ARTICLE VIII
USE DISTRICTS
Last Amended 09.15.2015

Section 800  Use Requirements by District

Within each use district established in this ordinance, specific uses shall be designated as permitted. Additionally, other uses may be established as conditional uses or special uses, requiring specific conditions and review procedures by the Town’s Planning Board, Board of Adjustment, or Town Council. No use of land or structures shall be permitted or shall any permits be issued except for uses established within each use district as provided in this zoning ordinance.

Section 801  R-30 Low Density Residential District

801.1 Intent

The R-30 district is designated primarily for single-family residential development on individual lots with a minimum of 30,000 square feet. The areas of Laurel Park designated for the R-30 district generally are characterized as areas with steeper slopes, limited access to public sewerage, limited road access, watershed restrictions, and established patterns of lower density development.

801.2 Permitted Uses

The following uses are permitted in the R-30 district:

- Single-family dwellings.
- Non-commercial gardens.
- Security lights, in accordance with the provisions in Section 1003.
- Dish antennas in accordance with the provisions in Section 1004.
- Accessory buildings and structures in accordance with the provisions in Section 1005.
- Garages and carports in accordance with the provisions in Section 1006.
- Ornamental and recreational structures in accordance with the provisions in Section 1007.

801.3 Conditional Uses

The following may be permitted as conditional uses subject to any specific
conditions listed in Article XI, all applicable provisions of this ordinance, and subject to the approval of the Town Council in conformance with the conditions and procedures in Article XIII:

Non-commercial detached studios, craft and hobby shops, located in side or rear yards.

Churches and similar places of worship.

Country clubs and golf courses, including customary accessory uses and structures for such clubs and golf courses.

Public utilities, including structures and facilities.

Public and commercial antennas located on Parcel Number 9927351.

Governmental antennas located on Parcel Number 9900636.

Non-commercial greenhouses located in the side or rear yard.

Buildings, structures, and land uses owned or operated by the Town of Laurel Park.

Publicly owned or operated parks and playgrounds.

Private swimming pools and tennis courts and their customary accessory structures when located in a side or rear yard and in accordance with the provisions in Section 1101.

Residential Planned Unit Developments where more than one dwelling unit is proposed for a single lot or tract. The RPUD shall conform to the requirements and provisions in Section 1103 and Article XIII.

### 801.4 Dimensional Requirements

Dimensional requirements for the R-30 district are:

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Non-Residential</th>
<th>Accessory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area in feet</td>
<td>30,000</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Minimum area of heated structure in feet</td>
<td>1,500</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Minimum front setback line in feet</td>
<td>35</td>
<td>35</td>
<td>35</td>
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<tr>
<td>Minimum side setback in feet</td>
<td>25*</td>
<td>25*</td>
<td>10</td>
</tr>
<tr>
<td>Minimum rear setback in feet</td>
<td>25*</td>
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</tr>
<tr>
<td>Maximum building height in feet</td>
<td>35</td>
<td>35</td>
<td>15</td>
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</tbody>
</table>

*No principal building or structure shall be located closer than 35 feet from a street right-of-way except as provided in Section 1009.*
Section 802  R-20 Moderate Density Residential District

802.1 Intent

The R-20 district is designated primarily for single-family residential development on individual lots with a minimum of 20,000 square feet.

802.2 Permitted Uses

The following uses are permitted in the R-20 district:

- Single-family dwellings.
- Non-commercial gardens.
- Security lights, in accordance with the provisions in Section 1003.
- Dish antennas in accordance with the provisions in Section 1004.
- Accessory buildings and structures in accordance with the provisions in Section 1005.
- Garages and carports in accordance with the provisions in Section 1006.
- Ornamental and recreational structures in accordance with the provisions in Section 1007.

802.3 Conditional Uses

The following may be permitted as conditional uses subject to any specific conditions listed in Article XI, all applicable provisions of this ordinance, and subject to the approval of the Town Council in conformance with the conditions and procedures in Article XIII:

- Non-commercial detached studios, craft and hobby shops, located in the side or rear yard.
- Churches and similar places of worship.
- Country clubs and golf courses, including customary accessory uses and structures for such clubs and golf courses.
- Public utilities, including structures and facilities.
- Non-commercial greenhouses located in the side or rear yard.
- Buildings, structures, and land uses owned or operated by the Town of Laurel Park.
Publicly owned or operated parks and playgrounds.

Private swimming pools and tennis courts and their customary accessory structures when located in a side or rear yard and in accordance with the provisions in Section 1101.

Residential Planned Unit Developments where more than one dwelling unit is proposed for a single lot or tract. The RPUD shall conform to the requirements and provisions in Section 1103 and Article XIII.

### 802.4 Dimensional Requirements

Dimensional requirements for the R-20 district are:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Residential</th>
<th>Non-Residential</th>
<th>Accessory</th>
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</thead>
<tbody>
<tr>
<td>Minimum lot area in square feet</td>
<td>20,000</td>
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<tr>
<td>Minimum area of heated structure in square feet</td>
<td>1,500</td>
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</tr>
<tr>
<td>Minimum front setback line in feet</td>
<td>35</td>
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<tr>
<td>Minimum side setback in feet</td>
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<tr>
<td>Minimum rear setback in feet</td>
<td>25*</td>
<td>25*</td>
<td>10</td>
</tr>
<tr>
<td>Maximum building height in feet</td>
<td>35</td>
<td>35</td>
<td>15</td>
</tr>
</tbody>
</table>

*No principal building shall be located closer than 35 feet from a street right-of-way except as provided in Section 1009.
Section 803  C-1 Commercial District

803.1 Intent

The intent of the C-1 Commercial District is to provide the citizens of Laurel Park convenient commercial services. The commercial district is intended to provide for the most frequent daily needs of the residents in a compact area rather than a commercial strip catering to a more regional market. Development within the commercial district is to provide adequate access, off-street parking, and setbacks to maintain traffic flow. The design and arrangement of buildings, structures, facilities, and landscaping should emphasize the compatibility sought between the commercial service areas and adjacent residential areas.

803.2 Permitted Uses

The following uses are permitted in the C-1 district:

- Retail stores and service establishments customarily serving residential neighborhoods.
- Banks, savings and loan associations, and similar financial institutions.
- Offices, including governmental, business, and professional.
- Buildings, structures, and facilities operated by or for the Town of Laurel Park.
- Restaurants, sports clubs.
- Microbrewery
- Customary accessory uses and structures when located on the same lot, but excluding open storage.
- Dish antennas in accordance with the provisions in Section 1004.

803.3 Conditional Uses

The following may be permitted as conditional uses subject to any specific conditions listed in Article XI, all applicable provisions of this ordinance, and subject to the approval of the Town Council in conformance with the conditions and procedures in Article XIII:

- Adult establishments, Private Clubs, and Electronic Gaming Operations subject to the specific conditions in Article XI and XIII.
Commercial Planned Unit Developments where more than one principal building or principal use is proposed for a lot or tract. A Commercial Planned Unit Development shall conform to the requirements and provisions in Section 1102 and Article XIII.

803.4 Dimensional Requirements

The dimensional requirements of the C-1 Commercial District are:

- Minimum lot area: 20,000 square feet
- Minimum front setback: 35 feet
- Minimum side setback: 15 feet*
- Minimum rear setback: 20 feet*
- Maximum building height: 35 feet

*No principal building or structure shall be located closer than 35 feet from a street right-of-way.

803.5 Requirements and Review

All retail stores and service establishments in the district shall conduct all operations and store all merchandise within a building or an enclosed structure, with the exception of petroleum products distributed from subterranean storage tanks.

All development within the C-1 Commercial District shall conform to Article VIII, Section 806 Requirements and Review.
Section 804  MIC Medical, Institutional, Cultural District

804.1 Intent

The MIC district is established primarily as a district in which the principal use of land is for medical, institutional, and/or cultural services, together with other compatible uses and services designed to serve the patients, students, professionals, and staffs in the area.

804.2 Permitted Uses

The following uses are permitted in the MIC district:

- Civic and cultural buildings, including auditoriums, museums, art galleries, libraries, symphony and concert halls, and historic societies.
- Medical and dental laboratories.
- Offices: business, medical, dental, governmental, and other professional, including opticians and optical services.
- Public parks.
- Customary accessory uses and structures when located on the same lot, excluding open storage.
- Dish antennas in accordance with the provisions in Section 1004.

804.3 Conditional Uses

The following may be permitted as conditional uses subject to any specific conditions listed in Article XI, all applicable provisions of this ordinance, and subject to the approval of the Town Council in conformance with the conditions and procedures in Article XIII:

- Convalescent and nursing homes.
- Day care facilities and nurseries licensed by North Carolina.
- Progressive care facilities, rest homes, and homes for the aged.
- Public schools and private schools having a curriculum similar to that offered in the public schools.
- Churches and similar places of worship.
- Residential Planned Unit Developments where more than one dwelling
unit is proposed for a single lot or tract. The RPUD shall conform to the requirements and provisions in Section 1103 and Article XIII.

804.4 Dimensional Requirements

The dimensional requirements for the MIC district are:

Minimum lot area: 20,000 square feet

Minimum front setback: 30 feet

Minimum side setback: 15 feet*

Minimum rear setback: 20 feet*

Maximum building height: 35 feet

*No principal building or structure shall be located closer than 30 feet from a street right-of-way.

804.5 Requirements and Review

All development within the MIC Medical, Institutional, Cultural District shall conform to Article VIII, Section 806 Requirements and Review.
Section 805  I-1 Industrial District

805.1 Intent

The I-1 district is established to promote and protect the existing industrial development in Laurel Park and to insure that the future use and development of the district will safeguard the physical and economic well being of the industrial district and the adjacent property owners.

805.2 Permitted Uses

The following uses are permitted in the I-1 district:

Manufacturing processes which are carried out entirely within an enclosed facility, provided no process shall be permitted to cause obnoxious odors, glare, vibrations, dust, or particulate matter to be transmitted to adjacent properties.

Accessory buildings and structures including facilities to store and warehouse raw materials, fuel and finished goods, research and development activities, corporate offices, parking and loading area, and requisite utilities. All storage shall be contained within an enclosed structure or storage area.

Dish antennas and other communications equipment in accordance with the provisions in Section 1004.

805.3 Conditional Uses  N/A

805.4 Dimensional Requirements

The dimensional requirements for the I-1 district are:

Minimum lot area: 10 acres

Principle Structures and Fuel Storage:

Minimum front setbacks: 50’
Minimum side and rear setbacks: 30’*
Maximum building height: 50’

*No principal building or structure shall be located closer than 50 feet from a street right-of-way.
Accessory Structures and Uses:

Minimum front setbacks: 35’
Minimum side and rear setbacks: 15’*
Maximum building height: 35’

*No principal building or structure shall be located closer than 35 feet from a street right-of-way.

A building height in excess of 50 feet may be approved by the Zoning Administrator upon receipt of a written approval from the Valley Hill Fire Department and the Henderson County Emergency Management Coordinator that the structure and adjacent properties can be protected and managed during a fire or other emergency.

805.5 Requirements and Review

All manufacturing facilities and processes shall have all required state and federal permits and a fire and safety check by the Valley Hill Fire Department before a final certificate of zoning compliance is issued.

All development within the I-1 Industrial District shall conform to Article VIII, Section 806 Requirements and Review.
Section 806 Requirements and Review

Prior to the issuance of any zoning compliance certificates or building permits for a permitted or conditional use in the C-1 Commercial District, the MIC District, or the I-1 Industrial District, a site plan shall be submitted and reviewed for compliance with the requirements of this section.

806.1 Design, Maintenance, and Appearance Standards

(1) **Utility services.** All exterior wiring shall be placed underground.

(2) **Outdoor lighting.** Outdoor lighting fixtures shall be designed and located so as to prevent light from shining directly on adjoining residential property.

(3) **Maintenance.** The buildings and grounds shall be properly maintained at all times. Material and equipment used during the construction of or alteration or addition to property for which a building permit has been issued may be stored outdoors for a reasonable period of time as provided in the permit, as long as it is done in such a manner that said storage will not be detrimental to the public welfare or injurious to adjacent properties or improvements in the area.

(4) **Landscaping.** A minimum of twenty percent (20%) of the gross lot area shall be reserved and developed only for landscaping. The landscaping may include grassed areas or natural vegetation. Where practical, parking areas should be separated from adjacent street and property lines by islands or planting strips with shrubs, trees, and/or other plant material.

(5) **Screening.** Screening consisting of natural vegetation, landscape plantings, and/or appropriate fencing materials shall be established to provide a visual separation between the development and adjoining residential development.

(6) **Design.** All development within the district shall conform to the following standards and shall be approved by the Town Council upon recommendation of the Planning Board:

   (a) Where feasible, for the exterior of structures, use indigenous materials of the region, including stone and wood.

   (b) Where feasible, for buildings, structures, and grounds, use colors, materials, finishes, and proportions in a manner which will produce a coordinated appearance with adjacent properties.
806.2 Site Plan Requirements

(1) The proposed name of the development and the names of the developer, engineer, architect, landscape architect, and other professionals involved in plan preparation.

(2) The site plan drawn to an appropriate scale adequately illustrating required information, a North Arrow, and the date of preparation.

(3) A sketch vicinity map.

(4) The boundaries of the property involved, the location of all existing rights-of-way, easements, streams or bodies of water, adjacent property owners, and land uses.

(5) The location and use of each structure on the property, including existing and proposed structures.

(6) Rendered elevations or perspectives, basic floor plans, and parking layout.

(7) The location, type, size, and height of all proposed signs.

(8) The location and size of all sanitary and storm sewers, water lines, gas lines, and other utilities within or adjacent to the proposed development.

(9) Calculation of the total gross acreage of the project site and the percentage of the total area reserved or designated for landscaping.

(10) The proposed method of screening or buffering to be used for concealing loading areas, garbage collection areas, mechanical equipment, and utility entrances from public and residential areas.

(11) The proposed method of collecting, channeling, or piping storm water into natural drainageways that will prevent damage to Town facilities and adjacent properties.

(12) Design and location of outdoor lighting fixtures.

(13) An approved soil erosion and sedimentation plan.

(14) DOT Street and Driveway Access Permit application, if applicable.

806.3 Site Plan Review and Approval

All site plans for permitted uses shall be submitted in duplicate to the Zoning Administrator for review and approval. The Zoning Administrator shall review the plans and documentation for conformance with the provisions in this section.
and all other applicable provisions of this ordinance.

The site plans shall be reviewed by the Planning Board prior to an approval or disapproval by the Zoning Administrator. Once the Planning Board and Zoning Administrator have determined that the plans and documentation meet the requirements of the ordinance, the appropriate zoning compliance permits shall be issued. The Zoning Administrator and the Planning Board shall have forty-five (45) days to review and approve or disapprove site plans.

All site plans for conditional uses shall be submitted to the Zoning Administrator for review and approval in accordance with the provisions of Article XIII. In addition to the requirements of this section, the plans and documentation shall include all requirements listed in Article XIII.

**806.4 Guarantee of Performance**

In order to insure that the improvements specified in the approved site plan are properly completed within a period of time specified by the Town Council, the developer shall guarantee completion in one of the following manners as a condition of site plan approval:

1. Posting a performance or surety bond in an amount to be determined by the Town Council.

2. Depositing or placing in escrow a certified check or cash in an amount to be determined by the Town Council.

3. Entering into an agreement with the Town Council guaranteeing the completion of the required work, said agreement to be binding on subsequent purchasers of the property and shall be recorded. The agreement shall provide that satisfactory security be furnished.

**806.5 Responsibility for Services**

A written agreement shall be entered into by each owner or developer within the C-1 district, MIC district, or I-1 district and the Town of Laurel Park. This agreement shall clearly state which services are to be the responsibility of the owner or developer and which are to be provided by the Town of Laurel Park. Said agreement shall be submitted as a condition of site plan approval.