully operating as a conforming use shall not be rendered nonconforming by the subsequent establishment of a residential dwelling, religious institution, education facility or day care center, public park, or residential zoning district with regard to the spacing requirements of subsections i. and ii. above.
- v. Any adult uses made nonconforming by the adoption of this Ordinance shall be granted a two (2) year amortization period from the effective date of this Ordinance, at the end of which time said adult use must either come into compliance with the requirements of this Ordinance or be discontinued.
- vi. Neon or Flashing lights or fluttering devices designed and used to attract attention are not permitted

4. Advanced Battery or Fuel Cell Manufacturing.

- i. Advanced Battery or Fuel Cell Manufacturing facilities shall be located at least 500 feet from any residentially-zoned property and at least 200 feet from any other property.
- ii. Advanced Battery or Fuel Cell Manufacturing facilities, including outdoor storage and process areas, shall be surrounded by fencing at least six (6) feet in height.
- iii. Advanced Battery or Fuel Cell Manufacturing facilities shall meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

5. Airfield/Heliport.

- i. No activities or improvements incidental to an airfield/heliport shall be located closer than 100 feet from any lot line and shall be located at least 300 feet from any residentially-zoned property.
- ii. Access to the airfield/heliport shall be controlled using gates, chains, or fences to prevent unauthorized access.
- iii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- iv. Any airfield/heliport shall comply with all relevant Federal Aviation Administration (FAA) regulations.

6. Airport.

- i. No activities or improvements incidental to an airport shall be located closer than 200 feet from any lot line and shall be located at least 500 feet from any residentially-zoned property.
- ii. Access to the airport shall be controlled using gates, chains, or fences to prevent unauthorized access.

- iii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- iv. Any airport shall comply with all relevant Federal Aviation Administration (FAA) regulations.

7. Amphitheater (Outdoor).

- i. Outdoor activity areas shall be set back a minimum of 100 feet from any adjacent residentially-zoned property.
- ii. Outdoor activities shall be prohibited between midnight and 7 a.m.
- iii. All parking shall be screened from adjacent residentially-zoned property by a Type II Bufferyard.

8. Animal Grooming.

- i. Overnight boarding of animals shall be prohibited.
- ii. The animal grooming use, including boarding of animals before or after grooming, shall occur completely within an enclosed building.

9. Animal Husbandry.

- i. A minimum lot size of 2.5 acres shall be required for the keeping of livestock.
- ii. Fencing able to contain the livestock on the site shall be required.
- iii. All livestock shall be kept in a manner consistent with the City of Trinity's Animal Control Ordinance.

10. Animal Shelter.

- i. All activities associated with this use shall take place within enclosed and soundproofed structures, unless the conditions of subsections ii. through iii. are met.
- ii. All activities shall be at least 500 feet from any residentially-zoned lot.
- iii. Any outdoor kennels or runs shall be enclosed by a fence of at least six (6) feet in height.

11. Asphalt or Concrete Plant.

- i. All activities shall be located at least 50 feet from any adjoining lot line.
- ii. A fence of at least six (6) feet in height shall be provided around the use.
- iii. Any access drives to the site shall be paved and shall be located no closer than fifteen (15) feet from any adjoining lot line .
- iv. Within one (1) year of cessation of the use, all equipment and stockpiles incidental to the use shall be dismantled and removed from the site at the expense of the landowner.

12. Assisted Living/Nursing Facility.

- i. Common social and service areas shall be provided at a minimum rate of thirty (30) square feet per room or dwelling unit, in addition to any required open space.
- ii. All facilities shall be solely for the use of residents and their guests.
- iii. An administrative office for the facility shall be located on-site.
- iv. A Type II Bufferyard shall be installed along any lot line adjacent to residential zoning.
- v. Assisted living facilities shall comply with the multifamily residential design guidelines of Section XX.
- vi. Assisted Living Facilities must be accessed from a thoroughfare.

13. Bed and Breakfast.

- i. The use shall be located in a structure that was originally constructed as a residential dwelling.
- ii. Any meals served on the premises shall be for the guests of the facility.
- iii. Parking shall be located to the side or rear of the building.
- iii. A Type II Bufferyard shall be installed along any lot line adjacent to residential zoning.
- iv. Any signage for the use shall meet the standards of Section XX and shall be non-illuminated.

14. Broadcasting Studio.

- i. Any broadcasting towers associated with this use shall be set back from all lot lines a minimum distance equal to the height of the tower.
- ii. The use shall not include a helipad or other helicopter landing facility.

15. Campground.

- i. No campsite shall be used as a permanent place of residence or business. Continuous occupancy extending beyond three (3) months in any twelve (12) month period shall be considered permanent occupancy.
- ii. Accessory uses may include management offices, recreational facilities, toilets, showers, laundry facilities, and other uses and structures customarily incidental to the operation of a campground.
- iii. All campsites shall be level and well-drained.
- iv. The maximum density of the campground shall be fifteen (15) campsites per acre.
- v. In no case shall any campsite contain less than 1,500 square feet.
- vi. Campsites shall be developed to preserve the natural character of the site to the greatest extent possible.
- vii. No campsite or other facility shall be less than twenty (20) feet from the perimeter of the lot the campground is on.
- viii. A Type I Bufferyard shall be installed adjacent to any residentially-zoned property.
- ix. Any lighting installed on-site shall be located and shielded so as not to adversely affect adjacent properties.

16. Car Wash and Automobile Detailing.

- i. No outdoor display or storage shall be permitted.
- ii. A Type II Bufferyard shall be installed adjacent to any residentially-zoned property, in addition to an opaque fence a minimum of six (6) feet in height.
- iii. All campsites shall be level and well-drained.
- iv. Designated areas shall be provided for washing, drying, and vacuuming of vehicles, where such services are offered. These areas shall not impede on-site vehicle circulation patterns.
- v. Provisions shall be made for the appropriate disposal and/or recycling of waste products and runoff.

17. Cemetery, Columbarium, or Mausoleum.

New cemeteries, columbaria, mausoleums, and similar facilities, as well as the expansion of existing facilities, shall comply with the following standards:

- i. These uses shall be located on a parcel of at least two (2) acres in size.
- ii. Interments shall take place at least twenty-five (25) feet from any lot line and comply with all applicable requirements of the North Carolina General Statutes.
- iii. Adequate vehicular stacking space for funeral processions shall be provided on-site.
- iv. The site shall have direct access to collector street or thoroughfare.
- v. A Type I Bufferyard shall be installed adjacent to any residentially-zoned property.

18. Chemical Manufacturing

- i. Chemical Manufacturing facilities shall be located at least 500 feet from any residentially-zoned property and at least 200 feet from any other property.
- ii. Chemical Manufacturing facilities, including outdoor storage and process areas, shall be surrounded by fencing at least six (6) feet in height.
- iii. Chemical Manufacturing facilities shall meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

19. Child Day Care Center.

- i. Child Day Care Centers shall be certified by the North Carolina Department of Health and Human Services, and shall obtain any licenses and permits required by the City of Trinity and Randolph County.
- ii. The facility shall comply with the state regulations for minimum square footage per child for interior space and outdoor play area.
- ii. Outdoor play areas shall be enclosed by fencing at least four (4) feet in height.
- iii. A Type I Bufferyard shall be installed adjacent to any residentially-zoned property.

- iv. In residential districts, day care centers shall not be operated between the hours of 7 p.m. and 6 a.m.

20. Community/Youth/Senior Center.

- i. A Type I Bufferyard shall be installed adjacent to any residentially-zoned property.

21. Continuing Care Retirement Community (CCRC).

- i. CCRC facilities may include any mixture of single-family attached and detached dwellings, duplex dwellings, townhomes, triplex or quadplex dwellings, multifamily dwellings, and assisted living facilities.
- ii. Any of the uses listed in subsection i. within a CCRC shall comply with the standards applicable to those individual uses in Section 7.4.
- iii. All facilities within the CCRC shall be solely for the use of residents and their guests.
- iv. An administrative office for the facility shall be located on-site.
- v. A Type II Bufferyard shall be installed along any lot line adjacent to residentially-zoned property.
- vi. The CCRC facilities shall comply with the multifamily residential design guidelines of Section XX. These design guidelines shall not apply to any buildings containing four (4) or fewer units within the CCRC, however.
- vii. Assisted Living Facilities must be accessed from a thoroughfare.

22. Contractor Services and Sales with Outdoor Storage.

- i. A Type III Bufferyard and an opaque fence a minimum of six (6) feet in height shall be installed between any outdoor storage area and adjacent residentially-zoned property.
- ii. Outdoor storage of equipment, materials, and vehicles shall be screened from view of all adjacent residential uses and rights-of-way. Equipment may exceed the height of the required fence, but shall be stored in a manner that limits its visibility to the maximum extent practicable.
- iii. An opaque fence a minimum of six (6) feet in height shall be installed around the perimeter of any outdoor storage area.
- iv. Outdoor storage areas shall be maintained in a manner to limit dust from drifting onto adjacent properties.

23. Convenience Store (With Gasoline Sales or Restaurant).

- i. Convenience stores shall be limited to 4,000 square feet of gross floor area.
- ii. Outdoor storage shall meet the requirements of this Article and Article XX Zoning.

24. Convenience Store (Without Gasoline Sales or Restaurant).

- i. Convenience stores shall be limited to 4,000 square feet of gross floor area.
- ii. No outdoor storage shall be permitted.

25. Dormitory, Private.

- i. A dormitory shall be located within half a mile of the college or university it serves.

26. Drug/Alcohol Treatment.

- i. Any drug/alcohol treatment use shall be located at least 500 feet from any other such facility, and;
- ii. Any drug/alcohol treatment use shall be located at least 500 feet from any school, child day care, or religious institution that includes a child day care or school use.

27. Electronic Gaming Operation.

- i. Any Electronic Gaming Operation shall be located at least 2,500 feet from any community/youth/senior center; school; park; religious institution; or other electronic gaming operation.
- ii. Such uses shall not operate between the hours of 11 p.m. and 7 a.m.
- iii. Neon or Flashing lights or fluttering devices designed and used to attract attention are not permitted

28. Equipment and Tool Rental.

- i. No heavy equipment shall be stored within a required setback or Bufferyard.
- ii. No heavy equipment shall be displayed on top of a building.

29. Event Venue.

- i. Outdoor activity areas shall be set back a minimum of 50 feet from any adjacent residentially-zoned property.
- ii. Outdoor activities shall be prohibited between midnight and 7 a.m.
- iii. All parking shall be screened from adjacent residentially-zoned property by a Type II Bufferyard.
- iv. No event venue shall be located within 500 feet of another event venue.
- v. Any signage shall meet the standards of Section XX and shall be non-illuminated.

30. Family Care Home.

- i. Family Care Homes shall comply with the standards of Section 160D-907 of the North Carolina General Statutes.
- ii. A family care home shall not be located within 2,500 feet of another family care home, group care home, or other residential treatment facility.
- iii. The family care home use must occur within a single-family detached residential dwelling.

31. Fire/EMS/Police Station.

- i. The use shall have direct access to a collector street or thoroughfare.

- ii. The use shall be set back a minimum of 50 feet from adjacent residentially-zoned property.
- iii. A Type II Bufferyard shall be installed between the use and any adjacent residentially-zoned property.

32. Firearms Manufacturing.

- i. Manufacture of ammunition shall be located at least 500 feet from any residentially-zoned property and at least 200 feet from any other property.
- ii. A firearms manufacturing facility shall be surrounded by fencing at least six (6) feet in height.

33. Firearm Sales and Service.

- i. Firearm Sales and Service uses may include testing facilities for firearms, provided the facilities are constructed in accordance with all applicable laws and regulations, and the facilities are upfitted with materials that prevent any noise or disturbance to the occupants of adjoining properties.
- ii. Outdoor firing ranges associated with the sales and service of firearms are prohibited.

34. Foundry.

- i. Any foundry shall be located at least 500 feet from any residentially-zoned property and at least 200 feet from any other lot line.
- ii. A foundry shall be surrounded by fencing at least six (6) feet in height.

35. Fraternal Club or Lodge.

- i. The minimum side and rear setbacks for this use shall be 50 feet, unless a larger setback is required by the underlying zoning district.
- ii. A Type II Bufferyard shall be installed between the use and any adjacent residentially-zoned property.
- iii. Outdoor activity areas shall be set back a minimum of 50 feet from any adjacent residentially-zoned property.

36. Fraternity or Sorority House.

- i. The minimum side and rear setbacks for this use shall be 50 feet, unless a larger setback is required by the underlying zoning district.
- ii. Outdoor activity areas shall be set back a minimum of 50 feet from any adjacent residentially-zoned property.
- iii. A Type I Bufferyard shall be installed between any outdoor activity areas and adjacent residentially-zoned property.
- iv. Public address systems shall not be permitted, except within buildings.

37. Fuel Oil/Bottled Gas Distributor.

- i. Uses engaged in the storage or distribution of flammable materials shall meet

the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

38. Funeral-Related Services.

- i. Crematories shall not be located within a residential zoning district.
- ii. Outdoor storage shall be prohibited.

39. Golf Course.

- i. A minimum distance of at least 50 feet shall be maintained between any tee, green, or fairway and any residentially-zoned property.

40. Golf Driving Range.

- i. Driving ranges shall incorporate fencing, netting, or other measures around the perimeter of the activity area to ensure balls do not leave the area and endanger off-site areas.
- ii. The perimeter of the driving range fencing or netting shall be set back at least twenty (20) feet from any residentially-zoned property.

41. Group Home.

- i. A group home shall be licensed and/or sponsored by the appropriate state or local agency.
- ii. A lot containing a group home shall not be located within 2,500 feet of another lot containing another group home, family care home, or other residential treatment facility.
- iii. The number of occupants in a group home shall be limited to the maximum number that may be accommodated by state regulations, but in no instance shall the number of residents exceed fifteen (15) persons.
- iv. A Type I Bufferyard shall be installed along all lot lines shared with residential zoning.

42. Halfway House.

- i. A halfway house shall be licensed and/or sponsored by the appropriate state or local agency.
- ii. A lot containing a halfway house shall not be located within 2,500 feet of another lot containing another halfway house, group home, family care home, or other residential treatment facility.
- iii. The number of occupants in a halfway house shall be limited to the maximum number that may be accommodated by state regulations, but in no instance shall the number of residents exceed thirty (30) persons.
- iv. A Type I Bufferyard shall be installed along all lot lines shared with residential zoning.

43. Heavy Equipment Sales and Service.

- i. All outdoor storage of materials and machinery service areas shall be screened from view of adjacent rights-of-way and residentially-zoned property.
- ii. All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

44. Horticulture.

- i. Sale of produce grown on-site or on another lot that is part of the same agricultural operation shall be permitted, provided such sale takes place outside the right-of-way.

45. Hospital.

- i. A hospital shall be located on a parcel that has direct access to a collector street or thoroughfare.

46. Kennel, Large Outdoor.

- i. All activities associated with this use shall take place within enclosed and soundproofed structures, unless the conditions of subsections ii. through iii. are met.
- ii. All activities shall be at least 500 feet from any residentially-zoned lot.
- iii. Any outdoor kennels or runs shall be enclosed by a fence of at least six (6) feet in height.

47. Kennel Indoor or Small Outdoor.

- i. All activities associated with this use shall take place within enclosed and soundproofed structures, unless the conditions of subsections ii. through iii. are met.
- ii. All activities shall be at least 200 feet from any residentially-zoned lot.
- iii. Any outdoor kennels or runs shall be enclosed by a fence of at least six (6) feet in height.

48. Landfill, LCID.

- i. No areas of disturbance shall be located closer than 100 feet from any lot line and shall be located at least 300 feet from any residentially-zoned property.
- ii. Access to the landfill shall be controlled using gates, chains, or fences to prevent unregulated dumping.
- iii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- iv. The LCID shall have a maximum area of two (2) acres.
- v. No filling shall take place within the 100-year floodplain or within any utility easements.

- vi. A Type I Bufferyard shall be installed around the perimeter of the site.
- vii. LCIDs are limited to a maximum period of operation of three (3) years from the date of issuance of the Certificate of Occupancy by the City of Trinity. Additional three (3) year renewals may be granted by the Planning Board upon a finding that the LCID is still in compliance with the requirements of this Ordinance and any other conditions of approval.
- viii. Upon closure, the landfill shall be surfaced with a minimum of one (1) foot of clean soil, graded to a maximum slope of 3:1 and stabilized with vegetation in accordance with current state standards.

49. Landfill, Sanitary.

- i. No landfill area shall be located closer than 100 feet from any lot line and shall be located at least 300 feet from any residentially-zoned property.
- ii. Access to the landfill shall be controlled using gates, chains, or fences to prevent unregulated dumping.
- iii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- iv. No filling shall take place within the 100-year floodplain or within any utility easements.
- v. A Type II Bufferyard shall be installed around the perimeter of the site.
- vi. Any sanitary landfill shall comply with all other relevant local, state, and federal regulations.

50. Laundry/Dry Cleaning.

- i. No coal-burning or smoke-producing equipment or processes shall be used.
- ii. No petroleum-based chemicals in excess of 500 gallons shall be stored in above-ground tanks on-site.

51. Manufactured Dwelling.

- i. A manufactured dwelling shall comply with Section 160D-910 of the North Carolina General Statutes and any standards established by the North Carolina Department of Insurance.
- ii. A manufactured dwelling shall be located on its own lot unless it is located within a manufactured home park.
- iii. A manufactured dwelling shall only be used for single-family occupancy, and shall not be utilized for a non-residential use, except as authorized by Section XX [home occupation regs].
- iv. The towing apparatus, wheels, axles, and transporting lights shall be removed prior to occupancy.
- v. The dwelling shall be properly anchored and shall include to a continuous, permanent masonry foundation or masonry curtain wall of solid brick or brick veneer.
- vi. The dwelling shall include stairs, porches, entrance platforms, ramps, or other means of entrance and exit installed in accordance with the standards of the North Carolina Building Code.
- vii. The structure shall demonstrate a roof pitch with a minimum vertical rise of

- seven (7) feet for each twelve (12) feet of horizontal run.
- viii. The roof shall have an eave projection of no less than ten (10) inches.
- ix. The dwelling shall be clad in siding of vinyl, aluminum lap siding, cedar or other wood, stucco, brick, or stone.
- x. Only Class A manufactured dwellings shall be permitted on individual lots.

52. Manufactured Dwelling Park.

- i. Individual manufactured dwellings within a manufactured dwelling park shall comply with the standards of Section 7.4.A.XX, except for subsections ii. and x.
- ii. One (1) manufactured dwelling may be used as an administrative office for the park.
- ii. A manufactured dwelling park shall include sites for at least five (5) individual homes.
- iii. A minimum of one (1) parking space shall be provided near each dwelling within the park, and shall not be located within any right-of-way or vehicular accessway.
- iv. All home spaces within the park shall be served by municipal or community water and sewer service. The Randolph County Health Department shall approve the design of the water and sewer system which serves the park.
- v. Each manufactured dwelling shall be located at least twenty (20) feet from any other dwelling within the development, and at least twenty (20) feet from any adjacent property line or right-of-way.
- vi. No dwelling within the park shall have direct vehicular access to a public street external to the park.
- vii. Internal streets within dedicated rights-of-way within the park shall be constructed according to standards for public streets. Other vehicular accessways within the park shall have a minimum pavement width of twenty (20) feet.
- viii. The owner or operator of the manufactured dwelling park shall be responsible for the continued maintenance of any non-municipal infrastructure within the park.
- ix. A Type I Bufferyard shall be installed around the perimeter of the park.

53. Manufacturing, Heavy.

- i. Manufacture of explosives shall be located at least 500 feet from any residentially-zoned property and at least 200 feet from any other property line.
- ii. Storage tanks and loading facilities associated with petroleum products shall be located at least 500 feet from any residentially-zoned property.
- iii. Except as described in subsections i. and ii. above, heavy manufacturing activities, structures, buildings, and outdoor use areas shall be located a minimum of 100 feet from any residentially-zoned property.
- iv. A heavy manufacturing facility, including outdoor storage and process areas, shall be surrounded by fencing at least six (6) feet in height.
- v. Uses engaged in the storage or distribution of flammable materials shall meet

the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

54. Manufacturing, Light.

- i. All activities, structures, buildings, and outdoor use areas shall be located a minimum of 100 feet from any residentially-zoned property.
- ii. Uses engaged in the storage or distribution of flammable materials shall meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

55. Meat Packing and Processing.

- i. Minimum lot size shall be ten (10) acres
- ii. Minimum perimeter setbacks: Setback of one hundred (100) feet shall be maintained
- iii. Minimum perimeter buffer: Level 3 Buffer
- iv. No such operation shall be located within one thousand (1,000) feet of residentially zoned property.
- v. No open lagoons shall be permitted.
- vi. A refuse and waste storage plan (collection and disposal plan) must be submitted and approved by the Board prior to issuance of a Special Use Permit.
- vii. No livestock shall be permitted to be stored overnight.
- viii. Any structures which may be deemed noxious, toxic, or offensive by reason of odor, dust, vibration, smoke, gas, or fumes shall require abatement plans for such nuisances for the protection of public health, safety, and welfare.
- ix. All animals awaiting processing are to be housed within a fully enclosed structure.
- x. All inedible offal, meat that is not food, condemned material and refuse of the meat processing shall be refrigerated and stored in the interior of a fully enclosed structure until time of pick-up or final disposal.

56. Metal Fabrication.

- i. The use shall not generate noise, vibration, glare, fumes, or odors which are readily detectable on adjacent residentially-zoned property.
- ii. Outdoor storage shall meet the requirements of this Article.

57. Multifamily Dwelling.

- i. Multifamily dwellings shall comply with the Multifamily Design Guidelines

- of Section XX.
- ii. The maximum length of a multifamily building shall be 250 linear feet. The presence of a firewall between different building sections shall not constitute multiple separate buildings for the purposes calculating building length.
 - iii. Buildings shall be set back from private drives and parking lots a minimum of ten (10) feet, as measured from back of curb or edge of pavement if no curb is provided.
 - iv. A minimum of 100 square feet of common recreation areas per unit shall be provided for multifamily developments containing forty (40) or more units, except for multifamily developments exclusively occupied by disabled persons or persons age 55 or older.
 - v. The common recreation area described in subsection iv. above may be broken up into multiple areas, but no individual area shall be less than 2,000 square feet in size.
 - vi. Common recreation areas shall be attractively landscaped and provided with screening to minimize the visual impact of the recreation area on adjacent properties.
 - vii. Common recreation areas containing active uses such as swimming pools, basketball courts, tennis courts, dog parks, and similar amenities shall be placed a minimum of 50 feet from property containing single-family detached residential dwellings.
 - viii. Utility areas shall be fully screened from public rights-of-way and adjacent property containing single-family detached residential dwellings.
 - ix. Multifamily buildings configured as condominiums shall comply with the requirements of the North Carolina Condominium Act in Chapter 47-C of the North Carolina General Statutes

58. Nightclub or Dance Hall.

- i. No nightclub or dance hall shall be located within 200 feet of a religious institution; elementary, middle, or high school; or residentially-zoned property.
- ii. An opaque fence six (6) feet in height shall be installed along any lot lines shared with property containing single-family attached or detached dwellings.

59. Outdoor Storage, Nonresidential.

- i. To be classified as goods for sale and exempt from outdoor storage yard regulations, items must be placed within an enclosed building at the end of each business day.
- ii. The Outdoor Storage Yard use shall be required for the outdoor storage of all items awaiting or in process of repair, except passenger vehicles awaiting repair which are not visibly damaged and are not intended to be used as “parts vehicles”. For the purposes of this Section, passenger vehicles shall include cars and trucks, vehicles with more than two (2) axles, boats, manufactured homes, and trailers of tractor-trailer trucks.
- iii. The extent of the outdoor storage area(s) on-site shall be clearly delineated as part of the application for establishment of the use.

- iv. Outdoor storage areas shall comply with the minimum setbacks applicable to principal structures in the zoning district where the outdoor storage area is located.
- v. Screening meeting the standards of Section XX (Outdoor Storage Area Screening) shall be installed around the perimeter of the site.
- vi. No materials shall be stored on any potable or non-potable water easement, stormwater easement, or sanitary sewer easement.
- vii. Outdoor storage yards may include up to two (2) storage trailers.

60. Park.

- i. All activity areas and facilities shall be located at least twenty (20) feet from any property line.
- ii. A Type I Bufferyard shall be installed adjacent to any single-family residential zoning.

61. Parking Lot.

- i. The design of any parking lot shall comply with Section XX, Off-Street Parking Standards.
- ii. No business other than the rental of parking spaces shall take place on-site, except where a temporary use permit has been issued in accordance with Section XX.

62. Parking Structure.

- i. The design of any parking structure shall comply with Section XX, Off-Street Parking Standards.
- ii. Parking structures shall comply with the dimensional standards applicable to principal structures in the zoning district where the parking structure is located.
- iii. Parking structures visible from street rights-of-way shall be designed to be compatible with the architectural character of adjacent buildings.
- iv. Parking structure facades shall incorporate variation in color, massing, or architectural features to reduce the appearance of bulk.
- v. Parking structure facades adjacent to residential zoning shall be enclosed to prevent light spillover and the spread of noise or pollutants on the adjoining property.
- vi. Parking structures shall be sufficiently illuminated to promote occupant safety. Fixtures shall be designed and located to illuminate only the interior of the parking structure and not project glare onto adjoining property.
- vii. Lighting shall generate at least one (1) footcandle at any point within the parking structure.

63. Public Recreation Facility.

- i. Public recreation facilities shall have direct access to a collector street or thoroughfare.
- ii. All activity areas and facilities shall be located at least twenty (20) feet from any property line.

- iii. A Type I Bufferyard shall be installed adjacent to any single-family residential zoning district.

64. Quarrying or Mining.

- i. No quarrying or mining areas shall be located closer than 100 feet from any lot line and shall be located at least 300 feet from any residentially-zoned property.
- ii. Access to the property shall be controlled using gates, chains, or fences.
- iii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- vi. A Type II Bufferyard shall be installed around the perimeter of the site.

65. Racetrack.

- i. No racetrack shall be located closer than 100 feet from any lot line and shall be located at least 500 feet from any residentially-zoned property.
- ii. All racetrack surfaces shall be paved..
- iii. No racing or other vehicular activity shall take place on-site between the hours of 10 p.m. and 8 a.m.

66. Recycling Center, Convenience Stop.

- i. Recycled batteries must be stored in non-porous containers.
- ii. Recycled motor oil and grease shall be stored in above-ground tanks in accordance with the North Carolina Fire Code and associated appendices.
- iii. Recycling center, convenience stops, shall be enclosed by a fence or wall at least six (6) feet in height, located at least 20 feet from any right-of-way and 50 feet from adjoining property lines. This fencing shall be required in addition to any landscaped Bufferyard required per Section XX.
- iv. A minimum separation of five (5) feet shall be maintained along the interior perimeter of this fence or wall and any stored materials.
- v. Access to the recycling center shall be gated, and all gates shall be closed and secured outside of business hours.
- vi. Facilities shall be maintained in a manner which limits dust from drifting onto adjoining properties.

67. Recycling Center, Processing.

- i. Recycled batteries must be stored in non-porous containers..
- ii. Recycled motor oil and grease shall be stored in above-ground tanks in accordance with the North Carolina Fire Code and associated appendices.
- iii. Recycling centers shall be enclosed by a fence or wall at least six (6) feet in height, located at least 20 feet from any right-of-way and 100 feet from adjoining property lines. This fencing shall be required in addition to any landscaped Bufferyard required per Section XX.
- iv. A minimum separation of five (5) feet shall be maintained along the interior

perimeter of this fence or wall and any stored materials.

- v. Access to the recycling center shall be gated, and all gates shall be closed and secured outside of business hours.
- vi. Facilities shall be maintained in a manner which limits dust from drifting onto adjoining properties.

68. Religious Institution.

- i. Religious institutions on sites of five (5) acres or more shall have direct access to a collector street or thoroughfare.
- ii. A Type I Bufferyard shall be installed adjacent to any single-family residential zoning district.

69. Repair Shop.

- i. All repair activities and storage shall occur indoors.
- ii. Gun repair shops shall be considered Firearm Sales and Service by this Ordinance.

70. Retail, Bulky Item.

- i. All outdoor storage of materials shall be screened from view of adjacent streets and residentially zoned land. This requirement shall not apply to the placement of goods or products for sale on-site.
- ii. Any item that exceeds ten (10) feet in height shall not be placed within required setbacks, parking, or landscape areas.
- iii. Items which are less than or equal to ten (10) feet in height shall be located at least ten (10) feet from any right-of-way and shall not be placed within required parking or landscape areas.

71. Salvage or Junkyard.

- i. The minimum area required to establish a Salvage or Junkyard shall be ten (10) acres.
- ii. Parcels containing salvage or junkyards shall not be closer than 300 feet to any residential zoning district, school, hospital, nursing home, assisted living facility, or day care facility.
- iii. salvage or junkyards shall be enclosed by a fence or wall at least six (6) feet in height, located at least 20 feet from any right-of-way and 50 feet from adjoining property lines. This fencing shall be required in addition to any landscaped Bufferyard required per Section XX.
- iv. A minimum separation of five (5) feet shall be maintained along the interior perimeter of this fence or wall and any stored materials.
- v. Access to the facility shall be gated, and all gates shall be closed and secured outside of business hours.
- vi. Facilities shall be maintained in a manner which limits dust from drifting onto adjoining properties.
- vii. Noise produced by equipment used as part of the salvage or junkyard operation shall not exceed fifty-five (55) decibels as measured at the property

- line.
- viii. Operations that produce noise that is audible off-site shall be prohibited between 6 p.m. and 7 a.m.
 - ix. No vibration shall be produced which is transmitted through the ground and which is discernable without the aid of instruments at or beyond the property line.
 - x. Emissions of smoke and burning of non-vegetative matter shall not be permitted on-site.
 - xi. Open dumping of trash or garbage on-site shall be prohibited.
 - xii. Disposal of toxic/hazardous matter on-site shall be prohibited.
 - xiii. Storage of fuels shall be in below-ground tanks meeting the requirements of the state of North Carolina. No fuel storage shall take place within 1,000 feet of any structure containing residential, education, or institutional uses.
 - xiv. A spill containment plan must be approved by the fire department serving the property where the use is located.
 - xiv. Gasoline and oil shall be removed from scrap engines or vehicles stored on-site.
 - xv. The site shall be adequately drained to ensure that no standing water exists which could provide an insect breeding habitat.
 - xvi. Weeds and grasses shall be controlled within the salvage or junkyard.
 - xvii. Salvage materials shall be stored in piles not exceeding ten (10) feet in height, and piles shall be arranged to permit easy access to the entire operation for firefighting purposes.
 - xviii. Where environmental protection regulations require the installation of a monitoring well on-site, results of all required tests shall be forwarded to the City of Trinity as well as the appropriate state agencies.
 - xix. No more than 200 unmounted tires may be stored on-site, and any unmounted tires shall be stored in an enclosed structure to prevent accumulation of water within the well of the tire.

72. School, Elementary.

- i. Elementary schools located on sites of three (3) acres or more shall have direct access to a collector street or thoroughfare.
- ii. The minimum side and rear setbacks shall be at least 50 feet, unless a greater setback is required by the underlying zoning district.
- iii. A Type I Bufferyard shall be installed along all lot lines shared with residentially-zoned property.
- iv. Manufactured structures may be allowed as temporary classroom units in accordance with Section XX [temporary use standards].
- v. The maximum height for any school building shall be the lesser of 50 feet or the maximum height of the underlying zoning district.

73. School, High/Middle.

- i. Schools located on sites of three (3) acres or more shall have direct access to a collector street or thoroughfare.
- ii. The minimum side and rear setbacks shall be at least 50 feet, unless a greater setback is required by the underlying zoning district.

- iii. A Type I Bufferyard shall be installed along all lot lines shared with residentially-zoned property.
- iv. Manufactured structures may be allowed as temporary classroom units in accordance with Section XX [temporary use standards].
- v. The maximum height for any school building shall be the lesser of 50 feet or the maximum height of the underlying zoning district.

74. School, Vocational.

- i. Facilities within a vocational school which generate significant noise or fumes, such as auto body or engine repair facilities, shall be located at least 100 feet from any adjacent residentially-zoned property.

75. Shooting Range (Indoor).

- i. All activities associated with this use shall take place within enclosed and soundproofed structures.

76. Shooting Range (Outdoor).

- i. Skeet and trapshooting ranges shall be located on lots of no less than fifteen (15) acres in size, and the distance between the firing point and any residential property shall be no less than 300 yards.
- ii. Rifle and pistol ranges shall be prohibited.
- iii. Shooting-related activities shall be prohibited between the hours of 9 p.m. and 8 a.m.

77. Short-Term Rental.

- i. No exterior advertising of the short-term rental shall be allowed.
- ii. No activities other than lodging shall be allowed in conjunction with any short-term rental unit.
- iii. The duration of any short-term rental stay shall not exceed thirty (30) days.
- iv. The maximum occupancy of any short-term rental shall be two (2) persons per bedroom, plus two (2) additional persons.
- v. The owner or operator of the property shall maintain liability insurance on the property which covers the short-term rental use and guests of the property.
- vi. The operator of the property shall comply with all applicable State, County, and City laws.
- vii. The zoning permit number authorizing the short-term rental shall be posted on all advertisements for the rental, as well as within the rental.

78. Single-Family Attached Dwelling

- i. A minimum ten (10) foot separation shall be maintained between all single-family attached dwellings and any accessory buildings on the same lot.
- ii.

79. Single-Family Detached Dwelling.

- i. Modular homes shall comply with the standards in Section 160D-91 of the North Carolina General Statutes and the State Residential Building Code, and shall be treated as site-built single-family detached structures.

80. Small Wireless Facility Collocation.

- i. Small Wireless Facilities shall comply with the the standards of NCGS 160D-935.

81. Solar Farm.

- i. The standards of this Section shall apply to any solar farm established after the effective date of this Ordinance. Maintenance, repair, or expansion of existing solar farms shall not be subject to these standards.
- ii. The minimum lot size for a solar farm shall be ten (10) acres or more.
- iii. A minimum setback of 100 feet shall be provided between adjacent properties and any solar panels and inverters.
- iv. The maximum height of any solar panel installed on-site shall not exceed fifteen (15) feet.
- v. A fence a minimum of six (6) feet in height shall be provided around the entire facility.
- vi. Access to the facility shall be gated, and all gates shall be closed and secured outside, except as necessary to operate or maintain the facility.
- vii. In addition to the fence described in subsection v., the facility shall also be screened by a Type I Bufferyard, which may exist inside or outside of the fence.
- viii. The solar farm shall be constructed in accordance with applicable building and electrical codes. Solar panels and any other equipment shall be mounted and installed according to manufacturer's specifications.
- ix. If the facility is to be connected to the local power grid, proof of conditional approval from the local utility shall be provided at the time of application for the special use permit.
- x. The electrical disconnect switch shall be clearly identified on plans and in the field, and shall remain unobstructed at all times. A map showing the location of the switch shall be provided to the City of Trinity's police, fire, and public works departments. Emergency access to the facility by governmental authorities shall be allowed at all times.
- xi. Written notification of the intent to establish a solar farm shall be submitted by the applicant to the North Carolina Commanders Council for consideration of potential impacts to low altitude military flight paths. This notification shall be sent 30 days prior to the hearing for the special use permit establishing this use, and shall include the details regarding the technology to be used on-site, the site's location, and its size in acres.
- xii. Written notification of the intent to establish a solar farm shall also be submitted by the applicant to the Federal Aviation Administration's (FAA)

Airport District Office (ADO) with oversight of North Carolina. This notification shall be sent 30 days prior to the hearing for the special use permit establishing this use, and shall include the details regarding the technology to be used on-site, the site's location, its size in acres, and a glare analysis using the latest version of the Solare Glare Hazard Analysis Tool (SGHAT).

- xiii. Confirmation from the North Carolina Commanders Council and the FAA ADO that the proposed solar farm shall not cause safety hazards or operational issues for aircraft shall be required prior to the issuance of any building permits for the facility.

Decommissioning Plan - The applicant will be required to submit a plan defining conditions upon which decommissioning will be initiated. Notice shall be provided to the Zoning Administrator when the facility is placed out of service. Facilities which are not operating for a period of six (6) months or more shall be removed by the property owner within one hundred twenty (120) days. Furthermore, a form of surety equal to one hundred percent (100%) of the cost of decommissioning under the plan, as estimated by a North Carolina licensed engineer (under seal), and approved by the Zoning Administrator and City Attorney, either through cash, a surety performance bond, irrevocable letter of credit or other instrument readily convertible into cash at face value, either with the City or in escrow with a financial institution designated as an official depository of the City. This surety shall be retained by the City to cover all cost of the decommissioning requirements

82. Sports Facility, Outdoor.

- i. The minimum site size for this use shall be five (5) acres.
- ii. Minimum setbacks from residential zoning districts shall be 100 feet, while minimum setbacks from other districts shall be 50 feet.
- iii. A Type I Bufferyard shall be installed adjacent to any single-family residential zoning district.

83. Telecommunications Tower, Major or Minor or Concealed.

- i. Telecommunications facilities shall comply with the regulations of Appendix A, the *Wireless Telecommunications Facility Siting Ordinance for the City of Trinity*, and the standards of NCGS 160D.

84. Theater, Drive-In.

- i. Any projection screens shall be so oriented to as to not attract the attention of motorists on adjacent streets.
- ii. The audio of any screened films shall be delivered to each motor vehicle through individual speakers. No loudspeakers shall be permitted.
- iii. Film screenings shall be prohibited between the hours of midnight and 8 a.m.
- iv. Outdoor activity areas shall be set back a minimum of 100 feet from any adjacent residentially-zoned property.
- v. The entire drive-in theater complex shall be screened from adjacent

residentially-zoned property by a Type II Bufferyard, and from all other adjacent properties by a Type I Bufferyard.

- vi. The facility shall have at least two points of ingress and egress on a collector street or thoroughfare.

85. Transfer Station.

- i. All structures shall be located a minimum of 300 feet from any residentially-zoned property.
- ii. Equipment producing noise in excess of 70 decibels shall be located no closer than 100 feet to any residentially-zoned property.
- iii. Any transfer station shall be located on a lot with access to a collector street or thoroughfare.
- iv. Access to the facility shall be gated, and all gates shall be closed and secured outside of business hours.
- v. No access road or driveway shall be located closer than fifteen (15) feet to any adjoining property.
- vi. The siting and design of the facility shall comply with the applicable requirements of the North Carolina Solid Waste Management Rules.
- vii. The operation of the facility shall be in compliance with the State of North Carolina's operation, maintenance, and monitoring regulations for solid waste disposal facilities.

86. Truck Terminal.

- i. All driveways and lanes of circulation shall be paved.
- ii. Unpaved storage areas shall be maintained in a manner which limits dust from drifting onto adjoining properties.
- iii. Fencing a minimum of six (6) feet in height shall be provided around any outdoor storage and staging areas.
- iv. Where a truck terminal is adjacent to a railroad right-of-way which provides rail service to the terminal, no setback shall be required between said right-of-way and the truck terminal operation.

87. Urgent Care.

- i. Off-street parking areas shall be located no closer than thirty (30) feet to residentially-zoned property.

88. Utility Substation, Minor or Major.

- i. A Utility substation shall be enclosed by a non-climbable fence at least six (6) feet in height to prevent access to the facility by the general public. Such fencing shall be opaque where the utility substation is adjacent to residentially-zoned property.
- ii. Access to the utility substation shall be gated, and all gates shall be closed and secured except as necessary to operate or maintain the facility.
- iii. Any buildings or structures shall be set back at least 50 feet from all residentially-zoned property, and at least twenty (20) feet from all property

lines.

- iv. Any on-site equipment producing noise in excess of 70 decibels shall be located at least 100 feet from any residentially-zoned property.
- v. Vehicles or materials stored on-site shall be stored within a building or under a structure.

89. Vehicle Painting/Body Shop.

- i. The use shall be located at least 300 feet from any residential zoning district.
- ii. Vehicles shall not be stored on-site for the purposes of being a source of parts.
- iii. Any outdoor vehicle storage area for more than ten (10) vehicles shall be located to the side or rear of the principal structure on-site, and shall be screened by a six (6) foot tall opaque fence.
- iv. Any outdoor vehicle storage area shall constitute no more than twenty-five (25) percent of the total area of the lot the use is located on.
- v. Outdoor servicing, repair, or disassembly of vehicles is not allowed.
- vi. Junkyards, automobile graveyards, or the outdoor storage of materials for resale are prohibited.

90. Vehicle Repair and Servicing (Without Painting or Bodywork).

- i. Air compressors, hydraulic lifts, vehicle access pits, repair equipment, lubrication equipment, and similar equipment shall be entirely enclosed within a building.
- ii. Vehicles shall not be stored on-site for the purposes of being a source of parts.
- iii. Any outdoor vehicle storage area for more than ten (10) vehicles shall be located to the side or rear of the principal structure on-site, and shall be screened by a six (6) foot tall opaque fence.
- iv. Any outdoor vehicle storage area shall constitute no more than twenty-five (25) percent of the total area of the lot the use is located on.
- v. Outdoor servicing, repair, or disassembly of vehicles is not allowed.
- vi. Junkyards, automobile graveyards, or the outdoor storage of materials for resale are prohibited.

91. Vehicle Sales or Rentals.

- i. Vehicle display areas shall be surfaced with concrete or asphalt.
- ii. No vehicles, displays, or other items shall be displayed on the top of a building or used as signage.
- iii. Repair and service activities are allowed accessory to the vehicle sales or rental use, provided all repair-related activities occur within an enclosed structure.

92. Vehicle Sports.

- i. No vehicle sports facility shall be located closer than 50 feet from any lot

line and shall be located at least 200 feet from any residentially-zoned property.

- ii. All unpaved areas shall be maintained in a manner that prevents dust from spreading onto adjoining properties.
- iii. No vehicular activity shall take place on-site between the hours of 10 p.m. and 8 a.m.

93. Vehicle Towing and Storage Lot.

- i. Any vehicle storage area shall be surfaced with concrete, asphalt, or crushed stone.
- ii. The use shall be screened in accordance with the standards of Section XX, Outdoor Storage Area Screening.
- iii. No more than 50 vehicles shall be stored on the property at any time.
- iv. Access to the facility shall be gated, and all gates shall be closed and secured outside of business hours.
- v. No storage area shall be permitted within 100 feet of any residentially-zoned property.

94. Veterinary Clinic.

- i. All activities associated with this use shall take place within enclosed and soundproofed structures, unless the conditions of subsections ii. through iii. are met.
- ii. All activities shall be at least 200 feet from any residentially-zoned lot.
- iii. Any outdoor kennels or runs shall be enclosed by a fence of at least six (6) feet in height.
- iv. Veterinary Clinics with outdoor kennels must also comply with the standards of (THAT USE)

95. Warehouse, Distribution or Storage

- i. Facilities shall be maintained in a manner which limits dust from drifting onto adjoining properties.
- ii. Uses engaged in the storage or distribution of flammable materials shall meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

96. Warehouse – Self-Storage Facilities

- i. Minimum lot size for this use shall be two (2) acres.
- ii. The storage of hazardous, toxic, or explosive substances is prohibited.
- iii. No business activity other than the rental of storage units, moving trucks and trailers, and the sale of moving supplies, may be conducted on the premises.
- iv. Outdoor storage is prohibited. All goods and property shall be stored inside an enclosed building. Outdoor storage of boats, recreational vehicles, and

- storage in containers or pods is prohibited.
- v. Only the following building cladding materials shall be allowed: brick and brick veneer; stone and stone veneer; textured precast concrete panels; fiber cement board; glass; stucco; and, wood.
 - vi. Building facades greater than 75 feet in linear length shall be articulated with recesses or projections which equal at least ten (10) percent of that façade's length.
 - vii. Glass display windows must cover at least twenty-five (25) percent of any street-facing building façade. Faux windows may be substituted for display windows, provided they mimic the look of true windows.
 - viii. Facilities shall be maintained in a manner which limits dust from drifting onto adjoining properties.
 - ix. The maximum height of any external access self-storage facility shall be twenty (20) feet.
 - x. An opaque fence or wall at least six (6) feet in height shall be provided between the self-storage facility and all adjacent properties and rights-of-way.

97. Water Storage Facility.

- i. All buildings, structures, and related apparatus shall be set back at least twenty (20) feet from all property lines.
- ii. Vehicles or materials stored on-site shall be stored within a building or under a structure.
- iii. The entire facility shall be surrounded by a fence at least six (6) feet in height, except where the facility is secured and constructed of brick or concrete.
- iv. Where the facility is surrounded by a fence, access to the facility shall be gated, and all gates shall be closed and secured except as necessary to operate the facility.

98. Water Treatment Facility.

- i. All buildings, structures, and related apparatus shall be set back at least 50 feet from all residentially-zoned property, and at least twenty (20) feet from all property lines.
- ii. Any on-site equipment producing noise in excess of 70 decibels shall be located at least 100 feet from any residentially-zoned property.
- ii. Vehicles or materials stored on-site shall be stored within a building or under a structure.
- iii. The entire facility shall be surrounded by a fence at least six (6) feet in height, except where the facility is secured and constructed of brick or concrete.
- iv. Where the facility is surrounded by a fence, access to the facility shall be gated, and all gates shall be closed and secured except as necessary to operate the facility.
- v. Outdoor storage shall be allowed in the HI district.

Sec. 7.4 STANDARDS APPLICABLE TO ALL ACCESSORY USES

Trinity Development Ordinance

Adopted:

Revised:

Page 7-25

A. Purpose.

This section authorizes the establishment of accessory uses and structures that are incidental and subordinate to principal uses on the same lot. The purpose of this section is to allow a broad range of accessory uses and structures, provided they comply with the standards set forth in this section in order to reduce potentially adverse impacts on the surrounding community.

B. Procedure for Establishment.

1. Accessory uses or structures may be approved in conjunction with the approval of the principal use or subsequently following the establishment of the principal use through the approval of a zoning permit or special use permit, as specified in Table XX (Table of Common Accessory Uses). No accessory use or structure shall be approved, established, or constructed before a principal use is approved and established in accordance with this Ordinance.
2. All accessory uses which are proposed to be allowed in a Planned Development District shall be noted on the master plan for the district or on the rezoning application for the district.

C. General Standards for all Accessory Uses.**1. Nature of Accessory Uses and Structures .**

Accessory uses and structures shall be clearly incidental and subordinate to the allowed principal use(s) on a site in both purpose and size. Accessory structures and uses are only permitted on lots where a principal use has been established.

2. Location of Accessory Uses and Structures.

- i. Except for fences and walls contributing to the screening function of a bufferyard, no accessory use or structure shall be located within a required landscaping area.
- ii. Accessory structures shall be located at least five (5) feet from the rear property line, and shall meet the side setback for principal structures in the underlying zoning district except as otherwise indicated.
- iii. Accessory structures taller than twelve (12) feet shall meet all principal building setback requirements of the underlying zoning district.
- iv. All accessory buildings and structures shall be located to the side or rear of the principal building on the lot, except that accessory structures located on lots equal or greater to two and a half (2 ½) acres may be allowed in front of principal buildings which are set back at least 100 feet from the street right-of-way, as long as said accessory structures are also set back at least 100 feet from the street right-of-way.
- v. No accessory use or structure shall be located within a designated fire lane; obstruct required sight distance triangles; impede ingress or egress to the lot or principal structure on the lot; or interfere with drainage, stormwater, or erosion control devices.
- vi. No accessory use or structure shall be located within any platted or recorded easement without the prior written consent of the easement holder.

3. Timing of Establishment.

Except for construction-related activities or structures, no accessory use or structure shall be established on a lot or site prior to the establishment of a principal use. However, nothing shall limit the properly permitted establishment of a temporary use per Section XX, Temporary Uses, on a lot or site that does not contain a principal use.

4. Accessory Structure Height.

Except as otherwise indicated, the maximum height of an accessory structure shall not exceed twenty-five (25) feet when measured from the lowest adjacent grade to the highest point of the roof.

5. Lot Coverage.

The maximum cumulative lot coverage of all accessory structures shall not exceed the cumulative lot coverage of all principal structures, except that a minimum of 750 square feet shall be allowed regardless of lot size, provided the total lot coverage does not exceed the requirements of the Water Management Ordinance. and.

Accessory structures shall be included in the calculation of maximum allowable lot coverage in determining compliance with the Water Management Ordinance.

6. Utilities.

Water, sanitary sewer, gas, and electric utilities shall be provided via branching service from the principal structure on the lot rather than via separate connections. City Council may approve separate utilities connections via the Special Use Permit process where Council determines such connections are appropriate.

D. Unlisted Accessory Uses.

Where a use is not included in either Table XX, Principal Use Table or Table XX, Table of Common Accessory Uses, a determination regarding the permissibility of the use shall be made in accordance with Section XX, Unlisted Uses.

Sec. 7.56 STANDARDS APPLICABLE TO PARTICULAR ACCESSORY USES

A. Table of Common Accessory Uses.

Table XX lists the names, allowed zoning districts, and approval processes for common accessory uses. The table indicates whether the accessory use type is permitted by right (denoted by the letter “P”), permitted with a special use permit (denoted by the letter “S”), or prohibited within a zoning district (where no letter is provided). The Use Standards column indicates the section reference for any relevant use-specific standards.

B. Accessory Dwelling Unit, Attached.

An attached accessory dwelling unit (ADU) is permitted as accessory to a single-family detached dwelling in accordance with the following standards:

1. No more than one (1) attached ADU shall be allowed per single-family detached dwelling and the ADU must be located on the same lot as said single-family dwelling. Only one ADU of any type shall be allowed per zoning lot;
2. An attached ADU shall meet the setback requirements for principal structures in the underlying zoning district;
3. An attached ADU shall be no larger than fifty (50) percent of the finished floor area of the principal dwelling on the site, but in no case shall be larger than 1,500 square feet, and;
4. An attached ADU shall have at least one dedicated off-street parking space.
5. A home occupation meeting the requirements of Section XX may be conducted within an attached ADU.

C. Accessory Dwelling Unit, Detached.

A detached accessory dwelling unit (ADU) is permitted as accessory to a single-family detached dwelling in accordance with the following standards:

1. No more than one (1) detached ADU shall be allowed per single-family detached dwelling and the ADU must be located on the same lot as said single-family dwelling. Only one ADU of any type shall be allowed per zoning lot;
2. A detached ADU shall meet the setback requirements for principal structures in the underlying zoning district;
3. A detached ADU shall be no larger than fifty (50) percent of the finished floor area of the principal dwelling on the site, except that a minimum size of 500 square feet shall be required regardless of the size of the principal dwelling;
4. In no case shall a detached ADU be larger than 1,500 square feet;
5. A detached ADU shall be located to the side or rear of the principal dwelling on the site;
6. A detached ADU shall have at least one dedicated off-street parking space, and;
7. A detached ADU shall be built on a permanent foundation, and the use of recreational vehicles, travel trailers, campers, and the like as ADUs shall be prohibited.
8. A home occupation meeting the requirements of Section XX may be conducted within a detached ADU.

D. Amateur Communications Equipment.

Amateur radio antennas shall comply with Section 160D-905 of the North Carolina General Statutes and the following standards:

1. Towers associated with an amateur ham radio operator or private television antenna shall not exceed 100 feet above grade;
2. Towers or antennas attached to a principal structure shall be located on a side or rear elevation, and;

3. Freestanding towers or antennas shall be located to the rear of the principal structure on the site.

E. Automated Teller Machine.

1. If an Automated Teller Machine (ATM) is designed for use by customers in their vehicles, it shall comply with the accessory use standards (including permitted districts) of Section XX, Drive-Through.
2. The materials and architectural character of the ATM shall be compatible with that of the principal structure on the site.

F. Child or Adult Care, Incidental.

An incidental child or adult care is permitted as an accessory use to an occupied residential dwelling unit if it complies with Article 7 of Chapter 110 of the North Carolina General Statutes, and the Summary of North Carolina Child Care Laws and Rules pamphlet prepared by the NC Department of Health and Human Services.

G. Detached Garage or Carport.

1. Detached garages and carports are permitted in all zoning districts.
2. Detached garages and carports shall be subject to the setback requirements for principal structures in the underlying zoning district.

H. Dish Antenna (Large).

Dish antennas of less than one (1) meter in diameter are exempted from the requirements of this Ordinance; dish antennas greater than one (1) meter in diameter shall comply with the following standards:

1. General Requirements.
 - i. A zoning permit is required when installing, moving, constructing, or reconstructing dish antennas subject to these standards.
 - ii. Dish antennas subject to these standards shall be installed on the ground and shall not be attached to a building.
 - iii. A dish antenna shall not be installed or located within any public right-of-way or in any drainage or utility easement.
2. Location and Setback Requirements.
 - i. A dish antenna shall be located to the side or rear of the principal structure on the lot.
 - ii. A dish antenna shall be subject to the setback requirements for principal buildings within the underlying zoning district.
3. Height Requirements.

A dish antenna shall be no taller than the principal structure on the lot.
4. Screening Requirements.

A dish antenna shall be screened so that the view of the lower two-thirds (2/3) of the dish and mounting pole are blocked from view of all public streets.

I. Drive-Through.

Drive-through facilities shall comply with the following standards:

1. Outdoor speakers associated with a drive-through shall be at least fifty (50) feet from any lot in a residential zoning district;
2. Drive-through windows, menu boards, or order boxes shall not be located within a required setback;
3. Drive-through windows shall include stacking spaces in accordance with Section XX, Drive-Through Stacking Lanes, and;
4. Drive-through facilities shall not obstruct the movement of pedestrians along sidewalks, through areas intended for public use, or between building entrances and customer parking spaces.
5. Drive-through facilities shall be so situated so as to prevent light pollution into existing adjacent development.

J. Electric Vehicle Charging Station.

1. Electric vehicle (EV) charging station spaces shall be reserved for the charging of electric vehicles only and shall be posted with signage identifying the spaces as reserved only for the charging of electric vehicles; amperage and/or voltage levels; any usage time limits or tow-away provisions, and; contact information for reporting non-functional equipment or other problems.
2. Any EV charging equipment shall be located so as not to interfere with vehicle, bicycle, or pedestrian access and circulation, or required landscaping.
3. Electrical transformers and similar equipment shall be screened in accordance with Section XX (Outdoor storage area screening standards).

K. Family Health Care Structure.

1. One (1) family health care structure meeting the standards of Section 160D-915 of the North Carolina General Statutes shall be allowed per single-family detached dwelling.
2. The family health care structure must be located on the same lot as said single-family dwelling.
3. Any family health care structure shall be removed within 60 days of when the mentally or physically impaired person is no longer receiving or is no longer in need of the assistance provided for by NCGS 160D-915. If the temporary family health care structure is needed for another mentally or physically impaired person, the temporary family health care structure may continue to be used or may be reinstated on the property within 60 days of its removal, as applicable

L. Guard House or Gatehouse.

A guard house or gatehouse shall be allowed within a required yard or setback, provided it complies with the following standards:

1. The guard house or gatehouse shall have a maximum floor area of 100 square feet;
2. The guard house or gatehouse shall have a maximum height of fifteen (15) feet;
3. The guard house or gatehouse is located outside any required sight distance triangles, and;
4. The guard house or gatehouse is located a minimum of five (5) feet from any public street right-of-way.

M. Home Occupation.

A home occupation is permitted accessory to any dwelling unit pursuant the following standards:

1. The issuance of a zoning permit shall be required;
2. Only one (1) home occupation may exist on a lot at any time;
3. The home occupation must be clearly incidental to the residential use of the dwelling unit and shall not change the essential residential character of the dwelling;
4. The home occupation must employ no more than one (1) person who is not a resident of the dwelling;
5. A home occupation may be located in the principal structure on the lot or in an accessory structure meeting the standards of this Article;
6. Where a home occupation is located within the principal structure on the lot, it must occupy no more than twenty-five (25) percent of its total square footage;
7. No outside display or storage of materials used in conjunction with the home occupation shall be allowed;
8. Permitted home occupations include, but are not limited to typing services, telephone sales, barber/beauty services, doctor/dentist offices, other professional offices, music and art lessons, day care of five (5) or fewer persons, catering, and handcrafting;
9. The home occupation shall not utilize mechanical, electrical, or other equipment which create nuisances for adjacent properties including smoke, odor, dust, noise, or health hazards, and;
10. No business identification or advertising signs shall be permitted, except that one non-illuminated four (4) square foot sign may be allowed. Such sign may either be a wall sign or freestanding sign.
11. Contractor Services may be permitted as a home occupation on parcels of five (5) or more acres in size where the following additional conditions are met:
 - i. All buildings related to this use shall be set back a minimum of fifty (50) feet

from any property line, and 200 feet from any right-of-way.

- ii. No more than five (5) commercial vehicles may be simultaneously parked at the property at any time. Vehicles with three (3) or more axles are prohibited from being parked on-site.
- iii. A dish antenna shall not be installed or located within any public right-of-way or in any drainage or utility easement.
- vi. This use shall not be operated on-site between the hours of 9 p.m. and 6 a.m.
- v. A Type XX Bufferyard shall be installed on-site adjacent to any residentially zoned property.

N. Outdoor Display or Sales.

The outdoor display or sale of goods shall only be allowed within a commercial or mixed-use development, and shall comply with the following standards:

1. Outdoor display or sales areas shall not encroach into any required setback;
2. Outdoor display or sales areas shall not be located closer than five (5) feet from any property line, and;
3. Outdoor display or sales areas shall not be located within any required sight distance triangles.

O. Outdoor Storage.

The Accessory use outdoor storage shall include all goods and materials not returned to an enclosed building at the end of each business day, except where such goods or materials meet the description of outdoor display or sales in this Ordinance.

1. Outdoor storage shall include up to two (2) storage trailers placed on a single lot;

P. Recycling Convenience Site.

Such facilities shall only be operated by a local government or non-profit organization, and shall be accessory to a school, fire station, or other government facility.

Q. Solar Energy System (Small-Scale).

A small-scale solar energy system (SES) shall comply with the following standards:

1. An SES may be roof-mounted, ground-mounted, attached to a principal or accessory structure, or placed over a parking area;
2. The footprint of a ground-mounted SES shall not exceed 35 percent of the footprint of the principal structure on the lot, or half an acre, whichever is less;
3. An SES shall comply with the setback requirements for principal structures for the zoning district where the SES is located;
4. An SES shall not obscure any required sight distance triangles, and;
5. A ground-mounted SES shall not exceed twenty (20) feet in height.

R. Recycling Convenience Site.

Such facilities shall only be operated by a local government or non-profit organization, and shall be accessory to a school, fire station, or other government facility.

S. Storage Structure.

Placement of a permanent storage structure shall require issuance of a zoning permit and shall comply with the standards of Section XX, Standards Applicable to all Accessory Uses.

T. Private Swimming Pool.

1. Private swimming pools shall be located on the same zoning lot as a residential dwelling and shall be located to the side or rear of said dwelling.
2. Private swimming pools shall conform to the general dimensional requirements for accessory structures of Section XX, and shall be set back a minimum of ten feet from the principal building on the lot.
3. Private swimming pools shall be fenced in accordance with the NC Building Code.

Sec. 7.7 TEMPORARY USES

A. Purpose.

This section allows for the establishment of specific temporary uses of limited duration, provided that such temporary uses are discontinued upon the expiration of a set time period. Temporary uses shall not involve the construction or alteration of any permanent building or structure.

B. Applicability.

The standards in this Section apply to non-permanent uses that take place on a temporary basis. The activities listed in this Section require the issuance of a temporary use permit, except as exempted, in accordance with the standards in Section XX, Temporary Use Permit, and compliance with the standards in Section XX, General Standards for all Temporary Uses and Structures, and Section XX, Standards for Specific Temporary Uses and Structures, as applicable.

C. General Standards for All Temporary Uses and Structures.

All temporary uses and structures shall comply with the following standards, unless otherwise specified in this Ordinance.

1. General Requirements.

An applicant proposing a temporary use or structure shall:

- a. Secure written permission from the landowner;
- b. Obtain the appropriate permits and licenses from the City and other agencies;
- c. Comply with the applicable requirements for signs in Section XX, if signage is proposed;
- d. Meet public utility requirements for proper connection to water, sewer, electrical and other utility service connections, as applicable;
- e. Not violate the applicable conditions of approval that apply to a site or use on the site;
- f. Not result in a situation where the principal use, if present, fails to comply with the standards of this Ordinance;
- g. Ensure the site of a temporary use or structure contains sufficient land area for the temporary use and for the parking and traffic movement associated with the temporary use, without impacting environmentally sensitive lands;

- h. Ensure temporary uses remain in place no longer than 90 days if located within a Special Flood Hazard Area (SFHA);
- i. Provide adequate on-site restroom facilities (as appropriate); and
- j. Cease all outdoor activities within 500 feet of a residential use by 10:00 PM.

D. General Conditions.

In approving a temporary use, the Zoning Administrator is authorized to impose any of the following general conditions as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed temporary use:

- a. Provision of temporary parking facilities, including vehicular access and egress;
- b. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases, and heat;
- c. Prohibition of the storage or use of hazardous materials;
- d. Regulation of placement, height, size, and location of equipment;
- e. Provision of sanitary and medical facilities;
- f. Provision of solid waste collection and disposal;
- g. Provision of security and safety measures;
- h. Use of an alternate location or date;
- i. Modification or elimination of certain proposed activities;
- j. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
- k. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

E. Duration.

Temporary uses and structures subject to the standards of this section shall comply with the maximum duration requirements in Table XX.

F. Standards for Specific Temporary Uses and Structures.

All temporary uses and structures shall comply with the following standards, unless otherwise specified in this Ordinance.

1. Food Truck.

- a. Location
 - i. Food trucks may only be operated in the [list districts] districts.
 - ii. Food trucks shall not be parked within any public street, right-of-way, or sidewalk unless the operator has received written permission from the City of Trinity or NCDOT.
 - iii. Food trucks shall not occupy parking spaces that are used to meet a minimum parking requirement.
 - iv. Food trucks shall not interfere with the required minimum number and area of parking spaces, driveways and drive aisles.
 - iv. Food trucks shall be removed after operating hours or a special event and be stored in a legally permissible location.

- v. Food trucks operating between the hours of 8AM and 5PM shall not be parked in an on-street parking space for more than two consecutive hours unless the street has been closed for a special event and the operator has received written permission from the City of Trinity or NCDOT.
 - vi. Food sales shall not impede pedestrian traffic along the sidewalk.
- b. Operation
- i. The food truck operator or designee shall be present at all times except in case of emergency.
 - ii. Food trucks shall not open prior to 7AM and shall not close later than 9PM except for during special events.
 - iii. Food trucks shall either sell food or beverages that are exempt from health department regulation or shall obtain approval from the Randolph County Health Department.
 - iv. Food truck operators are responsible for the proper disposal of waste and trash associated with operation. Operators shall remove all waste and trash from their location at the end of each day or as needed to maintain the health and safety of the public.
 - v. Operators shall keep all areas within ten (10) feet of the truck clean of grease, trash, paper, cups, or cans associated with the operation. No liquid waste or grease shall be disposed of into tree pits, storm drains, or onto the streets, sidewalks, or other public locations.
- c. Associated Features
- i. No audio amplifier or similar device shall be used to attract the attention of the public.
 - ii. No tables, chairs, or other structures shall be allowed outside of the food truck.
 - iii. Advertising consisting of business name, logo, and items available for sale may be displayed on the food truck. No other form of advertising shall be permitted.

2. Horse or Pet Show

- a. The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site.
- b. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- c. The applicant shall submit a plan to the Zoning Administrator showing how the parking generated by the show can be accommodated without undue disruption to or interference with the normal area traffic flow.

3. Itinerant Merchant Sales

Itinerant merchant sales, not including food truck vendors, are permitted on lots in non-residential and Planning Development districts, subject to the following standards:

- a. The sale of merchandise, products, or material must be a permitted principal use in the zoning district where the sales are temporarily located;
- b. Itinerant merchant sales shall be located outside of street rights-of-way, required sight distance triangles, required landscape areas, and vehicular circulation areas;

- c. All merchandise and related materials shall be removed from the site following the sale, and;
- d. Itinerant merchant sales shall not take place prior to 7AM and shall not cease later than 11PM.

4. Outdoor Seasonal Sales

Outdoor seasonal sales are permitted in all zoning districts, subject to the following standards:

- a. Seasonal sales shall be limited to seasonal agricultural products such as Christmas trees, pumpkins, and living plants;
- b. Outdoor seasonal sales shall not take place prior to 7AM and shall not cease later than 11PM, except when located in a residential district, where sales shall cease by 9PM;
- c. Exterior lighting shall comply with the requirements of Section XX (Lighting Standards), and;
- d. The on-site accessory sale of seasonal products in association with an agricultural or retail use is not considered Outdoor Seasonal Sales and is not subject to these standards.

5. Portable Storage Containers

Portable storage containers may be permitted as a temporary use to a residential principal use except for individual multifamily dwelling units, subject to the following standards:

- a. Types Distinguished
 - i. Containers used for the purposes of storing personal property such as household items being temporarily stored or relocated;
 - ii. Roll-off boxes, bins, or dumpsters used for the collection and hauling of waste or debris, and;
 - iii. Fully enclosed, non-motorized trailers (commonly known as “semi-trailers”) with wheels intended to be towed to a site for the purpose of storage or transport of goods, materials, or equipment.
- b. Permit Required

A building permit shall not be required for a portable storage container, but a temporary use permit is required.
- c. Exemptions

The standards in this section shall not apply to portable storage containers used as temporary construction trailers, construction dumpsters, or construction materials recycling facilities, provided construction on-site is ongoing.
- d. Maximum Size

Containers shall be no larger in dimension than eight (8) feet in height, eight (8) feet in width, and twenty (20) feet in length.
- e. Maximum Number

No more than two (2) portable storage containers shall be located on a single parcel of land simultaneously.
- f. Hazardous Substances

Portable storage containers shall not be used to store or transport non-residential materials and substances, including but not limited to solid waste, hazardous materials; explosives; or, unlawful substances and materials.

- g. Location
 - i. A portable storage container may be located in a driveway, a designated parking area, or to the rear of the primary structure on the site.
 - ii. If site conditions make placement of the portable storage container according to the conditions of subsection i. above impracticable, then the portable storage container may be located immediately adjacent to the driveway or designated parking area;
 - iii. In no instance shall a portable storage container be located within a street right-of-way or in a location that poses a threat to public health or safety.

6. Public Event

- a. Temporary public events of a civic, religious or of a nonprofit nature may be issued a temporary zoning permit. Such events shall include but not be limited to outdoor concerts, revivals, fundraisers, and festivals. Such permits shall be issued for a fixed period, not to exceed 30 days. Public Events shall be permitted in all zoning districts with the issuance of a temporary permit.
- c. At least a week prior to the event, the applicant must present a site plan showing where the event will take place, adequate parking, and points of ingress and egress. The applicant must be the coordinator and contact person for the event. The applicant must also present a letter of approval to use the property if the applicant is not the property owner. This permit must be applied for before any tents, equipment or utilities are set up.

6. Special Event

A special event is permitted in an institutional, non-residential, mixed-use, or Planned Development District, subject to the following standards:

- a. Special events include, but are not limited to arts and crafts shows, cultural events, musical events, concerts and stage shows, celebrations, festivals, fairs, carnivals, circuses, or outdoor religious events;
- b. The principal access to the event location must be from a collector street or higher capacity road;
- c. The hours of operation allowed shall be compatible with the land uses adjacent to the event;
- d. The amount of noise generated shall not disrupt the activities of the adjacent land uses, and;
- e. The applicant shall submit a plan to the Zoning Administrator showing how the parking generated by the special event can be accommodated without undue disruption to or interference with the normal area traffic flow.
- f. The applicant shall also submit a plan showing how adequate bathroom facilities will be provided for the event.
- g. The applicant shall note how trash removal for the event will be provided.
- h. The applicant shall specify the number of days the event will be in operation for, up to a maximum of thirty (30) consecutive days.

7. Temporary Educational Structure

- a. Manufactured structures may be allowed as temporary classroom units where such units are approved by the NC Department of Insurance. The zoning administrator shall issue temporary use permits for 12 months, renewable for successive 12-month periods where the structure is found to still be in compliance with all applicable ordinance requirements.

8. Temporary Disaster Housing

- a. Recreational Vehicles
 - i. A property owner may be issued a temporary use permit for a recreational vehicle provided by the Federal Emergency Management Agency (FEMA), or other governmental agency to be placed temporarily on a lot with an existing single-family dwelling provided that the recreational vehicle is occupied by residents of the on-site single-family dwelling which is under repair.
- b. Manufactured Homes
 - i. Permits for temporary disaster housing provided by the Federal Emergency Management Agency (FEMA), or other governmental agency may be issued for the placement of manufactured homes on lots with an existing single-family dwelling regardless of zoning district.
 - ii. The property owner or a licensed contractor shall request the permit for the manufactured home.
 - iii. Manufactured homes shall meet all HUD Code requirements.
 - iv. Manufactured homes shall be placed in the rear yard unless placement in the front or side yard is approved by the Zoning Administrator and said placement does not violate applicable setbacks, restrict sufficient driveway access, and is not over existing septic systems or drain fields.
 - v. The manufactured home shall be removed from the property within forty-five (45) days of re-occupancy of the permanent home on site.
 - vi. The manufactured home shall be connected to municipal water and sewer systems or to a functional well and/or septic system as approved by the Randolph County Health Department.
 - vii. Manufactured homes shall meet the requirements of Section XX (Floodplain Protection Standards).

9. Temporary Dwelling

A temporary dwelling is permitted on a lot in a residential or Planning Development District, subject to the following standards:

- a. A temporary dwelling may be either a dwelling that meets all applicable State Building Code requirements or a recreational vehicle.
- b. The temporary dwelling shall be situated on the lot to meet the dimensional standards of the property's zoning district to the maximum extent practicable.

10. Temporary Real Estate Office

A temporary real estate office shall comply with the following standards:

- a. The office is located on a lot that is part of the real estate development being marketed;
- b. Any signage shall comply with the applicable standards of Section XX (Sign Standards);
- c. The office complies with the dimensional requirements of the zoning district in which it is located, and;
- d. The temporary office shall be converted into a dwelling or removed within sixty (60) days after all units are sold or leased.

11. Temporary Wireless Telecommunications Facility

A temporary wireless telecommunications facility shall comply with the following standards:

- a. A temporary wireless telecommunications facility may be allowed on a lot after a disaster or other emergency for a period not to exceed 14 days, except that the temporary use permit may be renewed where good cause is shown;
- b. A temporary wireless telecommunications facility may be allowed on a lot to evaluate the technical feasibility of the site for a period not to exceed 14 days, except that the temporary use permit may be renewed where good cause is shown;
- c. A temporary wireless telecommunications facility may be allowed on a lot in association with an event where the anticipated demand cannot be handled by existing facilities for a period not to exceed 14 days, and;
- d. A temporary wireless telecommunications facility may be allowed on a lot with an existing permanent wireless telecommunications facility where the permanent structure is undergoing reconstruction or maintenance and the temporary facility is needed to maintain sufficient levels of service. The temporary facility shall be removed after reconstruction or maintenance is complete and service restored on the permanent structure.

Article 10 DEFINITIONS

Sec. 10.1 Purpose

The purpose of this Article is to establish a set of definitions applicable to this Ordinance. NOTE: Definitions in the Flood Damage Prevention Ordinance are not included in this section, as they are defined in the Code of Federal Regulations, included in the City of Trinity Water Management Ordinance, and may vary from these definitions adopted by the Trinity City Council for interpretation of the zoning, subdivision, and storm water ordinances.

Sec. 10.2 Meaning of Definitions

Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of the Unified Development Ordinance, have the meanings indicated. All words and phrases not defined in this Article shall have their common meaning.

The definitions of some principal uses listed in this Article reference the NAISC (*North American Industrial Classification Manual 2022*). In making an interpretation regarding the classification of uses pursuant to this Article, the Zoning Administrator may refer to the appropriate NAISC classification number and accompanying descriptions contained in the latest edition of the manual. This manual may or may not be the final determination of the use.

Sec. 10.3 Definitions

Above Ground Liquid Storage Tank: A container or vessel that holds liquids, compressed gases or other petrochemical, including any connected piping, designed to contain and store an accumulation of liquid.

Abutting: For purpose of notice for required legislative and quasi-judicial hearings, “abutting” means properties that have common, adjacent property boundaries or lot lines as well as properties separated from the subject property by street, railroad, or any other transportation corridors. (G.S. 160D-602)

Access Corridors: A strip of land lying between the side lot boundary lines of lake front lots offering access to lots one lot depth away from the water's edge.

Access Lot: A lot having lake or river frontage and road frontage which offers lake frontage and/or lake access to those lots not having direct lake frontage within a lake front subdivision.

Accessory Structure or Use: A structure or use customarily incidental and subordinate to the principal use or building and location on the same lot with such principal use or building..

Accessory Dwelling Unit, Attached: A secondary dwelling unit connected to the principal single-family detached residential dwelling on a lot, meeting the standards of this Ordinance.

Accessory Dwelling Unit, Detached: A secondary dwelling unit not attached or connected to the principal single-family detached dwelling on a lot, meeting the standards of this Ordinance.

Activities of Daily Living: Bathing, dressing, personal hygiene, ambulation, or locomotion, transferring,

toileting, and eating.

Administrative Decision. Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in NCGS 160D or local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.

Administrative Hearing. A proceeding to gather facts needed to make an administrative decision.

Adult Day Care Center: An individual, agency, or organization providing supervision or care on a regular basis; usually for more than 6 adults in a place other than their usual place of residence.

Adult Establishment: Adult cabarets, adult bookstores, adult mini motion picture theaters, adult motels, adult entertainment businesses, and all other places contained in NCGS 14-202.10.

Advanced Battery or Fuel Cell Manufacturing: A facility where devices consisting of one or more electrochemical cells with external connections provided to power electrical devices such as flashlights, mobile phones, and electric vehicles ~~vehicles~~ are manufactured.

Agricultural Production: The use of land for the primary purpose of raising and harvesting row, field, or tree crops on a commercial basis.

Agricultural Supply Sales (Feed, Seed, Fertilizer): A retail store primarily engaged in the sale of feed, seed, fertilizer and similar agricultural supplies and products, which would not be better described as another use within this Ordinance.

Airfield/Heliport:

A site designed to facilitate the landing and takeoff of private aircraft, which may also include facilities for storing, servicing, or repairing aircraft. Commercial service airports shall not be considered airfields by this ordinance.

Airport: A site not better described as an airfield/heliport which is designed to facilitate the landing and takeoff of aircraft, which may also include facilities for storing, servicing, or repairing aircraft, and for receiving and discharging passengers or cargo.

All-Weather Walkway: A walkway dedicated to pedestrian access that has a width of at least four feet and includes a paved, all-weather surface (excluding gravel or cinders) that is graded and configured to ensure safe pedestrian movement.

Alley: A roadway which affords only a secondary means of access, primarily for vehicular service access, to abutting property.

Alterations: The word "alteration" shall include any of the following:

- a. Any addition to the height or depth of a building.
- b. Any change in the location of any of the exterior walls of a building.
- c. Any increase in the interior accommodations of a building.

Amateur Communications Equipment: Equipment related to the radio frequency spectrum used for the

purposes of non-commercial exchange of messages, also known as ham radio.

Amphitheater (Outdoor): An open-air theater, usually round, oval, or semi-circular, with or without fixed seating.

Amusement Facility, Indoors: Facility offering entertainment and amusement to patrons within enclosed buildings which would not be better classified as another use in this Ordinance, including arcades, bowling alleys, skating rinks, movie theaters, trampoline parks, escape rooms, murder mystery party venues, and similar establishments.

Amusement Facility, Outdoors: Facility or area for sports, entertainment, or recreation to the public. Examples may include, but are not limited to, game courts, water slides, miniature golf, practice, instructional fields, driving ranges and sports events such as a stadium or arena.

Animal Grooming: A facility which provides grooming and bathing services to domesticated animals such as cats and dogs. The principal use Animal Grooming shall not include facilities devoted to the boarding of animals (*see Kennel for boarding of animals*).

Animal Husbandry: The breeding, feeding, and tending of domestic animals, especially farm animals.

Animal Shelter: A facility operated by the public or a charitable organization which provides shelter to abandoned or lost animals. An animal shelter may also include facilities related to veterinary care, public education, and animal control.

Animated Signs: Any sign that uses or light or any other material to make it appear to move or have life in the display.

Antenna: Communications equipment that transmits, receives, or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services.

Antenna Collocation, Major: A major collocation includes placement of antennas, antenna-support structures, and related telecommunications equipment on any of the following: a building's roof; a building's wall; a vertical projection such as a water tank, electric transmission tower, or similar vertical projection not constructed for the sole purpose of providing telecommunications services; or an existing or replacement telecommunications tower where the collocation requires a substantial modification, as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes

Antenna Collocation, Minor: A minor collocation includes placement of antennas, antenna-support structures, and related telecommunications equipment on an existing or replacement telecommunications tower, provided no substantial modification, as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes, is required. A minor collocation may also be referred to as an "eligible facility."

Apartment: A room or suite of one (1) or more rooms in a multi-family residence intended for use as a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

Appeal: An action initiated at the request of a citizen to challenge or overturn a decision of any administrative officer (e.g., Planning Director, Code Enforcement Officer, etc.) or Board (e.g., City Council, Board of Adjustment, etc.) following the procedures outlined in this Ordinance.

Arboretum or Formal Garden: A place where a variety of woody plants are cultivated for scientific, educational, and ornamental purposes.

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

Assisted Living/Nursing Facility: A residential facility for unrelated older adults or individuals with disabilities, in which housekeeping, meals, and other assistance is available to residents as needed. Such facility may or may not provide skilled nursing or other medical services.

Asphalt or Concrete Plant: A facility preparing asphaltic and/or concrete mixtures for delivery to construction sites or retail facilities.

Auditorium: A structure or facility designed, intended, or used primarily for public gatherings; indoor exhibitions, galleries, or conventions; or indoor spectator events.

Automated Teller Machine (ATM): An electronic banking device that allows customers to complete basic transactions without the aid of a branch representative or teller.

Bakery (Large Scale): An establishment that produces and sells foods baked in any type of oven, not better described as another use in this Ordinance.

Banners: A long strip of flexible material displaying a slogan, advertisement, etc. The material is suspended in the air by 2 to 4 points. A banner shall have no tears, be folded, or touching the ground.

Bar or Cocktail Lounge: An establishment where alcoholic drinks are served, which would not be better described as another use within this Ordinance.

Battery: A device consisting of one or more electrochemical cells with external connections provided to power electrical devices such as flashlights, mobile phones, and electric cars.

Bed and Breakfast: A use that takes place within a building that, prior to such an establishment, was a single-family residence, which consists of renting from one to eight dwelling rooms on a daily basis to tourists, vacationers, and business travelers, where meals are provided only to guests. The homeowner will reside on site and employment will not exceed two full time employees in addition to the owner(s).

Board of Adjustment: The City Council will act as a quasi-judicial board empowered to hear appeals from decisions of the Zoning Administrator and grant variances under the Zoning Ordinance, and to grant minor variances from provisions of the Stormwater Ordinance.

Bottle Shop: An establishment selling alcoholic beverages in unopened containers for consumption elsewhere.

Bottling Plant: A facility where various beverages may be bottled for distribution.

Bowling Alley: A building containing one (1) or more bowling lanes, which may also include facilities for repairing and selling bowling-related items, and preparing and serving food and drinks.

Broadcasting Studio: A facility where television or radio programs are recorded and broadcast.

Bufferyard: A landscaped area which is established to provide screening and visual separation intended to improve the compatibility of adjoining land uses.

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

Building, Accessory: A subordinate building, whose use is incidental to that of a principal building on the same lot.

Building, Principal: The building in which the lot's principal use is conducted.

Building Setback Line: A line establishing the minimum allowable distance between the main portion of any building and the street or highway right-of-way line when measured perpendicularly thereto. Covered porches, patios and carports, whether enclosed or unenclosed, shall be considered as a part of the main building and shall not project into the required yard.

Bus Station: A facility designed to accommodate the arrival and departure of buses used for commercial or public transportation, which may or may not include a waiting area or other passenger service areas.

Campground: Establishments engaged in seasonal or overnight recreational housing and conducting a variety of educational and athletic activities. These establishments may provide accommodation facilities, such as cabins, fixed campsites, parking pads and utility connections for recreational vehicles, food services, on-site recreational facilities and equipment, and organized recreational activities. Examples include but are not limited to: Religious institution camps or retreats, Boy Scout Camps, and Girl Scout Camps.

Car Wash or Automobile Detailing: A facility where motor vehicles are washed, cleaned, and/or waxed by hand or with manually operated equipment or automatic machinery.

Caregiver: An individual eighteen years of age or older who (i) provides care for a mentally or physically impaired person and (ii) is a first- or second-degree relative of the mentally or physically impaired person for whom the individual is caring.

Cemetery, Columbarium, or Mausoleum: Land and facilities used for burial of the dead either meeting the requirements of a perpetual care cemetery under State law including any burial ground, mausoleum, or columbarium operated by an entity meeting licensing requirements of the State; or land and facilities including municipal, private family, farm, church or animal cemeteries, which have not been licensed and do not meet the licensing requirements of a perpetual care cemetery under State law.

Certificate of Occupancy: A statement, signed by an administrative officer, setting forth that the building, structure or use complies with this ordinance and that the same may be used for the purposes stated therein.

Chemical Manufacturing: A facility that is used for the transformation of organic and inorganic raw materials via chemical processes into another type of material.

Child or Adult Care, Incidental: A childcare or adult care home day care for three or more children or adults which is permitted as an accessory use to an occupied residential dwelling unit, which complies with Article 7 of Chapter 110 of the North Carolina General Statutes, and the Summary of North Carolina Child Care Laws and Rules pamphlet prepared by the NC Department of Health and Human Services.

Child Day Care Center: 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 adults; usually serving more than 10 children at a time.

Clerk of Superior Court: Clerk of Superior Court of Randolph County, North Carolina.

Close Familial Relationship: For the purposes of this Ordinance, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Cluster Development: A type of development that devotes a significant amount of its total land area to commonly-owned, permanently-protected open space in exchange for flexibility in lot sizes and dimensions..

Coffee Shop: A dining establishment serving coffee and limited food items.

College or University: A use, whether privately-owned or publicly-owned, providing academic education beyond the high school level, except where said education is vocational in nature.

Commercial Parking Lot: A parking lot or parking structure where patrons pay to store vehicles on short- or long-term basis.

Commercial Stable: A building in which horses are kept or fed, which may or may not include separate stalls for individual animals, and which is not used for personal activities..

Community Garden: A garden established on public or private property for the purposes of cultivating crops for consumption by members of the community.

Community/Youth/Senior Center: A public facility that is primarily used to host recreational or social activities for members of the general public, youth, or senior citizens, not better meeting the definition of any other use described in this Ordinance.

Comprehensive Plan. A comprehensive plan that has been officially adopted by the Board of Commissioners pursuant to NCGS 160D-501.

Comprehensive Transportation Plan (CTP). A long-term, long-range transportation plan for municipalities, counties and large metropolitan areas (MPOs)

Computer Services: An establishment providing personal or business services related to the use of a computer, the information stored in the computer, or the personnel supporting the computer, including data processing, and storage functions.

Concrete Monuments: Concrete monuments shall be as described on page 20 of the Manual of Practice for Land Surveying, with the exception that they may have a 611-center steel pin extending 1/21' above the surface of the top of the monument. At least one monument in the boundary of each subdivision should contain a metal plat.

Conditional Zoning: A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment (G.S. 160D-102(7))

Conditional Zoning District: Pursuant to NCGS 160D-102(7) and 703(b), a zoning district that does not have any inherent permitted or conditional uses and corresponds with an existing general use zoning district. May also be referred to as CONDITIONAL DISTRICT in this article. Development activities are restricted to those specifically approved by the City Council following a legislative public hearing. Conditions to development can be imposed if they are volunteered or consented to by the applicant.

Condominium Development: Two or more single units in a multi-unit structure with common areas and facilities on one tract of land. Unit owners own only the interior portion of their unit and accessory space and have an undivided interest in the common areas and facilities. Residential condominiums are considered multi-family developments

Conservation Subdivision: A residential subdivision that devotes a significant amount of its total land area to commonly-owned, permanently-protected open space in exchange for flexibility in lot sizes and dimensions.

Continuing Care Retirement Community (CCRC): A type of life care community that offers more than one level of care and accommodates residents as their care needs shift over time. Such a community usually provides both independent living and skilled nursing care.

Contractor Services and Sales: An establishment providing general contracting and/or building construction services for residential, farm, industrial, or commercial uses, and which may involve outdoor storage of products or equipment used as part of the contracting operation. For the purposes of this Ordinance, contractors shall include, but not limited to, general contractors, electrical contractors, and landscaping contractors.

Convenience Store (With Gasoline Sales or Restaurant): Any retail establishment offering for sale any combination of gasoline, diesel fuel, kerosene, automotive products, prepackaged food products, household items, and/or other goods commonly associated with the same.

Convenience Store (Without Gasoline Sales or Restaurant): A retail establishment offering for sale any combination of prepackaged food products, household items, and/or other goods commonly associated with the same.

Correctional Institution: A jail or other institutional facility used to confine and provide treatment or rehabilitation to violators of criminal laws, including facilities for persons who are participating in supervised work-release programs, whether such facilities provide confinement for all of each 24-hour period or only a portion thereof; but not including temporary holding facilities that are accessory to a police station.

Council means the City Council of Trinity, NC. The term “City Council” or “Governing Body” shall always indicate the City Council of the City of Trinity, North Carolina. see also Governing Board

Cultural Facility, Library, or Museum: An establishment used primarily for the display, rather than the sale, of works of art or cultural artifacts; or for the storing and lending of books, newspapers, periodicals, and other media.

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

Detached Garage or Carport: A roofed structure, which may be either enclosed or open, which is detached from the main structure on a parcel and is designed to accommodate one or more motor vehicles.

Dental or Medical Office: A use or structure intended or used exclusively by physicians, dentists, and similar professionals for the treatment and examination of patients solely on an outpatient basis.

Determination: A written, final, and binding order, requirement, or determination regarding an administrative decision.

Development Permit: An administrative permit issued by the Development Services Department that specifies how a property may be developed, based on an approved preliminary plat, approved site plan, conditional zoning, or special use permit.

Dish Antenna (Large): A receiver or transmitter of electromagnetic energy, especially microwaves or radio waves, which consists of a reflector shaped like a shallow dish, which is greater than one (1) meter in diameter.

Dormitory, Private: A building which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with, or employed by the same educational, religious, or health institution. "Dormitory" will not include a boarding house, motel, hotel, home, or health institution.

Drive-Through: A building element which allows customers to conduct business with an establishment while in their vehicles, usually consisting of a dedicated travel lane and a window or other aperture in the building façade which allows goods and payment to be exchanged between the customer and a business employee.

Driveway: An access, with no specified development standards, to a *single* lot from either a public or

private roadway.

Drug/Alcohol Treatment: A type of medical facility that provides treatment for drug/alcohol addiction and dependency on an in-patient or out-patient basis.

Dwelling: Any building, structure, manufactured home, mobile home, or part thereof, used and occupied for human habitation or intended to be used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. For this Ordinance, the term does not include any manufactured home, manufactured home, or recreational vehicle, if used solely for a seasonal vacation purpose.

Dwelling Unit: A single unit providing complete, independent living, sleeping, eating, cooking and sanitation.

Easement: A grant of one or more of the property rights for a specific purpose by the property owner to, or for the use by, the public or another person.

Electric Vehicle Charging Station: An accessory use consisting of equipment, also known as a charge point or electric vehicle supply equipment (EVSE), that supplies electrical power for charging plug-in electric vehicles, for use by members of the general public.

Electrical/Plumbing Fabrication: A manufacturing process involving the cutting, bending, and welding of wire and pipe to create electrical and plumbing systems or components.

Electronic Changeable Copy Sign: Any sign on which the copy changes automatically on a lamp bank, such that the message or display does not run continuously in the travel mode and any message or display remains stationary for a minimum of five seconds. Any sign on which the message or display runs continuously in the travel mode and/or on which any message or display does not remain stationary for a minimum of five seconds shall be considered a flashing sign.

Electronic Gaming Operation: Any business enterprise, as a principal use, where persons utilize electronic machines, including, but not limited to computers and gaming terminals, to conduct games including but not limited to sweepstakes, and where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether the value of such distribution is determined by electronic games or by predetermined odds. Electronic gaming operations may include, but are not limited to, internet cafés, internet sweepstakes, electronic gaming/machine operations, or cybercafés otherwise meeting the preceding definition. This definition does not include any lottery endorsed, approved, or sponsored by the State of North Carolina.

Equipment and Tool Rental: An establishment which rents or leases machinery, equipment and tools of various kinds and sizes for a limited period of time to businesses and individuals.

Event Venue: A facility that may be rented by individuals or groups for private functions including banquets, fundraisers, weddings, parties, and other events. Said facility may include on-site food preparation or catering facilities.

Evidentiary Hearing: A hearing to gather competent, material, and substantial evidence to make findings for a quasi-judicial decision required by a development ordinance or regulation adopted under G.S. 160D.

(G.S.160D-102(16))

Family: Any number of related persons living together as a single housekeeping unit.

Family Care Home: A home defined and described in Article 3 of NCGS 168 as having support and supervisory personnel, that provides room and board, personal care and habitation services in a family environment for not more than six resident handicapped persons. A handicapped person is defined as person with a temporary or permanent physical emotional or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in NCGS 122-58.2(l)(b).

Family Health Care Structure: A transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person according to the standards of NCGS 160-915 and this Ordinance.

Farm, Bona Fide: Any tract of land used for agricultural activities as set forth in G.S. 160D-903. Except as provided in G.S. 106-743 for farms that are subject to a conservation agreement, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1, and which may include facilities for the sale of such products from the premises where produced. Bona fide farms shall be regulated in accordance with G.S. 160D-903.

Farm Machinery: Vehicular implements or attachments that are designed for use in farming whether planting, cultivating, or harvesting farm products.

Farm Machinery Sales: An establishment where vehicles such as tractors and implements or attachments designed for planting, harvesting, or cultivating farm products are sold and serviced.

Fence: An outdoor structure placed around all or part of a parcel of land constructed of masonry, metal, plastic, or wood which provides either a physical barrier or visual screen.

Fence, Temporary: Any temporary fencing on, in, or around a construction site shall be installed to keep erosion from leaving the site. Temporary fencing shall not remain in place longer than is necessary to perform its function. Common forms of temporary fencing include plastic silt fences, panels constructed steel or wire, or any fence deemed temporary by the City of Trinity Planning Director. If no construction is being performed on the site after 15 days, the temporary fence shall be removed. Temporary fencing is not permitted as permanent fencing.

Fiber Cement Board: A dense, smooth-surfaced composition board composed of highly compressed fibers, designed to imitate wood or concrete construction. Varieties include Masonite.

Financial Institution With Drive-Through Service: An establishment engaged in the business of providing financial services to customers who maintain a credit, deposit, trust, or other financial account or relationship with the institution, which includes a means of providing services to customers in motor vehicles.

Financial Institution Without Drive-Through Service: An establishment engaged in the business of providing financial services to customers who maintain a credit, deposit, trust, or other financial account or relationship with the institution, which does not include a means of providing services to customers in motor vehicles.

Fire/EMS/Police Station: A facility established for public law enforcement purposes, emergency medical services purposes, or public fire protection and prevention purposes.

Firearm Sales and Service: An establishment whose primary purpose is the service and sale of firearms, ammunition, and related supplies.

Firearms Manufacturing: A facility engaged in processes related to the manufacture of guns, ammunition, and related devices.

Fitness Center: A commercial establishment where users pay a fee to use fitness facilities and equipment, not better described as another use within this Ordinance.

Flashing Sign: Any sign which gives off light in intermittent bursts at a rate that is faster than 5 seconds.

Flea Market (Indoor): A retail establishment in which space inside a building is set aside or rented, and which is intended for use by one or more individuals to sell a variety of articles such as those which are either homemade, handcrafted, used, old or obsolete.

Flea Market (Outdoor): A retail establishment in which outdoor space is set aside or rented, and which is intended for use by one or more individuals to sell a variety of articles such as those which are either homemade, handcrafted, used, old or obsolete.

Food Truck: A licensed, motorized vehicle or trailer that is designed and equipped in preparing and serving food and non-alcoholic beverages on private property to the general public on a recurring basis.

Foot-candle: A quantitative unit measuring the amount of light cast onto a given point, measured as one (1) lumen per square foot.

Foundry: A manufacturing establishment that produces metal castings where liquid metal is poured or injected into a mold to make a desired shape or product.

Fraternal Club or Lodge: A building or land used for the activities of a private club or social organization, and not adjunct to, or operated as, or in connection with a public tavern, cafe, or other place open to the general public.

Fraternity or Sorority House: A residence occupied by and maintained for the use of fraternal, sororal, social, honorary, or professional organizations.

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

Fuel Oil/Bottled Gas Distributor: An establishment primarily engaged in the sale and distribution of

fuel oil or bottled gases such as propane or liquid petroleum.

Funeral-Related Services: An establishment engaged in undertaking services, such as preparing the human dead for burial and in arranging and managing funerals. This definition includes crematories and mortuaries.

General Retail: An establishment primarily engaged in general retail sales, where the majority of display and/or storage of merchandise being sold occurs within an enclosed structure. The definition for this use shall not encompass uses which would be better described as Retail, Bulky Item; Retail, Second Hand, Lawn and Garden Center, Large Format Retail, Grocery Store, or any other use within this Ordinance.

Golf Course: A facility designed for golf, including a Par 3 golf course, having at least nine (9) holes, each with a tee, fairway, green, and may include one or more hazards. A clubhouse, pool, practice facility, and other facilities associated with a country club built around a golf course are considered part of the golf course.

Golf Driving Range: A facility where golfers may practice their golf shots and swings, which may be equipped with distance markers, tee boxes, and a pro shop selling golf supplies and paraphernalia.

Government Office: A building, use, or facility serving as a governmental agency, but not including a vehicle storage yard, correctional facility, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, educational or health institution, university, group home, or housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws.

Governing Board. The City Council of the City of Trinity, North Carolina.

Greenhouse: A building, usually chiefly constructed of glass, in which the temperature or humidity is maintained within a desired range, used for cultivating tender plants or growing plants out of season.

Greenways: A series of independent and interconnected paths, officially designated by the City, that will allow bikers, walkers, joggers, etc., to go from one area of the City to another without driving their car or using City roads or streets.

Grocery Store: An establishment engaged in the sale of food, both fresh and prepackaged, as well as nonfood household goods, such as paper towels, toilet paper, cleaning products, personal care products and medicine. This use shall not include establishments better described as a Convenience Store or Large Format Retail.

Gross Floor Area: The interior floor area of a building exclusive of stairways, storage, closets, and elevators shafts.

Group Home: A residential facility for not more than 12 persons licensed by the State of North Carolina which is not a "family care home" as defined by this ordinance, and which has support and supervisory personnel and provides room, board and personal care in a family or group setting.

Guard House or Gatehouse: A structure located at the entrance to a development used to control access

to said development.

Halfway House: A residential facility for between 13 and 20 persons licensed by the State of North Carolina which is not a "family care home" as defined by this ordinance, and which has support and supervisory personnel and provides room, board and personal care in a family or group setting.

Heavy Equipment Sales and Service (Excluding Farm Machinery Sales): An establishment engaged in the sales and service of equipment such as backhoes, bulldozers, cranes, excavators, construction equipment, and similar equipment or vehicles. Establishments primarily selling tractors and other agricultural equipment shall be considered Farm Machinery Sales by this Ordinance.

Hair, Nails, and Skin-Related Services: An establishment engaged in services related to the care and beautification of the hair, nails, and skin, including hair salons, barber shops, nail salons, manicurists, cosmetologists, makeup artists, massage therapists and tattoo artists. This use shall not include the offices of dermatologists, podiatrists, or similar medical providers.

Home Occupation: A business, profession, occupation, or trade which is conducted within a residential building or accessory structure for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the building. A home occupation shall not be so insubstantial or incidental as to be regarded as an accessory use, but shall be conducted without any significantly adverse impact on the surrounding neighborhood.

Homeowners Association: An organization in a subdivision, planned unit development or planned community that is responsible for making and enforcing rules for the property under their control as defined by the organizing documents. The Association is also responsible for the maintenance of any off-site septic areas within the area under their control.

Horse or Pet Show: An exhibition where horses or other animals are displayed for the purposes of judging or sales. Such shows may include competitions between animals entered in the show along with other related events and services.

Horticulture: The practice of propagating and cultivating ornamental plants such as trees, bushes, flowers, and shrubs.

Hospital: A health care facility the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes.

Hotel and Motel: A building containing more than four individual rooms for the purpose of providing overnight lodging facilities to the general public for compensation, with or without meals, and which has common facilities for reservations and cleaning services, combined utilities, and on-site management and reception services, with entries to a room from an interior or exterior space.

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

Independent Living Facility: Congregate living facilities designed for older persons or disabled persons who do not require medical and nursing care, but which may offer resident amenities such as central dining facilities and transportation services located on-site. Each living unit may be self-contained and shall be physically accessible to older or disabled persons. Independent Living Facilities shall be distinguished from apartment building(s) by the provision of communal services.

Itinerant Merchant Sales: A business enterprise where the proprietor engages in the short-term, temporary sale of goods at a particular location. Itinerant merchant sales may take place within a building or outdoors.

Junked Motor Vehicle: A motor vehicle that is partially dismantled or wrecked cannot be self-propelled or moved in the manner originally intended and does not display a current license plate.

Junkyard: *See Salvage or Junkyard.*

Kennel, Indoor or Small Outdoor: An indoor or outdoor facility located on a tract of land no less than one acre in size and primarily used for the purpose of boarding animals. Such kennels may conduct incidental activities, including the sale, breeding, treatment, training, grooming or cleaning of animals, and the sale of pet supplies.

Kennel, Large Outdoor: An outdoor facility located on a tract of land that is ten acres or more in size primarily used for the purpose of boarding animals. Such kennels may conduct incidental activities, including the sale, breeding, treatment, grooming or cleaning of animals, and the sale of pet supplies.

Laboratory and Laboratory Services: An establishment primarily engaged in providing testing services such as calibration and certification of instruments, food testing services, forensic laboratories, metallurgical testing, testing of medical samples and specimens, and industrial X-ray inspection services.

Land Clearing Debris: Solid waste that is generated solely from land-clearing activities per NCGS 130A-290 (a) (15) and as may be amended.

Land Development Plan: A long-range plan for the desirable use of land in Trinity which has been adopted by the Trinity City Council. The purpose of the plan is to serve as a guide in the zoning of land, in the subdividing and use of undeveloped land, and in the acquisition of rights-of-way or sites for public purposes such as parks, public buildings, streets.

Landfill, LCID (Land Clearing and Inert Debris): A disposal site for stumps, limbs, leaves, concrete, brick, untreated wood and uncontaminated earth. Disposal of any other types of wastes must be approved by the State Division of Solid Waste Management.

Landfill, Sanitary: A solid waste disposal facility designed to meet the minimum standards of the State of North Carolina wherein refuse and other waste defined by State standards is disposed of by utilizing acceptable landfill engineering technology.

Landowner Or Owner. The holder of the title in fee simple. Absent evidence to the contrary, the Town may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

Large Format Retail: Retail establishments, including but not limited to supermarkets, home improvement stores, department stores, and home decorating stores, greater than 50,000 square feet of gross floor area.

Laundry/Dry Cleaning: An establishment where clothes may be laundered using chemical solvents, soap and water, or similar methods. This use shall include facilities such as coin-operated laundromats, commercial dry-cleaners, and related facilities.

Legislative Decision: The adoption, amendment, or repeal of a regulation under NCGS 160D or an applicable local act. The term also includes decisions to approve, amend, or rescind a development agreement consistent with the provisions of NCGS 160D, Article 10.

Legislative Hearing: A hearing to solicit public comment on a proposed legislative decision.

Library: *See Cultural Facility, Library, or Museum.*

Livestock Sales: A business enterprise devoted to the temporary confinement and sale of farm animals. Livestock sales may take place within a building or outdoors.

Lot: A parcel of land occupied or capable of being occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same and which is intended as a unit for transfer of ownership. The word "lot" includes the word "parcel."

Corner Lot: A lot abutting upon two streets at their intersections. The street line forming the least frontage shall be deemed the front of the lot.

Double-Frontage Lot: A continuous (through) lot which is accessible from both of the parallel streets upon which it fronts.

Lot Depth: The depth of a lot is the mean distance of the lines of the lot measured from the midpoint of the front lot line to the midpoint of the rear lot line.

Lot Front: That part of the lot abutting to the street or land access.

Lot of Record: A lot, which is part of a subdivision, a plat of which has been recorded in the office of the Register of Deeds of Randolph County prior to the adoption of this Ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance.

Lot Width: The distance between side lot lines measures at the building setback line.

Reverse Frontage Lot: A continuous (through) lot which is accessible from only one of the

parallel streets upon which it fronts.

Major Arterials, Roads, and Highways: Major arterials, roads, and highways are those public streets and highways designated, or hereafter designated, as major streets and highways on a major Thoroughfare Plan for the County, approved by the North Carolina Department of Transportation, or that may hereafter be approved by the North Carolina Department of Transportation.

Manufactured Home: A residential dwelling unit, built to HUD Standards, designed for transportation after fabrication on its own wheels or on flatbeds, or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor unpacking and assembly operations. Travel trailers and campers shall not be considered mobile homes. Manufactured homes as defined in this Ordinance and the North Carolina General Statutes are for residential dwelling purposes only and may not be used for an accessory storage building.

Manufactured Home, Class A: A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and, Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:

- (a) The manufactured home has a length not exceeding four times its width (e.g. a “doublewide” unit); and
- (b) The pitch of the manufactured home's roof has a minimum vertical rise of two and two tenths’ feet for each twelve feet of horizontal run (2.2 ft: 12 ft) and the roof is finished with shingles; and
- (c) The exterior siding consists predominately of vinyl or aluminum horizontal lap siding, wood, or hardboard; and
- (d) A continuous, permanent masonry foundation, unpierced except for ventilation and access is installed under the manufactured home; and
- (e) The tongue, axles, removable towing apparatus, and transporting lights are removed after final placement on the site.

Manufactured Home, Class B: A manufactured home constructed after July 1, 1976, that meets or exceeds the standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction, but which does not meet the definition of a Class A manufactured home.

Manufactured Home, Class C: A manufactured home that does not meet the definition of either a Class A or a Class B manufactured home.

Manufactured Home Park: A plot of ground, *under unified control*, which has been planned or improved for the placement of three or more manufactured homes for dwelling or sleeping purposes, regardless of whether a charge is made for the unit or the land. This definition shall not include manufactured home sales lots.

Manufacturing, Heavy, Not Otherwise Categorized: A manufacturing establishment whose operations, including storage of materials; processing, fabrication, or assembly of products; and loading and unloading of new materials and finished products may occur either inside an enclosed building or outside on the premises. Noise, odor, dust, vibration, or visual impacts, as well as potential public health problems in the event of an accident, could impact adjacent properties.

Manufacturing, Light, With or Without Accessory Sales: A manufacturing establishment whose operations, including storage of materials; processing, fabrication, or assembly of products; and loading and unloading of new materials and finished products occurs completely within an enclosed building or structure. This use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located. This use may also include sales of products manufactured on-site.

Master Development Plan. A plan depicting phases of development and general configuration and relationship of the principal elements of the proposed development and uses. The plan will include delineated areas where particular types of development or groups of buildings will be located, along with access and internal circulation through the development. A MASTER DEVELOPMENT PLAN is required for the approval of a Group Development and for any development involving multiple phases.

Meat Packing and Processing: An establishment engaged in the slaughtering, processing and packaging of meat for the purposes of distribution and sale.

Medical/Dental Office: A room, suite of rooms, or building in which a person or persons receive medical or dental treatment or care, which would not be better described as another use within the Health Care use category in the Principal Use Table.

Mentally Impaired Person: A person who is a resident of this State and who requires assistance with two or more activities of daily living as certified in writing by a physician licensed to practice in this State.

Metal Fabrication and Welding: A manufacturing process involving the creation of metal structures through cutting, bending, welding, and other assembling processes.

Microbrewery or Microdistillery: A facility, no larger than twelve thousand (12,000) square feet of gross floor area, for the brewing of beer or the distilling of alcoholic beverages. Said facility may include a tasting room or taproom, as well as a retail space to sell the beer or liquor to patrons on site.

Mixed Occupancy: A type of residential development containing two (2) or more of the individual residential uses listed in Table XX.

Modular Home. - A factory-built structure that is designed to be used as a dwelling, is manufactured in accordance with the specifications for modular homes under the North Carolina State Residential Building Code, and bears a seal or label issued by the Department of Insurance pursuant to NCGS 143- 139.1. The following types of modular homes are included here for clarity, however all modular home types are regulated in the same way.

Modular Home, Conventional: A factory-built structure which is constructed in accordance with the North Carolina State Building Code with wood frame construction and set-up on a brick foundation.

Modular Home, On-Frame: A factory-built structure which is constructed in accordance with the North Carolina State Building Code on a metal frame and is set-up on block piers with brick underpinning.

Multi-Phased Development. - A development containing 25 acres or more that is both of the following:

- (a) Submitted for development permit approval to occur in more than one phase.
- (b) Subject to a master development plan with committed elements showing the type and intensity of use of each phase.

Multi-Family Dwelling: A building or portion thereof, constructed under the North Carolina Commercial Building Code, which is used or designed as a residence for multiple families living independently of each other, with separate housekeeping and cooking facilities for each unit. This use shall include apartments and condominiums.

Museum: *See Cultural Facility, Library, or Museum.*

NPDES Phase II Stormwater Program – The storm water program implemented by the City of Trinity in compliance with the City of Trinity’s “PERMIT NO. NCS000502 TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM”, as issued by the State of North Carolina Department of Environment and Natural Resources, Division of Water Quality, effective October 1, 2005, as may be re-issued from time to time.

Nightclub or Dance Hall: Any commercial establishment serving alcoholic beverages and/or providing entertainment for patrons, including bars, lounges, taverns, cabarets, and similar establishments.

Nonconforming Use: A structure or land lawfully occupied by an existing use which does not conform with the permitted uses for the zoning district in which it is situated, either at the effective date of this ordinance, or as a result of subsequent amendments to this ordinance.

Notice of Violation: A written notification of a violation of this Ordinance, delivered to a violator by the Planning Director or designated Code Enforcement Officer, indicating the nature of the violation and prescribing a period for taking corrective measures.

Nursery/Lawn and Garden Center: A retail establishment where plants (which are primarily grown off-site), planting supplies, gardening tools, and similar products are sold directly to consumers.

Obstruction: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in this Ordinance.

Office: A room, suite of rooms, or building in which a person or persons transact the affairs of a business, profession, service, industry, or government. When listed as a permitted or special use, an office shall serve as the primary use of the property. Offices that are accessory to another permitted or special use shall not be included in this definition.

Open Space: The land used for active or passive recreation, natural resource protection, amenities and/or buffer yards. Open space may include, but is not limited to, walkways, passive recreation areas, active recreation areas, playgrounds, wooded areas, greenways and water courses.

Outdoor Display or Sales: An outdoor area devoted to the display or sale of goods associated with the

business activity taking place on-site.

Outdoor Sales, Excluding Nursery/Lawn and Garden Center: An enterprise engaged in the retail sale of various products, not better described as a Nursery/Lawn and Garden Center or other use defined in this Ordinance.

Outdoor Seasonal Sales: A business engaged in the short-term, temporary sale of agricultural products such as Christmas trees, pumpkins, pine needles and similar natural products.

Outdoor Storage: The commercial storage or keeping of building materials, equipment, fuel, vehicles, goods, commodities or raw materials outside of a building or structure. Outdoor storage includes all goods and materials not returned to an enclosed building at the end of each business day; regardless of whether such goods or materials are kept on the premises for retail sale, wholesale sale, storage, or use by a business on or off the lot.

Outdoor Storage Yard: An establishment or part of an establishment intended to be used for outdoor storage purposes.

Outpatient Treatment Facility: A facility, located in or apart from a hospital, which provides either diagnosis or treatment, or both, to ambulatory patients in need of medical, surgical, or mental care.

Owner. See Landowner.

Packaging and Printing: A facility offering services related to any lithographic, letterpress, or other type of printing that results in identifying or beautifying paper, paperboard, or cardboard products to be used as containers, enclosures, wrappings, or boxes. This use shall also encompass facilities where printed or digital materials may otherwise be copied or printed.

Park: Any land used for active or passive recreational purposes or as a refuge for wildlife.

Parking Lot, Commercial: *See Commercial Parking Lot.*

Parking Lot: An area, not within a building, where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. A parking area also includes all areas for storage and trash facilities.

Parking of Recreational Vehicles or Equipment: The parking and/or storage of vehicles including motor-powered recreational vehicles, recreational trailers or campers, and boats used solely for recreational purposes.

Parking Space: A surfaced area not less than nine (9) feet wide and eighteen (18) feet long either within a structure or in the open, exclusive of driveways or access drives.

Parking Structure: A partially or wholly enclosed structure where motor vehicles may be parked on a temporary basis.

Performance Bond or Guarantee: A financial commitment from a developer of a subdivision to ensure that

Randolph County will have funds available to complete any required infrastructure in the event the developer fails to do so.

Pharmacy: A retail establishment where over-the-counter and prescription medications, medicinal supplies and appliances, and pharmaceutical products are sold, not better defined as another use within this Ordinance.

Physically Impaired Person: A person who is a resident of this State and who requires assistance with two or more activities of daily living as certified in writing by a physician licensed to practice in this State.

Planned Unit Development: A tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan.

Planning Board: The City of Trinity Planning Board appointed by the City Council to carry out the duties set forth in NCGS 160D-301.

Police/Fire Training Facility: A facility operated by the City of Trinity or Randolph County offering training for law enforcement or public safety personnel. Such facilities may include firearm shooting ranges, driving courses, and structures for practicing fire suppression techniques.

Pool Hall: An establishment where pool or billiards are played, where alcoholic beverages may be served.

Portable Storage Container: A transportable unit designed and used primarily for temporary storage of household goods, commodities, building materials, and other items on a limited basis. Portable storage containers are not intended to be used for long-term on-site storage and any such long-term use in any zoning district is expressly prohibited.

Post Office: A facility or structure used for the collection, sorting, and distribution of mail within several zip code areas, having retail postal services for the general public, such as stamps, postcards, or postal insurance.

Principal Use: The primary purpose or function that a lot serves or is proposed to serve.

Private Club (Not Classified as an Adult Use): A bar, cocktail lounge, or other similar establishment, requiring membership, where alcoholic beverages are served.

Private Swimming Pool: An indoor or outdoor structure, chamber or tank containing a body of water for swimming, diving, or bathing, not accessible to members of the general public.

Professional Office: A use or structure in which business or professional services are conducted or rendered.

Public Art: Sculpture, statues, monuments, murals, fountains, and the like that accentuates a public space or streetscape.

Public Recreation Facility: Any facility owned by the City of Trinity or Randolph County intended for

recreational use by the public or for support of such recreational use, not better described as another use contained in this Ordinance.

Public Works Facility: A facility that serves to accommodate offices and activities typically associated with a public agency or department that is responsible for the installation and maintenance of public utilities, rights-of-way (including streets and pedestrian facilities), sanitation, landscaping and related public services, or which manages the contractors who conduct such activities.

Quarrying or Mining: An operation for the dredging, digging, extraction, mining, or quarrying of stone, sand, gravel, or minerals for commercial purposes.

Quasi-Judicial Decision: A decision involving the finding of facts gained through sworn testimony regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, and appeals of administrative determinations.

Racetrack: An establishment where cars, trucks, motorcycles, or similar vehicles are driven competitively for the entertainment of spectators. The race track surface may or may not be paved, and the racetrack may include permanent seating and buildings to accommodate concessions and ticketing, vehicle storage, and similar functions.

Rail Yard: An establishment which is connected to an adjacent rail line or spur that provides facilities for storing, sorting, loading, and unloading rail cars and locomotives.

Recreational Vehicle (RV): A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projection; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycle: Processing, including disassembling, dismantling, and shredding of photovoltaic modules or other equipment from utility-scale solar projects, or their components, to recover usable product. This term does not include any process that results in the incineration of such equipment. Photovoltaic modules determined to be hazardous shall comply with applicable hazardous waste requirements even when recycled.

Recycling Center, Convenience Stop: A facility less than three (3) acres in size at which recoverable resources, such as newspapers, glassware, and metal and aluminum cans, are collected, stored, flattened, crushed, or bundled within a completely enclosed building. This use does not include establishments engaged in the recycling of used motor vehicle parts

Recycling Center, Processing: A facility of three (3) acres in size or greater at which recoverable resources, such as newspapers, glassware, and metal and aluminum cans, are collected, stored, flattened, crushed, or bundled within a completely enclosed building. This use does not include establishments engaged in the recycling of used motor vehicle parts.

Religious Institution: A church, synagogue, temple, mosque, or other place of religious worship, including any customary accessory use or structure, such as a school, day care center, or dwelling, located

on the same lot.

Repair Shop: An establishment where various items (such as jewelry, clocks or other antiques, and outdoor power tools) may be repaired. This use shall not encompass establishments better defined by other principal uses within this Ordinance, including Vehicle Repair and Servicing.

Reservation: A reservation of land constitutes an obligation to keep property free from development for a stated period of time and not involving any transfer of property rights.

Residence: Any building, or portion thereof, which is designed for living and/or sleeping purposes. The term "residence" shall not be deemed to include a hotel, motel, tourist home, or other building designed for transient residence. Neither shall it include travel trailers, campers, motor homes, nor other vehicles designed for transient residence. The term "residence" shall include the term "dwelling unit."

Restaurant: A building or operation, the purpose of which is to accommodate the consumption of food and beverages.

Restaurant, Drive-Through/Drive Up Service: A building or operation, the purpose of which is to accommodate the consumption of food and beverages, which includes a means of delivering these items to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises. This use shall not include establishments which would be better defined as another restaurant use within this Ordinance, but which offer curbside pickup of food or beverages.

Restaurant, Indoor or Outdoor Seating: A building or operation, the purpose of which is to accommodate the consumption of food and beverages, which includes an indoor or outdoor seating or dining area, but which does not include drive-through service.

Restaurant, Walk-Up Only: A building or operation, the purpose of which is to accommodate the consumption of food and beverages, which does not include an inside seating or dining area, or drive-through service.

Retail, Bulky Item: An establishment engaged in the sale of bulky items such as home appliances, furniture, or similar large and heavy items.

Retail, Second Hand: A building, property, or activity the principal use or purpose of which is the sale of previously used goods, products, or merchandise directly to the consumer.

Riding Academy: An establishment which includes outdoor areas where equestrian instruction takes place, along with stables and other related facilities.

Road, Private: A vehicular right-of-way indicated on an approved survey plat and recorded in the Office of the Register of Deeds intended to serve residential subdivision of lots or tracts and not offered for dedication as a public road. Private roads shall require a subdivision road disclosure statement in accordance with NCGS 136-102.6, shall be privately maintained and meet the design standards for private roads in Article 8 Subdivision.

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

Rotating Sign: Any sign or portion of a sign that turns around on an axis or center.

Salvage or Junkyard: The use of land for outdoor storage and sales of inoperable or broken machinery, vehicles, construction equipment, used building materials, scrap metal, and similar items.

Scenic Corridor Plan: A site plan that describes unique qualities, conditions, boundaries, and requirements of a road corridor that creates a visually pleasing impression.

School, Elementary: A public or private school providing instruction to students in kindergarten through grade five (5).

School, High/Middle: A public or private school providing instruction to students in grades six (6) through twelve (12).

School, Vocational: A use, whether privately-owned or publicly-owned, that trains persons in specific trades or occupations such as mechanics, computers, or similar skills.

Septage: As defined by NCGS 130A-290a32 meaning solid waste that is a fluid mixture of untreated and partially treated sewage solids, liquids, and sludge of human or domestic origin which is removed from a septic tank system.

Septage Land Application Site: As regulated under the State requirements set forth in NCGS 130A-291.1; NC, Septage Management Rules, and meaning the area of land on which septage is applied.

Sewage Disposal System: An approved sewage disposal system which, depending upon ownership and/or capacity may be:

- (a) a municipal system
- (b) a "community" system designed for surface discharge and/or a 300+ gallon capacity (approved by the authorized State agency)
- (c) a privately owned small capacity underground collection system (approved by the Randolph County Health Department)

Shooting Range (Indoor): An establishment or place used for the indoor discharge of firearms at targets that is available to the public, individual property owners and their guests and/or law enforcement personnel and other governmental employees. An establishment that is open to the public or private, used on a regular basis (12 or more times per year or where operation continues for more than two (2) weeks) and operated for profit, private or non-profit use shall be deemed to be a shooting range within the meaning of this Ordinance.

Shooting Range (Outdoor): An establishment or place used for the outdoor discharge of firearms at targets that is available to the public, individual property owners and their guests and/or law enforcement personnel and other governmental employees. An establishment that is open to the public or private, used on a regular basis (12 or more times per year or where operation continues for more than two (2) weeks)

and operated for profit, private or non-profit use shall be deemed to be a shooting range within the meaning of this Ordinance.

Short Term Rental: A residential dwelling, or portion thereof, which may be rented for periods of thirty days or less.

Sign: Any words, lettering, parts of letters, pictures, figures, numerals, phrases, sentences, emblems, devices, design, names, trade names, trademarks, identification, description, slogans display which is affixed to, painted, or represented directly or indirectly, upon a building, or other outdoor surface, or surface visible from outside of a building, which directs attention to or is designed or intended to direct attention to the sign, sign face or to an object, product, place, activity, person, institution, organization or business.

Signs located completely within an enclosed building, and not exposed to view from a street, are not considered to be signs. Each display surface of a sign or sign face is a sign.

Sign Area: The space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure or where attached directly to a building wall or surface, the space within the outline is enclosing all the characters of the words, numbers or design. In computing area, only one (1) side of a double-faced sign shall be considered.

Sign, Animated: Any sign that uses or light or any other material to make it appear to move, flash or have life in the display, including signs on which the message or display runs continuously in the travel mode and/or on which any message or display does not remain stationary for a minimum of five seconds.

Sign, Announcement: Any sign that lets the public know a new residential subdivision or commercial property has vacant land that has been approved by the City of Trinity to be built on.

Sign, Banner: A long strip of flexible material displaying a slogan, advertisement, etc. The material is suspended in the air by 2 to 4 points. A banner shall have no tears, be folded, or touching the ground.

Sign, Flashing: Any sign which gives off light in intermittent bursts at a rate that is faster than 5 seconds.

Sign, Freestanding: a sign attached to, erected on, or supported by a freestanding frame, mast pole or structure whose primary function is to support a sign and which is not itself attached to any building. This definition includes ground-mounted or monument signs.

Sign, Government. A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

Sign, Electronic Changeable Copy: Any sign on which the copy changes automatically on a lamp bank, such that the message or display does not run continuously in the travel mode and any message or display remains stationary for a minimum of five seconds. This definition includes digital billboards.

Sign, Information (in reference to a subdivision): An information sign for a subdivision helps give guidance to the public on which parcels within a subdivision are still for sale and which have not been built on. They can also contain general information for the entire subdivision such as general cost for each lot, covenants, etc. These signs are usually placed at a model home.

Sign, Marquee/Awning: A sign attached to and hanging under a canopy, marquee or awning.

Sign, Off-Premises: A Sign that advertises messages for goods, products or services which are not sold manufactured or distributed on or from the premises or facilities on which the sign is located. Large off-premises signs may also be referred to as Billboards

Sign, Projecting: A sign attached to and supported by a building and extending beyond the building to which it is attached at a right angle.

Sign, Political: Any sign that advocates for political action. This does not include a commercial sign. (NC Gen Stat § 136-32 (c))

Sign, Sandwich: A temporary sign not secured or attached to the ground or any building or structure, composed of a sign panel and supporting structure or one or more panels that form both the structure and sign face, and that is intended to be placed in a sidewalk or pedestrian way.

Sign, Snipe means any small sign, generally of a temporary nature, made of any material, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects not erected, owned and maintained by the owner of the sign.

Sign, Temporary: A banner, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that is intended or determined by a code official to be displayed for a limited amount of time.

Sign, Wall: A sign attached to or painted on a wall of a building, with the exposed display surface of the sign in a plane parallel to the plan of the wall to which it is attached or painted, and including signs affixed to or otherwise displayed on or through a facade window.

Graffiti means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization, is otherwise deemed a public nuisance by the City/County/Town. Graffiti includes snipe signs.

Graffiti implement means an aerosol paint container, a broad-tipped marker, gum label, paint stick or graffiti stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or manmade surface.¹

Holiday lights or mini lights mean light fixtures that use bulbs that are sized C6, C7, or C9 or LED bulbs that are 8 mm or smaller.

Rope light means a light that has Holiday lights or mini lights inside of a PVC tube.

String lights means a lighting fixture that is composed of electrical wiring encased in plastic with sockets for bulb placement.

Single-Family Attached Dwelling: A residential building which contains two or more dwelling units constructed under the North Carolina Residential Building Code, except that condominium units shall be considered multifamily development by this Ordinance regardless of their construction. Each single-family attached dwelling unit shall occupy one zoning lot. This use shall allow development types such as twin homes and townhomes.

Single-Family Detached Dwelling: A residential building which contains one dwelling unit and which occupies its own zoning lot.

Site Plan. 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 shall 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. Site Plans shall be prepared by a registered surveyor, architect, landscape architect, draftsman or engineer. This definition distinguishes a Site Plan from a Site-Specific Development Plan or Subdivision Plat.

Site-Specific Vesting Plan. A plan which has been submitted to the City by a landowner in which the applicant requests vesting, describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property pursuant to NCGS 160D-108.1 and the requirements of Article 4 Procedures.

Sleeping Unit. A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a *dwelling unit* are not sleeping units.

Small Wireless Facility: A wireless facility that meets both of the following requirements:

- (a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements, if enclosed, could fit within an enclosure of no more than six cubic feet, and;
- (b) All other wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight cubic feet.

Electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, and other support structures are not included in the calculation of allowed volume for a small wireless facility.

Solar Energy System (SES) (Small-Scale): A solar energy system meeting the requirements of Section XX of this Ordinance.

Solar Farm: A facility where sunlight is converted into electricity by photovoltaic (PV), concentrating solar thermal devices (CST), or other conversion technology, for the principal purpose of wholesale sales of generated energy.

Special Event: A sporting, cultural, business, or other type of unique activity, occurring for a limited or fixed duration (one-time, annual). A special event cannot be done more than [insert XX number here] in a calendar year.

Special Use Permit. A permit issued under quasi-judicial procedures to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. (G.S. 160D-102(30))

Sports Facility, Indoor: Swimming pools, tennis courts, ball fields and ball courts which are enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. This use shall include any accessory uses, such as snack bars, pro shops, and club houses which are designed and intended primarily for the use of patrons of the principal use.

Sports Facility, Outdoor: Swimming pools, tennis courts, ball fields and ball courts which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. This use shall include any accessory uses, such as snack bars, pro shops, and club houses which are designed and intended primarily for the use of patrons of the principal use.

Stable, Commercial: *See Commercial Stable.*

Stadium: A structure or facility designed, intended, or used primarily for athletic events or other performances and containing seating for spectators of those events, but not including a raceway or drag strip.

Storage Structure: An accessory structure incidental to the principal use on a property which provides additional storage space for the principal structure on the lot.

Subdivider: Any person, firm, corporation, or official agent thereof, who subdivides or develops any land deemed to be a subdivision.

Subdivision: All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this Article:

- (a) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the local government as shown in its subdivision regulations.
- (b) The division of land into parcels greater than 10 acres where no street right-of-way dedication is

involved.

- (c) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
- (d) The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
- (e) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Street (Road) A right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

Specific Types of Rural and Urban Streets:

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

Frontage Road. A local street or road that is parallel to a full or partial access-controlled facility and functions to provide access to abutting land.

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

Expressway. An expressway is a street or road usually with a median which serves through traffic with full or partial control of access and generally with grade separations at intersections; however, infrequent at-grade crossings may be permitted.

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

Private Street (Road). An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with NCGS 136-102. 6.

Principal Arterial. A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designated as principal arterials.

Minor Arterial. A rural link in a network joining cities and larger Cities and providing intrastate and intercounty service at relatively high (85 mph) overall travel speeds with minimum interference to through movement. This network would primarily serve traffic.

Major Collector. A road which serves major intracounty travel corridors and traffic generators and provides access to the arterial system.

Minor Collector. A road which provides service to small local communities and links the

locally important traffic generators with their rural hinterland.

Local Road. A local road primarily serves to provide access to abutting land and for travel over relatively short distances.

Major Thoroughfares. Major thoroughfares consist of Interstate, other freeway and expressway links, and major streets that provide for the expeditious movement of high volumes of traffic within and through urban areas.

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

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

Subdivision: A Subdivision shall include all divisions of a tract or parcel of-land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and shall include all divisions of land involving the dedication of a new public street or a change in existing public streets with certain exceptions referenced in State law and listed in the Trinity Subdivision Ordinance.

Subdivision, Conservation: *See Conservation Subdivision.*

Subdivision, Major: A subdivision with four (4) or more lots created for the purpose of sale or building development or a subdivision that requires the creation of a new public or private street.

Subdivision, Minor: A subdivision of three (3) or fewer lots created for the purpose of sale or building development with all lots having direct access to an existing state or City maintained road.

Technical Review Committee: A committee authorized to review and provide analysis, recommendation and approval for certain planning and development projects. This committee shall include Trinity's planning and zoning official, , city public services director, city engineer, and staff from appropriate county and state agencies.

Telecommunications Tower, Major: A tower facility, either roof or ground mounted, that includes, but is not limited to, radio and television transmission towers or similar utilities, microwave towers, and cellular telephone communication towers and similar structures for wireless communication, not otherwise meeting the definition of Telecommunications Tower, Minor or Concealed. This term shall not include radio transmission facilities for use by ham radio operators or two-way local radio facilities for business or governmental purposes.

Telecommunications Tower, Minor or Concealed: A telecommunications tower and associated

equipment that is either designed to appear as something other than a traditional telecommunications facility, or to appear as a small-scale version of a traditional telecommunications facility.

Temporary Disaster Housing: A housing unit in which individuals and families who have been displaced from their homes due to an emergency receive shelter. Temporary disaster housing may take the form of a structure meeting the requirements of the State Building Code, a manufactured home meeting HUD Code requirement, or a Recreational Vehicle.

Temporary Dwelling: A housing unit which meets all applicable State Building Code requirements and which is allowed to remain on a lot while the principal residential dwelling is under construction, renovation, or repair, or is otherwise uninhabitable.

Temporary Educational Structure: A nonpermanent structure designed to contain instructional or other school-related activities on a temporary basis.

Temporary Real Estate Office: A facility within a new subdivision where prospective homebuyers may meet with real estate agents and receive additional information on the development being marketed. A temporary real estate office may exist within a stand-alone structure or within another structure within the subdivision such as a neighborhood clubhouse or model home.

Temporary Wireless Telecommunications Facility: A portable wireless facility intended or used to provide personal wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a confined location, or when a disaster disables permanent wireless facilities.

Theater (Film or Live Performance Not Classified as an Adult Use): An indoor theater, auditorium, or other building or structure designed, intended, or used primarily for motion picture screening and exhibition; or for musical, dance, dramatic, or other live performances.

Theater, Drive-In: An outdoor space designed, intended, or primarily used for motion picture screening and exhibition, along with ancillary buildings or structures for ticketing, concessions, and similar amenities.

Transfer Station: A facility where solid waste is temporarily staged in the course of its eventual journey to a landfill, recycling facility, or waste-to-energy facility.

Transit Shelter: A covered structure or facility located at a designated transit stop which provides protection from the elements for waiting passengers.

Truck Terminal: Land and buildings used as a relay station for the transfer of a load of goods from one roadgoing vehicle to another or one party to another.

Urgent Care: A medical care facility designed to treat injuries or illnesses which require immediate attention but which do not rise to the level of severity which would require hospitalization.

Use: The purpose or activity for which land or structures are designed, arranged or intended, or for which land or structures are occupied or maintained, including any such activity with respect to the requirements of this article.

Use, Accessory: A use or activity which is customarily incidental to a specific principal use, and which is located on the same zoning lot as the associated principal use except for off-site parking or other use provided for by this article.

Use, Non-Conforming: Any use not permitted in the zoning district in which it is located, which lawfully exists by virtue of the fact that it existed on 9-17-2001, or lawfully existed as of the effective date of this article or subsequent amendments, and which has not been discontinued under the provisions of this article.

Use, Principal: Those uses of land listed in the Table of Uses in Section XXX.

Use-Principal Permitted: A use which is permitted outright in a district for which a Zoning Permit may be issued by the Zoning Enforcement Officer.

Use, Temporary: A use which may be in a zoning district not allowing the use on a permanent basis, after issuance of a permit specifying a limited duration for the use.

Utility Substation: A facility which is part of an energy generation, transmission, and distribution system which transforms energy from its high-level transmission state to its lower-level distribution state, or performs another related function.

Variance: A modification of the dimensional requirements of the Zoning Ordinance by the Board of Adjustment when strict enforcement of this Ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Vehicle Painting/Body Shop: An establishment providing collision repair and paint-related services for automobiles, trucks, motorcycles, camping trailers, boats, or other recreational vehicles.

Vehicle Parts and Accessory Sales: An establishment selling parts and accessories for automobiles, trucks, motorcycles, camping trailers, boats, or other recreational vehicles.

Vehicle Repair and Servicing (Without Painting or Bodywork): An establishment for automobiles, trucks, motorcycles, camping trailers, boats, or other recreational vehicles are repaired and serviced.

Vehicle Sales or Rentals: An establishment devoted to the sale or rental of automobiles, trucks, motorcycles, camping trailers, boats, or other recreational vehicles, including supplementary maintenance or sale of parts and accessories.

Vehicle Sports: An outdoor commercial recreation facility which incorporates vehicles such as go-karts, bumper boats, bumper cars, or similar vehicles. The use Vehicle Sports does not include racetracks, dragstrips, or similar facilities.

Vehicle Towing and Storage Lot: A lot used for the temporary storage of vehicles which have been

towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

Vested Right. A right pursuant to NCGS 160D-102, -108(c), and -108.1 to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan.

Veterinary Clinic: 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 wild 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.

Warehouse, Distribution: A facility where product is kept in between its arrival from its point of origin and its delivery to a retail business or customer.

Warehouse - Self-Storage Facilities: A building or buildings containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.

Warehouse, Storage: The indoor storage of goods, materials, or merchandise for shipment to, or processing on, other property.

Water Storage Facility: All facilities, including land, necessary for an above-ground or in-ground reservoir to store water. Such facilities may be publicly owned, privately owned, investor-owned, or cooperatively held.

Water Supply System: An approved water supply system which, depending upon ownership and/or number of hook-ups, may be:

- (a) a municipal system
- (b) a privately owned well serving an individual dwelling
- (c) a privately owned system serving an extended geographic area (extensions approved by the Department of Human Resources, Division of Health Services)
- (d) a private well serving up to 14 hook-ups in a mobile home park (approved by the County Health Department)
- (e) a "community" system with 15 or more connections (approved by the Department of Human Resources, Division of Health Services)

Water Treatment Facility: A facility operated by a licensed utility, in compliance with all applicable state, county, and city regulations, and intended or used for the treatment and surface or subsurface disposal of wastewater and which serves more than one use or more than four dwelling units; or a facility intended or used for the treatment and subsurface disposal of wastewater which serves only one use or up to four dwelling units.

Wholesale Trade: An establishment primarily engaged in selling durable and nondurable goods to retailers; to industrial, commercial, institutional, farm, construction contractors, or professional business uses; or to other wholesalers. Wholesale Trade may include physically grouping and sorting goods into large lots for redistribution or resale purposes.

Wood Fabrication: The process of converting raw timber into products such as unfinished lumber and finished wood such as flooring and decorative trim.

Yard

- (a) Front: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the front line of the lot and the front line of the building projected to the side lines of the lot. Where a lot abuts more than one street, the Zoning Enforcement Officer shall determine the front yard for purposes of this Ordinance.
- (b) Rear: An open, unoccupied space on the same lot with a 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 sideline of the lot.
- (c) Side: An open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line, and extending from the rear line of the front yard to the front line of the rear yard.

Zoning Administrator: The City of Trinity employee(s) responsible for enforcement of zoning, subdivision, floodplain, erosion and sedimentation control and other planning related ordinances authorized by NCGS/NCGS 160D and adopted by the City of Trinity.

Zoning Lot: A parcel or contiguous parcels of land under single ownership containing sufficient land area for the proposed development including well and septic tank repair area.

Zoning Permit: A permit issued by the Zoning Administrator which must be obtained prior to establishment of a use within a zoning district.