

## ARTICLE 4. ZONING DISTRICTS AND ZONING MAP

### PART I. ZONING DISTRICTS

#### Section 4-1: Establishment of Zoning Districts, and the Purpose Thereof

For the purpose of this Ordinance, the Town of Lillington and its extraterritorial jurisdiction are divided into the following classes of zones:

- (A) ***R-10 Residential District.*** This district is established whereby the principal use of land is for medium density residential purposes. In promoting the general purpose of this Ordinance, the specific intent of this section is:
- (1) To encourage the construction of and the continued use of the land for residential purposes;
  - (2) To restrict commercial use and prohibit industrial use of the land and to prohibit any other use which would substantially interfere with the development of dwellings in this district;
  - (3) To discourage any use which would generate traffic on minor streets other than normal traffic to serve the residences on those streets;
  - (4) To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provisions of this district; and
  - (5) To discourage any use which because of its character or size would create requirements and costs for public services substantially in excess of such requirements and costs if the district were developed solely for dwellings.
- (B) ***R-20 Residential-Agricultural District.*** This district is established whereby the principal use of land is for low-density residential and agricultural purposes. In promoting the general purpose of this Ordinance, the specific intent of this section is:

- (1) To encourage the construction of and continued use of the land for low density residential and light agricultural purposes;
  - (2) To restrict commercial and industrial use of the land and to prohibit any other use which would substantially interfere with the development and continuation of dwellings and light agriculture in the district;
  - (3) To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provisions of this district;
  - (4) To discourage any use which would generate traffic on minor streets other than normal traffic to serve the residences and small farms on those streets; and
  - (5) To ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at sufficiently low densities to ensure a healthful environment.
- (C) ***MF Multi-Family Residential District.*** A district designed to accommodate a variety of attached single-family dwellings up to a density of eleven (11) units per acre.
- (D) ***PUD Planned Unit Development District.*** This district is defined as an area characterized by an orderly integration of residential development, open space land uses, and in some cases commercial development which conform to the design requirements contained herein. It permits the planning of a project and a calculation of densities over the entire development rather than on an individual lot-by-lot basis. This district is served by public water and sewer facilities. No PUD district shall be less than twenty-five (25) acres in area.
- (E) ***O/I Office and Institutional District.*** The O/I District is defined as certain land uses with structures that provide office space for professional services and for certain institutional functions and residential accommodations, usually medium or high-density in nature. The district is normally small and may include older homes undergoing conversion. This district is usually situated between business and residential districts, and the regulations are designed to permit development of the permitted functions and still protect and be compatible

with nearby residential districts. O/I districts may serve as transitional zones between high intensity and low intensity land uses.

(F) **C-1 Central Business District.** The C-1 District is intended to provide for concentrated development of appropriate uses within the central portion of Lillington with emphasis on large scale stores and specialized shops serving a retail trading area. Any use which would hinder the pedestrian orientation of the area is prohibited. In promoting the general purpose of this Ordinance, the specific intent of this section is:

- (1) To encourage the construction of and the continued use of the land for downtown commercial and service uses;
- (2) To restrict heavier commercial and industrial use of the land and to prohibit uses which would substantially interfere with the continuation of the uses presently in the district or with the orderly growth of the district to meet the needs of increased population in the market area;
- (3) To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provisions of this district; and
- (4) To permit a concentrated, intensive development of the permitted uses while maintaining a substantial relationship between the intensity of land use and the capacity of utilities and streets.

(G) **C-2 Neighborhood Business District.** The C-2 District is established as a district in which the principal use of land is to provide for the retailing of goods and services to the adjacent residential neighborhoods. The district is intended to provide for those commercial uses which are conducive to the everyday needs of a nearby residential area. The regulations of this district are intended to provide for retail trades and services in designed shopping areas where the nature of the development occurring is limited by standards designed to protect the abutting residential areas which it serves. In promoting the general purpose of this Ordinance, the specific intent of this section is:

- (1) To encourage the use of land for neighborhood commercial and service purposes;

- (2) To prohibit heavy commercial and industrial use of the land and to prohibit any other use which would substantially interfere with the development or continuation of the nearby residential neighborhoods;
  - (3) To minimize traffic and parking congestion and increase convenience for neighborhood residents;
  - (4) To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provisions of this district; and
  - (5) To discourage any use which, because of its character or size, would interfere with the use of land in the district as a small commercial center for the surrounding residential districts.
- (H) ***C-3 General Business District.*** The C-3 District is established as a district which provides commercial and service uses. In promoting the general purpose of this Ordinance, the specific intent of this section is:
- (1) To encourage the construction of and the continued use of the land for commercial and service uses, particularly those which have a larger land area requirement;
  - (2) To provide for the orderly expansion of such uses within this district, as designated on the zoning map;
  - (3) To prohibit residential and restrict industrial use of the land and to prohibit any other use which would substantially interfere with the development and continuation of the business uses in the district; and
  - (4) To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provision of this district.
- (I) ***LI Light Industrial District.*** The LI District is intended to provide for industrial and other uses which would not be inherently obnoxious and yield only very minimal noise, odor, smoke, light, vibration, dust, or the use of dangerous chemicals and/or materials. Adequate buffering between uses within the district and other bordering districts will be required. The array of permitted

uses is limited to support the environmental protection of this district and the surrounding areas of Lillington.

- (J) **HI Heavy Industrial District.** The HI District is defined as an area where most manufacturing establishments may be developed. This district is customarily located in proximity to railroad sidings and/or major thoroughfares. The purpose of this district is to provide for major industrial development and operation. Only uses which would not be inherently obnoxious and yield only reasonable levels of noise, odor, smoke, light, vibration, dust, or the use of dangerous chemicals and/or materials are allowed. Adequate buffering between uses within the district and other bordering districts will be required.
- (K) **O-S Open Space District.** The intent of the O-S District is:
- (1) To encourage the preservation of and continued use of the land for conservation purposes, such as flood control, public recreation, community facility sites, natural or man-made bodies of water, forests, and other similar open space uses;
  - (2) To prohibit residential, commercial, and industrial use of the land, and to prohibit any other use which would substantially interfere with the preservation of this district; and
  - (3) To discourage the continuance of non-conforming uses that would not be permitted as uses in the district.
- (L) **WP Watershed Protection Overlay Districts.** The purpose of the Watershed Protection Overlay Districts is to prevent significant future water quality deterioration in existing or potential future drinking water reservoirs and rivers that receive stormwater runoff from land within the Town of Lillington. Protection of all water supplies within the State, in accordance with minimum standards, was mandated by the Water Supply Watershed Protection Act passed by the General Assembly in 1989. The quality of water in drinking water reservoirs and rivers can be affected by human activities including farming, obstruction of highways and roads, subdivision development, industrial development, and other land disturbing activities. Types of water pollutants resulting from these activities include sediment, bacterial contamination, heavy metals, synthetic organic compounds, and low-level radioactivity.

The intent of the Watershed Protection Overlay Districts is to apply a set of regulations involving land use and, in some cases, structural Best Management Practices (BMP's) that protect the watersheds by reducing the pollution from future development that enters the drinking water supplies. Land use management practices involve minimum lot sizes, maximum allowed density, and built-upon area restrictions, since built-upon areas such as roads, rooftops, and driveways are a major source of pollution. Structural Best Management Practices allow for more intensive land uses by providing for temporary detention of stormwater runoff so that pollutants may settle.

The Watershed protection Overlay Districts as hereby established overlay other zoning districts established in this Ordinance. The new use of any land or new structure within any Watershed Protection Overlay District shall comply with the use regulations applicable to the underlying zoning district as well as the requirements of the applicable Watershed Protection Overlay District.

A Watershed Protection Overlay District will be applied to the Town of Lillington portion of watersheds that have been classified as WS-IV watersheds by the North Carolina Environmental Management Commission in its implementation of the Water Supply Watershed Protection Act of 1989. In accordance with the State Mandate, three (3) Watershed Protection Overlay Districts, as listed in the following table, are hereby established.

<b>District</b>		<b>General Location</b>
U-CAPE FEAR-CA	Upper Cape Fear River Critical Area Overlay District	½ mile upstream from the Town of Lillington water intake.
U-CAPE FEAR-PA	Upper Cape Fear River Protected Watershed Overlay District	The portion of the drainage basin of the Cape Fear River located in the Town of Lillington's planning jurisdiction and draining to the Town's water intake.
L-CAPE FEAR-PA	Lower Cape Fear River Protected Watershed Overlay District	The portion of the drainage basin of the Cape Fear River located in the Town of Lillington's planning jurisdiction and draining to the City of Dunn's water intake.

#### Section 4-2: Interpretation of Zoning District Boundaries

- (A) ***Streets, Rights-of-Way, and Easements.*** Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately following the centerline of a street, highway, alley, railroad right-of-way, utility easement, stream or riverbed, or of such lines extended, then such lines shall be construed to be such district boundaries.
- (B) ***Lot Lines.*** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines. For the purposes of establishing the location of Watershed Protection Overlay District boundaries, a surveyed plat prepared by a licensed professional land surveyor may be submitted to the Town as evidence that one (1) or more of the properties along the boundaries do not lie within a Watershed Protection Overlay District.
- (C) ***Corporate Limits.*** Boundaries indicated as approximately following the corporate limits shall be construed as following the corporate limits.
- (D) ***Property Divisions.*** Where a district boundary divides a lot or where distances are not specifically indicated on the Official Zoning Map, the boundary shall be determined by measurement, using the scale of the Official Zoning Map. For the purpose of Watershed Protection Overlay Districts, where such boundaries lie at a scaled distance more than twenty-five (25) feet from any parallel lot line, the location of the Watershed Protection Overlay District shall be determined by use of the scale on the Official Zoning Map. Where the boundary lies at a scaled distance of twenty-five (25) feet or less from any parallel lot line, the location shall be construed to be the lot line.
- (E) ***Vacation and Abandonment.*** Where any public street or alley is hereafter officially vacated or abandoned, the regulations applicable to parcels abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.

- (F) ***Further Interpretation.*** In case any further uncertainty exists, the Board of Adjustment shall interpret the intent of the map as to location of such boundaries.

## **PART II. OFFICIAL ZONING MAP**

### **Section 4-3: Zoning Map is a Part of this Ordinance**

The planning area is hereby divided into districts whose locations and boundaries are shown on the official zoning map for the Town of Lillington, which is hereby adopted by reference and declared to be a part of this Ordinance.

The map shall be identified by the signature of the Mayor, attested by the Town Clerk, and bearing the official seal of the Town of Lillington under the following words: "This is to certify that this is the official zoning map referred to in Article 4, Part II of the Zoning Ordinance for the Town of Lillington, North Carolina." The date of adoption and subsequent amendments shall also be shown.

### **Section 4-4: Replacement of the Official Zoning Map**

In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret, the Board of Commissioners may, by ordinance, adopt a new official zoning map which shall be the same in every detail as the map it supersedes. The new map shall bear the seal of the Town under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map adopted and referred to in Article 4, Part II of the Zoning Ordinance for the Town of Lillington, North Carolina." The date of adoption of the new official zoning map shall also be shown.

### **Section 4-5: Maintenance of the Official Zoning Map**

Upon notification by the Board of Commissioners that a zoning change has been made, the Administrator shall cause to be made the necessary changes on the official zoning map within fourteen (14) calendar days of notification.

NOTE: See Article 24 for Amendment Criteria.

### **PART III. APPLICATION OF GENERAL REGULATIONS**

#### **Section 4-6: Only One Main Building, One Main Use on Lot, and Orientation of a Building**

In all districts, every main building hereafter erected or altered shall be located on a separate lot, as defined in this Ordinance, and in no case shall there be more than one main building and permitted accessory building(s) on the lot nor more than one main use (e.g., commercial, industrial or residential) per building and lot; provided that this requirement shall not apply to uses that are permitted in the Table of Permitted Uses (Section 4-10) within the same zoning district and located in the same building, nor to motels or manufactured home parks/RV parks, nor to planned building groups approved by the Planning Board, nor to a bona fide farm use. In the case of applications for double occupancy permits involving a residential use and a nonresidential use of the same building in an O-1, C-1, or C-3 zone, where the Administrator or his authorized agents deem that an above-normal safety hazard exists due to the storage of chemicals or explosive commodities which creates a substantial detriment to the proposed residential occupancy, residential occupancy of that building shall be prohibited.

#### **Section 4-7: Minimum Yards**

The minimum yards or other open spaces required by this Ordinance, including those provisions regulating intensity of use, for each and every building hereafter erected or structurally altered shall not be encroached upon or considered as meeting the yard or open space requirements or the intensity of use provisions for any other building.

#### **Section 4-8: Lot Subdivision**

No lot shall hereafter be so reduced in area as to cause any open space required by this Ordinance to be less in any dimension than is herein required by the minimum yard requirements of the zone in which the lot in question is situated.

## **Section 4-9: Improvements Bond**

No final certificate of occupancy/compliance for a commercial, residential, or manufactured home park or planned building group will be issued until all required site improvements have been completed. In lieu of completion of required site improvements, the developer of the planned group may enter into a contract with the Town of Lillington providing for the installation of required improvements within a designated period of time. Performance of said contract shall be secured by a cash or surety bond which will cover the total estimated cost of the improvements as determined by the Town of Lillington; provided, however, that said bond may be waived by the Town Board of Commissioners within its discretion.

## **PART IV. DISTRICT REGULATIONS**

### **Section 4-10: Table of Permitted Uses**

Districts in which particular uses are permitted as a use-by-right are indicated by "P." Uses not specifically listed in the Table of Permitted Uses are prohibited. Districts in which particular uses are permitted as a use-by-right with certain conditions are indicated by "P" with a reference to a footnote to this table.

Districts in which particular uses are permitted as a conditional use upon approval of the Town Board of Commissioners are indicated by "C." See Procedure for Conditional Use Permit, Section 15-17, for details on conditional uses.

Districts in which particular uses are prohibited are indicated by a blank.

Any land use listed in the Table of Permitted Uses that incorporates or utilizes a drive-in or drive-thru facility must have its site design plan and proposed traffic circulation and parking plan approved by the Town of Lillington. Those plans must be approved prior to construction of the drive-in or drive-thru facility.

Minimum zoning district lot/parcel area (acreage) requirements are defined in Article 6 (Table of Area, Yard, and Height Requirements).

**TABLE OF PERMITTED USES**  
See Notes to Table of Permitted Uses

PERMITTED USES	ICS*	R-10	R-20	MF	PUD	O/I	C-1	C-2	C-3	LI**	HI**	O-S
ACCESSORY USES Incidental to the permitted or conditional principal use and which will not create a nuisance or hazard (see Note 3)		P	P	P	P	P	P	P	P	P	P	P
ADOPTIVE HOME		P	P	P	P							
ADULT AND SEXUALLY ORIENTED BUSINESS (In accordance with Article 18)											C	
ADULT CARE HOME			C									
AGRICULTURAL WAREHOUSES	111910		C						C	P	P	
AMBULANCE SERVICES	621910								C	P	P	
ANIMAL AND POULTRY PROCESSING PLANTS	311611/ 311615										C	
ANIMAL HOSPITALS/ VETERINARIANS (with no outdoor pens or runs)	541940						P	P	P	P		
ARMORIES										P		
ART GALLERIES	453920				P	P	P	P	P			
ASSISTED LIVING RESIDENCE			C									
AUTOMOBILE PARTS AND ACCESSORIES (not including auto salvage operations or junkyards)	441310						P	C	P			
AUTOMOBILE SERVICE STATION (not within 100 feet of a street intersection)	447190				P		P	C	P	P		
AUTOMOBILE SERVICE STATION (within 100 feet of a street intersection)	447190				C		C	C	C	P		
BAKERIES, INDUSTRIAL, INCLUDING DISCOUNT RETAIL SALES	311812								P	P	P	
BANKS (with drive-thru within 100 feet of a street intersection)	522110				C	C	C	C	C			
BANKS AND CREDIT UNIONS (without drive-thru within 100 feet of a street intersection)	522110				P	P	P	P	P			

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

BARBER AND BEAUTY SHOPS AND SCHOOLS	812111/ 812112				P	P	P	P	P			
BED AND BREAKFAST FACILITIES	721191		C			C	P	C	P			
BILLBOARDS (OFF-PREMISE ADVERTISING)	541850									C	C	
BOARDING HOUSES	721310	C		C		C						
BOAT BUILDING AND WHOLESALE SALES	441222								C	P	C	
BONA FIDE FARMS			P									P
BOTTLING PLANTS	312111									P	P	
BOWLING ALLEYS	713950								P			
BUILDING CONTRACTORS' OFFICES, SHOPS, AND YARDS	233210									P	P	
BUILDING SUPPLIES	444110								P			
BUS STATIONS	485113						C		P			
BUSINESS, FINANCIAL, GOVERNMENTAL, POLITICAL, PROFESSIONAL, AND PUBLIC UTILITY OFFICES AND AGENCIES					P	P	P	C	P			
CABINET MAKER SHOPS AND PLANTS	337110									P	P	
CAFETERIAS	722320						P	C	P			
CAMPGROUNDS	721211		C						P			C
CAR WASHES	811192								P			
CARTAGE AND EXPRESS FACILITIES	491110								C	P		
CEMENT AND CONCRETE MIXING PLANTS	327310/ 327320										C	
CEMETERIES, with sufficient off-street parking and surrounding properties not impaired	812220		C		C	C			C			C
CHILDREN'S CAMP			C									C
CHURCHES, CHAPELS, TEMPLES, AND SYNAGOGUES	813110	P	P	C	C	C						
CIRCUSES, CARNIVALS, AND FAIRS	711190		C							C		
CLUBS AND LODGES, CIVIC AND FRATERNAL	813410		C		C	P	P	C	P			
CLUBS AND LODGES, PRIVATE	813410		C		C	P	P	C	P			
CLUBS AND TAVERNS	722410						C	C	C			
COLD STORAGE LOCKER PLANTS	493120									P	P	

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)

See Notes to Table of Permitted Uses

COLLEGES	611310		C		C	C	C	C	C			
COMMERCIAL PRODUCTION OF SWINE, POULTRY, OR LIVESTOCK	112		C									
COMMUNICATIONS, BROADCASTING, AND TELECOMMUNICATION TOWERS; RADIO, TELEVISION, AND RADAR (see Note 4)	513								C	C	C	
COMMUNITY CENTERS, PUBLIC	624120	C	C	C	P	P	P		P			
CONVENIENCE STORES WITHOUT GAS PUMPS	445120							P	P	P	C	
CONVENIENCE STORES, except drive-thru or gasoline pumps further than 100 feet of a street intersection	445120						P	P	P	P	C	
CONVENIENCE STORES, with drive-thru or gasoline pumps within 100 feet of a street intersection	447110						C	C	C	P		
DAIRIES, COMMERCIAL	112120		C							P	P	
DAY CARE CENTERS AND KINDERGARTENS	624410	C	C	C	C	C		C	C			
DRIVE-IN THEATERS	512132								C			
DRY CLEANING AND LAUNDRY PLANTS	812320						C	C	C	C		
DRY CLEANING PICK-UP STATIONS	812320				P		P	P	P			
DWELLING, AS ACCESSORY USE WITHIN THE PRINCIPAL BUILDING							C	C	C			
DWELLING, DUPLEX	233220		C	P	C							
DWELLING, MULTI-FAMILY	531110			P	P	P						
DWELLING, SINGLE-FAMILY	233210	P	P		P							
EARTH MOVING CONTRACTOR AND HEAVY EQUIPMENT STORAGE	234990										C	
ELECTRONIC EQUIPMENT MANUFACTURING PLANTS	334511									P	P	
EXTRACTION OPERATIONS											C	
FAMILY CARE HOME (see Note 10)		P	P	P	P							
FAMILY FOSTER HOME		C	C	C	C							
FARM EQUIPMENT, SALES, SERVICE, AND RENTAL	532490/ 811310								P	P	P	
FARMERS AND PRODUCE MARKETS	445230		C					C	C	P	P	

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)

See Notes to Table of Permitted Uses

FEED AND SEED STORES	444220								P	P		
FEED, FERTILIZER, AND FLOUR MILLS	311211									C	C	
FISH HATCHERIES	112511										C	
FLEA MARKETS/VENDOR MARKETS	453310								P	P		
FOOD PROCESSING PLANT, EXCEPT ANIMAL AND POULTRY	311									C	P	
FOUNDRIES	212322										P	
FUELS, BULK STORAGE, no closer than 100 feet to any property line	422710										C	
FUNERAL HOME	812210					P	P	C	P			
GAME ROOMS (POOL, BILLIARDS, VIDEO)	713990						C	C	C			
GARMENT MANUFACTURING PLANTS	315									P	P	
GOLF COURSE, MINIATURE	713990								P			
GOLF COURSES	713910	C	C	C	C							C
GOLF DRIVING RANGE	713990								P			
GOVERNMENTAL REPAIR YARDS AND GARAGES	921110								P	P	P	
GREENHOUSES AND NURSERIES; GARDEN CENTERS	444220		C				C	C	P			
GREENHOUSES AND NURSERIES, no retail sales on premises	1114		C								P	P
GROUP CARE FACILITY (see Note 10)		P	P	P	P							
GUNSMITH	561622/ 811490						P		P			
HEALTH CLUBS; EXERCISE CENTERS; GYMS	713940				P	P	P	P	P			
HOME OCCUPATION		P	P	P	P	P						
HOSPITALS	622110					P			P			
ICE PLANTS	312113										P	
INDUSTRIAL PARKS										C	C	
INTENSIVE LIVESTOCK OPERATIONS (see Note 5)												
JAIL/PRISON						C				P	P	
JUNK, WRECKING, AND SALVAGE YARDS, including automobiles, furniture, machinery, and tires (see Note 6)	493190										C	

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)

See Notes to Table of Permitted Uses

KENNELS, RIDING ACADEMIES, AND COMMERCIAL STABLES	812910/ 611620		C						C			
LABORATORIES, including scientific, research, testing, and medical	54								P	P		
LAND APPLICATION OF TREATED SLUDGE			C									
LAUNDROMATS (SELF-SERVICE)	812310				P		P	P	P			
LIBRARIES	514120				P	P	P	P	P			
LICENSABLE FACILITY			C									
LIVESTOCK SALES, if setback no less than 150 feet from any lot line and no less than 1,000 feet from any residential district	422520											C
LUMBER AND PULPWOOD OPERATIONS	113310											C
MAIL ORDER HOUSES	454110								C	P		
MANUFACTURED HOME PARK (see Article 9)	531190		C									
MANUFACTURED HOME SALES	453930								P	P		
MANUFACTURED HOME MANUFACTURING PLANTS	321991											P
MANUFACTURED HOME, CLASS A, no more than one per lot and only as the principal building (see Notes 7 & 8)			C									
MANUFACTURED HOME, CLASS B, no more than one per lot and only as the principal building (see Notes 7 & 8)			C									
MANUFACTURED OFFICES (see Note 8)	321991										P	
MEDICAL AND DENTAL FACILITIES	621111/ 621210	C	C			P	P	P	P			
MINI-WAREHOUSES, SELF-SERVICE	531130		C						C	C		
MONUMENT WORKS AND SALES	421990								P	P	P	
MOTELS/HOTELS	721110					C			P	P		
MOVING AND STORAGE COMPANIES	484210								P	P	P	
MULTI-UNIT ASSISTED HOUSING WITH SERVICES			C			C						
MUSEUMS	712110					P	P		P			
NATURE PRESERVES	712190											P
NURSING HOMES	623110		C		C	C						

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

PARKING LOTS/FACILITIES	812930					C	C		C			C
PERSONAL CARE SERVICES						P	P	P	P			
PHARMACEUTICAL RESEARCH AND PRODUCTION FACILITIES										P	P	
PRIMARILY EDUCATIONAL INSTITUTION			C			C						
PRINTING AND PUBLISHING ESTABLISHMENTS	511130						P	C	P	P		
PUBLIC BUILDINGS, excluding repair yards and garages		C	C	C	C	C	P	P	P	P	P	
PUBLIC UTILITY FACILITIES, not including above ground storage facilities (see Note 9)	926130	C	C	C	C	C	C	C	P	P	P	P
PUBLIC UTILITY SUBSTATIONS, PUMPING STATIONS, AND WATER STORAGE FACILITIES (see Note 9)		C	C	C	C	C	C	C	C	C	C	C
RAILROAD FREIGHT YARDS										C	C	
RECREATIONAL FACILITY, PUBLIC, including parks, playgrounds, ball fields, recreation centers, swimming pools, tennis courts, & accompanying club houses		P	P	P	P	P	P	P	P			P
RECREATIONAL FACILITY, PRIVATE, including parks, playgrounds, ball fields, recreation centers, swimming pools, tennis courts, & accompanying club houses		C	C	C	P	C	P	C	P			
RECTORIES, PARSONAGES, MANSES, PARISH HOUSES, INCLUDING NUNNERIES		P	P	P	P	P						
REPAIR SHOPS (radio, television, small appliances, shoes, watches, small engines, etc.)	811211/ 811430						P	C	P			
RESIDENTIAL CHILD-CARE FACILITY			C									
RESIDENTIAL CLUSTER DEVELOPMENT		P	P		P							
RESTAURANTS, except drive-thru within 100 feet of a street intersection	722110		C		P	P	C	C	C	P		
RESTAURANTS, with drive-thru within 100 feet of a street intersection	722211		C		P	P	C	C	C	P		
RETAIL ESTABLISHMENTS					P		P	P	P			
SALES, WHOLESALE WITH NO OUTSIDE STORAGE	Depends on Type								P	P		
SANITATION COMPANIES	926130									C	C	

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

TABLE OF PERMITTED USES (continued)  
See Notes to Table of Permitted Uses

SCHOOLS, ELEMENTARY AND SECONDARY	611110	C	C	C	C	C						
SCHOOLS, WHICH TEACH ART, DANCE, DRAMA, OR MUSIC	611610				P	P	P		P			
SHOPPING CENTERS	531120				C		C	C	C			
SKATING RINKS	713940								P			
SMALL APPLIANCE MANUFACTURING PLANTS	421620									P	P	
STORAGE FACILITIES									C	P		
TAXI STANDS	485310						P	P	P			
TEMPORARY BUILDINGS (see Note 8)		P	P	P	P	P	P	P	P	P	P	C
TEXTILE AND HOSIERY MILLS	3133									C	P	
THEATERS (INDOOR)	512131				P		P	C	P			
THERAPEUTIC FOSTER HOME			C			C						
TIRE SALES AND SERVICE	441320								P			
TRUCK STOPS AND TERMINALS	447190								P	P	P	
UPHOLSTERY SHOPS	811420								P	P		
VEHICLE AND FARM EQUIPMENT RENTAL AND LEASING	532490								P	P	P	
VEHICLE SALES, SERVICE, RENTAL, NEW AND USED	4411								P			
WAREHOUSES, INCLUDING MINI-WAREHOUSES	493110								C	P	P	
WASTEWATER TREATMENT PLANT	221320										C	C
WATER TANKS			C							C	C	
WATER TREATMENT PLANTS	221310										C	C

\*ICS - North American Industry Classification System. See Note 1.

\*\*See Note 2.

## Section 4-11: Notes to the Table of Permitted Uses

*Note 1.* The Industry Classification System Codes indicated in Section 4-10, Table of Permitted Uses, are for reference purposes only, and do not mean that all uses under a specified code heading as provided in the North American Industry Classification System Manual are permitted or conditional uses in the applicable zone.

*Note 2. Industrial Uses.* Any permitted industrial use must meet local, state, and federal environmental requirements with regard to emissions into the air, water, or public sewer systems within the Lillington planning area. Such industries shall obtain the necessary permits from applicable agencies.

*Note 3. Accessory Uses.*

- (A) In the C-1 district, no storage or service of goods will be permitted outside of buildings that can be viewed from the street except outside display and sale of goods will be permitted in front of businesses but a four foot wide area of sidewalk must be kept clear of any object or vegetation to allow pedestrian movement.
- (B) *Home Occupations.* Home occupations are permitted in the primary dwelling only as an accessory use. Home occupations shall be permitted subject to the following limitations: that no more than twenty-five (25) percent of the total floor area or five hundred (500) square feet, whichever is less, is used for such purposes; that no sign or display of products be visible from the streets; that no mechanical or electrical equipment is installed or used other than is normally used for domestic, professional, or hobby purposes, or for infrequent consultation or emergency treatment; and that no more than one person not a resident of said dwelling is employed in connection with the home occupation. Traffic generated by the home occupation shall not exceed the traffic volumes generated by nearby residents.
- (C) *Swimming Pools.* All public, commercial, or private outdoor swimming pools of three (3) feet or more in depth, either above ground or below ground, and of either permanent or temporary construction shall meet the following requirements in addition to setbacks and other requirements specified elsewhere:

- (1) That the setback for an above ground swimming pool from any lot line equals the required setback for accessory structures in the district in which it is located plus one (1) foot for each foot over five (5) of pool height.
  - (2) That a fence be erected to a minimum height of four (4) feet to completely enclose all sides of the pool not bounded by a building. A gate of equal height shall be installed and securely fastened when the pool is not in use.
  - (3) That all mechanical equipment be located a minimum of five (5) feet from any property line.
  - (4) Swimming pools are not permitted in a front yard.
- (D) ***Fences and Walls.*** Decorative fences and walls not over five (5) feet high may project into or may enclose any front yard, except on corner lots where the maximum allowed height is four (4) feet. Decorative or boundary fences or walls enclosing rear or side yards may be six (6) feet high. A fence or wall may be erected in the side and rear yard to a maximum height of ten (10) feet in nonresidential districts. All fences and walls must be constructed within the lot line. Razor wire and concertina wire is prohibited on all fences except in the HI district.
- (E) ***Satellite Dish Antennas.***
- (1) ***General Requirements.***
    - (a) A zoning permit is required when installing, moving, or substantially constructing or reconstructing a dish antenna over four (4) feet in diameter.
    - (b) A dish antenna must be installed in compliance with the manufacturer's specifications at a minimum.
    - (c) In all residential districts, dish antennas must be permanently installed on the ground and shall not exceed eight (8) feet in diameter.
    - (d) In business and industrial districts, dish antennas may either be installed on the ground or on the roof of the building. If installed

on the roof, the dish shall not be larger than twelve (12) feet in diameter; shall not project higher than ten (10) feet above the maximum building height of the zoning district or more than one third (1/3) the actual building height above the roof, whichever is less; shall be set back from the front and sides of the building at least eighteen (18) feet; and shall not be used for any advertising purposes. A dish antenna may be installed on the top of another part of the building which is lower than the roof, such as a balcony or parking deck, only if such location is at the rear or side of the building and all other requirements are met.

- (e) A dish antenna may be attached to an accessory building which is permanently secured to the ground, but may not be attached to the principal building except as provided for in (d) above.
- (f) If a dish antenna is repainted, the only permissible colors are the original color used by the manufacturer, off-white, pastel beige, grey, or pastel grey-green. The paint must have a dull (non-glossy) finish and no patterns, lettering, or numerals shall be permitted on either side of the dish surface.
- (g) No dish antenna shall be installed in any public right-of-way or in any drainage or utility easement.

(2) ***Location In Yards.***

- (a) A dish antenna shall be installed in the rear yard only, in all districts except as provided for in (1)(d) above and in (2)(b) below.
- (b) In business and industrial districts only, a dealer selling dish antennas may have a maximum of one (1) such antenna installed in the front or side yard for display purposes providing all other requirements are met. If a dealer displays a dish antenna in front or side yard, his permissible sign area shall be reduced by one half (½).

(3) ***Setback Requirements.***

- (a) The minimum required setback for dish antennas, from the side lot line, shall be the same as for the principal building except on

corner lots, on the side abutting the street, the minimum required setback shall be the same as the required front yard setback along that street.

- (b) The minimum required setback for dish antennas from the rear lot line shall be ten (10) feet or the same as accessory buildings, whichever is greater.
- (c) In districts where there are no side or rear yard requirements, a minimum setback of ten (10) feet from the side and rear lot lines shall be required of dish antennas.
- (d) In all cases, no dish antenna shall be located within fifteen (15) feet of any street right-of-way.

(4) ***Maximum Height Requirements.***

- (a) In all residential districts, the maximum height of dish antennas shall be fifteen (15) feet or the height of the principal building, whichever is less.
- (b) In commercial and industrial districts, the maximum height of dish antennas installed on the ground shall be twenty (20) feet.

(5) ***Buffering Requirements.***

- (a) In all residential districts, dish antennas shall be surrounded on all sides with any one or combination of evergreen vegetation, topography, landscaped earth berm, or architectural features such as fences or buildings so that view of one-half ( $\frac{1}{2}$ ) of the dish area is restricted from all public streets and six (6) feet above ground level of abutting residential property. If evergreen vegetation is used, a species and size may be planted which can be expected to buffer the required area within two (2) years of normal growth. Any buffer vegetation which dies must be replaced.
- (b) In business and industrial districts, dish antennas must be screened from view from abutting residential property and

residential streets. The buffer requirements as to materials and height shall be the same as in (5)(a) above.

**Note 4. Communications, Broadcasting, and Telecommunication Towers.** Must have setbacks from all property lines of at least one (1) foot for every foot of structure height.

**Note 5. Intensive Livestock Operations.** Intensive livestock operations are not permitted within Lillington's planning jurisdiction.

**Note 6. Junk, Wrecking, and Salvage Yards.** Provided:

- (1) All buffering and enclosure requirements are met as specified in Article 14;
- (2) Entire operation shall be kept free of pests such as rodents and mosquitoes;
- (3) No burning or smelting shall be allowed; and
- (4) The operation of the junkyard will not be detrimental to adjacent land uses.

**Note 7. Manufactured Home Requirements.** All manufactured homes, whether used for residential or business purposes, shall meet the following requirements:

- (A) The supports of all manufactured homes shall rest upon footings which meet the North Carolina Regulations for Mobile Homes and the Harnett County Mobile Home Procedures, dated February 1, 1991, and as amended.
- (B) Each manufactured home stand and space shall be graded to provide adequate storm drainage away from the manufactured home and such that there will exist no more than three (3) feet difference between the chassis of the manufactured home and the finished grade of the stand along the entire perimeter of the manufactured home proper.
- (C) The following utility standards shall apply. All installations (other than those within the manufactured home itself) of plumbing and electrical wiring and all gas and oil appliances shall comply with the provisions of the building, plumbing, electrical, heating, and gas regulations of the state, county, and Town.
- (D) Every manufactured home shall be tied down to ground anchors. Ground anchors and tie downs shall be installed in accordance with the North Carolina

Regulations for Mobile Homes and the Harnett County Mobile Home Procedures, dated February 1, 1991, and as amended.

- (E) Each manufactured home shall be installed with skirting manufactured specifically for such use or with a permanent masonry foundation. If skirting is used instead of a permanent masonry foundation, it shall be made of a material compatible with the siding of the manufactured home.
- (F) Empty LP gas containers and other materials not approved by the Fire Department shall not be stored under manufactured homes.

**Note 8. Temporary Uses.** For any of the following temporary uses, a zoning permit must be obtained.

- (A) **Manufactured Offices.** Manufactured offices may be used on a temporary basis for such purposes as construction offices, bloodmobiles, bookmobiles, and traveling museums. However, such uses must obtain a temporary occupancy permit from the Administrator if the use is to last more than forty-eight (48) hours at one site.

Manufactured offices may also be used for other office or business purposes in cases where the permanent structure has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must be obtained before the use of the manufactured office is initiated. This occupancy permit shall be valid for a specified period of time while reconstruction takes place not to exceed six (6) months and may be renewed no more than once.

- (B) **Manufactured Homes.** Temporary use of a manufactured home as a residence shall be permitted in any residential district in cases where the permanent home has been destroyed through no fault of the owner or tenant. A temporary occupancy permit must be obtained from the Administrator before use of the manufactured home is initiated. This occupancy permit shall be valid for a specified period of time not to exceed six (6) months while reconstruction takes place and may be renewed no more than once.
- (C) **Temporary Buildings.** Temporary buildings may be used for nonresidential purposes, such as construction offices and storage structures, if a temporary occupancy permit is obtained from the Administrator. This permit shall be valid for a specified period of time not to exceed six (6) months and may be renewed no more than once.

**Note 9. Public Utility Facilities, Substations, Pumping Stations, and Water Storage Facilities.** Must be housed in buildings or landscaped to harmonize with the character of the neighborhood and with adequate yards, fences, and other safety devices to protect the public safety and welfare.

**Note 10. Family Care Homes/Group Care Facility.** As allowed by NCGS 168-22, a family care home/group care facility may not be located within a one-half mile radius of an existing family care home or group care facility.

**Note 11. Land Use Regulations for Specific Uses Located in the Watershed Protection Overlay Districts.** See Section 5-3 (Land Use Regulations) of this Ordinance.