

**TOWN OF PILOT MOUNTAIN
ORDINANCE 2023-UDO-01**

**PERMITTED USE TABLE CHANGES AND DWELLING UNITS IN MIXED USE
BUILDINGS**

**ORDINANCE TO AMEND THE TABLE OF PERMITTED USES AND ALLOW
FOR DWELLING UNITS IN MIXED USE BUILDINGS IN THE CB DISTRICT.**

WHEREAS, NCGS 160D gives the Board of Commissioners the power to enact ordinances governing land use including what uses are appropriate in certain districts; and,

WHEREAS, The Board of Commissioners has adopted a Unified Development Ordinance to govern land use in the Town that contains a Table of Permitted Uses; and,

WHEREAS, The Board of Commissioners believes it would be in the best interest of the citizens of the Town of Pilot Mountain to make changes to the Table of Permitted Uses and to add special restrictions for dwelling units in a mixed use building.

NOW THEREFORE, be it ordained by the Board of Commissioners of the Town of Pilot Mountain, in the State of North Carolina, as follows:

SECTION 1: **AMENDMENT** “6.1 Classification Of Uses” of the Pilot Mountain Development Code is hereby *amended* as follows:

AMENDMENT

6.1 Classification Of Uses

1. **Principal Uses.** Allowed principal uses by district are listed in Table 6-1. Principal uses are further divided into categories based on the general nature of the use. The categories of principal uses are:
 - a. Agricultural Uses
 - b. Residential Uses
 - c. Civic, Government & Institutional Uses
 - d. Office & Service Uses
 - e. Retail & Wholesale Uses
 - f. Recreation & Entertainment Uses
 - g. Industrial, Transportation & Utility Uses
2. **Accessory Uses.** Accessory uses are allowed in conjunction with a permitted principal use in accordance with the standards established in Section 6.4, Accessory Uses. (Accessory structures are regulated separately in Article 8.)
3. **Temporary Uses.** Temporary uses are allowed in conformance with the regulations set forth in Section 6.5, Temporary Uses.

TABLE 6-1: Table of Permitted Uses

Agricultural Uses	R A	R L	R M	R H	O I	C B	G B	H B	G M	L I	P S
Bona Fide Farms (Excluding Swine and Poultry Farms as Otherwise Defined)	P										
Equestrian Uses, Commercial	S										X
Equestrian Uses, Private	P										X
Forestry Activity	P										
Indoor Growing Facilities	P								P	P	X
Livestock Sales	P										X
Poultry Farms											
Produce Sales (on-site)	P										
Swine Farms											
Wineries	S							P	P	P	X
Residential Uses	R A	R L	R M	R H	O I	C B	G B	H B	G M	L I	P S
Accessory Dwelling	X	X	X	X							X
Customary Home Occupation	P	P	P	P							X
Customary Home Occupation, Detached	S										X
Dwelling, Single-family Detached	P	P	P	P							
Dwelling, Single-family Attached			P	P							
Dwelling, Two-family (Duplex)			P	P							
Dwelling, Manufactured Home (on individual lot)	P										X
Dwelling, Multi-family Residential (3 or more units)				P							
Dwelling, Upper-story (within a Mixed Use Building)					P	P	P	P			<u>X</u>
Family Care Homes	P	P	P	P							
Manufactured Home Park	S										X
Civic, Government, & Institutional Uses	R A	R L	R M	R H	O I	C B	G B	H B	G M	L I	P S
Armories and Similar Military Training Facilities									P	P	
Cemeteries (as a principal use)	P				P						
Cemeteries (as an accessory to a Religious Institution)	P				P		P	P			
Clubs and Lodges (Social, Fraternal and Civic Groups)	S				P		P	P			
Colleges, Universities, & Associated Facilities					P		P	P			

Community Centers	P				P		P	P			
Correctional Facilities											S
Daycare Centers (Adult)					P		P	P			
Daycare Centers (Child, including Preschools)	S				P		P	P			
Emergency Services (Fire, Police, Rescue Squad, EMS, & Similar Uses)	S	S	S	S	P	P	P	P	P	P	
Government Offices and Facilities (other than Public Works, Emergency Services, Judicial and Correctional Facilities)	S	S	S	S	P	P	P	P	P	P	
Group Care Facilities (Type A)					S		S	S			
Group Care Facilities (Type B)							S	S			
Hospitals					P		P	P			
Judicial Facilities					S		S	S			
Libraries, Museums, Art Galleries, & Similar Uses					P	P	P	P			
Nursing Homes and Similar Facilities	S				P		P	P			
Post Offices					P	P	P	P			
Government Public Works Facilities, Utilities and Appurtenances	P	P			P	P	P	P	P	P	
Religious Institutions (assembly capacity less than 250)	P	P			P	P	P	P			
Religious Institutions (assembly capacity more than 250)	S				S		P	P			
Schools (K-12, Public & Private)	P	P			P	P	P	P			
Schools (Trade & Vocational)					S	S	P	P			
Social Service Organizations and Facilities					P		P	P			
Office & Service Uses	R	R	R	R	O	C	G	H	G	L	P
	A	L	M	H	I	B	B	B	M	I	S
Animal Services and Hospitals (No Outdoor Kennels)	S						P	P	P	P	
Animal Services and Hospitals (With Outdoor Kennels)	S						S	S	P	P	X
Appliance and Home Furnishings Repair							P	P	P	P	
Automobile Parking, Commercial (as a Principal Use)					P	S	P	P	P	P	
Banks And Financial Services					P	P	P	P			
Bed & Breakfast Inns	P	P	P	P	P	P					X
Body Piercing & Tattoo Studios							P	P			

Car Washes (as a Principal Use)							P	P	P	P	
Contractors Offices (Building, Plumbing, Electric, etc.)						S	P	P	P	P	
Contractors Offices (with Outdoor Storage)							S	P	P	P	
Electronics Repair and Service						P	P	P	P	P	
Crematoriums								C	P	P	
Dry Cleaning and Laundry Services (excluding Laundromats)						P	P	P			
Funeral Homes And Mortuaries	S				S		S	P			
Home and Garden Equipment Repair							P	P			
Hotels And Motels						P	P	P	P		
Instructional Schools And Studios (Art, Dance, Martial Arts, Fitness, Athletic, etc.)					P	P	P	P			
Laundromats							P	P			
Motor Vehicle Services (No Outdoor Storage)							P	P	P	P	
Motor Vehicle Services (With Outdoor Storage)							S	P	P	P	
Medical, Dental, Chiropractic, Optical, Psychiatric Clinics and Related Offices and/or Laboratories					P	P	P	P			
Newspaper, Magazine and Book Publishers					P	P	P	P	P	P	
Personal Service Uses (Barber and Beauty Shops, Salons, Tailors, Shoe Repair, Aestheticians, etc.)					P	P	P	P			
Photocopying and Printing Services (Excluding Industrial Printing Operations)					P	P	P	P	P	P	
Professional Offices (Architects, Accountants, Engineers, Attorneys, Counselors, Real Estate, etc.)					P	P	P	P			
Radio and Television Broadcast Studios						S	P	P	P	P	
Sound / Video Recording / Production Services / Studios							P	P	P	P	P
Taxidermists							P	P	P	P	
Retail & Wholesale Uses	R	R	R	R	O	C	G	H	G	L	P
	A	L	M	H	I	B	B	B	M	I	S
Alcohol Sales for On-Premises Consumption, Malt Beverages and Unfortified Wine Only						P	P	P			
Alcohol Sales for On-Premises Consumption, Mixed Beverage Permittees, other than Restaurants						S	S	S			

Alcohol Sales for Off-Premises Consumption, Malt Beverages and Wine (Excluding Liquor Stores)						P	P	P			
Agricultural Supplies and Equipment Sales	S						S	P	P	P	
Appliance Stores							P	P			
Auction Houses									P	P	
Bakeries, Retail						P	P	P			
Building Supply / Material Sales							S	P	P	P	
Clothing Stores						P	P	P			
Consumer Electronics Stores						P	P	P			
Consignment Stores						S	P	P			
Drug Stores and Pharmacies						P	P	P			
Farmers Markets	S					P	P	P			
Florists						P	P	P			
Gasoline Stations (With or Without Convenience Stores)							P	P			
Grocery Stores							P	P			
Hardware Stores						P	P	P	P	P	
Home Goods and Furnishings Stores						P	P	P			
Heavy Equipment Sales and Rental								P	P	P	
Lawn and Garden Stores (Retail Nurseries)	S						P	P	P	P	
Liquor Stores (ABC Stores)							P	P			
Meat and Seafood Markets						P	P	P			
Microbreweries (Including Tasting Rooms, less than 5,000 Barrel/Year Capacity)						P	P	P	P	P	
Motor Vehicle Parts and Accessories Dealers							P	P	P	P	
Motor Vehicle Sales and Rental							P	P	P	P	
Pawn Shops								P			
Produce Markets						P	P	P			
Restaurants (no drive-through)						P	P	P			
Restaurants (with drive-through)							P	P			
Retail Sales Uses, General / Not Otherwise Specified						P	P	P			
Retail Uses, less than 5,000 square feet (inside a fully enclosed building)						P	P	P	P	P	

Recreation Facilities Associated with a Residential Development	P	P	P	P								
Recreation Facilities (Indoor)							P	P	P	P		
Recreation Facilities (Outdoor, Other)	S						P	P				
Recreation Facilities (Spectator, Excluding Motorsports)	S				S		S	S				
Recreational Vehicle Parks/Campgrounds	S						S	S				
Sexually Oriented Businesses, other than Retail Sales								S				X
Shooting Ranges (Indoor)									P	P		
Shooting Ranges (Outdoor)									S			X
Swim Clubs / Pools	S	S	S	S	P		P	P				
Tennis Clubs	S	S	S	S	P		P	P				
Theater (Drive-in)								S				
Theater							P	P	P			
Industrial, Warehousing, Transportation, & Utility Uses	R	R	R	R	O	C	G	H	G	L	P	
	A	L	M	H	I	B	B	B	M	I	S	
Airports & Heliports	S											
Animal Slaughtering and Processing												
Asphalt Plants									S			
Automobile Parts Manufacturing									P	S		
Bakeries, Industrial									P	S		
Breweries	S					S	S	P	P	P		
Brick Manufacturing									S			
Broadcast Towers And Equipment (Excluding Wireless Telecommunications Towers)	S								S	S		X
Concrete Plants and Casting Operations									S			
Data Centers									P	P		
Dairies	S								P	P		
Distilleries, Alcohol	S						S	S	P	P		
Distribution Centers And Freight Terminals									P			X
Electric Utility Substations	S	S	S	S	S	S	S	P	P	P		
Electronics Manufacturing									S			
Feed And Flour Mills	S								S			

Textile and Apparel Manufacturing										P		
Tobacco Manufacturing										P		
Truck Stops								S	S	P	P	
Vehicle Storage Yard (Operable Vehicles)									S	P	P	
Warehouses, Self-Storage								S	S	P	P	
Warehouses, Hazardous or Flammable Material										S		
Warehouse Uses (excluding Self Storage Warehouses and Hazardous or Flammable Material)									P	P	P	
Wastewater Treatment Plants	P	P	P	P	P	P	P	P	P	P	P	
Water Storage Tanks and Towers	P	P	P	P	P	P	P	P	P	P	P	
Water Treatment Plants	P	P	P	P	P	P	P	P	P	P	P	
Wireless Telecommunications Towers	S							S	S	S	S	X
Wood Product Processing and Manufacturing (Excluding Paper Products)										S		

SECTION 2: AMENDMENT “8.12 Performance Standards For Certain Uses And Structures” of the Pilot Mountain Development Code is hereby *amended* as follows:

AMENDMENT

8.12 Performance Standards For Certain Uses And Structures

1. Equestrian Uses, Commercial and Private

- a. Stables, corrals, un-vegetated exercise areas and piles of manure, feed and bedding must be located seventy-five (75’) feet from any street right-of-way or nonresidential property line, and one-hundred (100’) feet from any residential property line. However, when all of the runoff from a corral or un-vegetated exercise area is controlled and directed over a two-hundred (200’) foot long grassed swale before reaching the property line, then the corral or un-vegetated exercise area may be located a minimum of forty (40’) feet from any street right-of-way or property line. Pasture areas may extend to the lot line.
- b. Manure may not be stored or applied within five-hundred (500’) feet of a residential lot line, surface watercourse or well used for potable water.
- c. A one-hundred (100’) foot wide vegetative strip, exclusive of pasture area, must be maintained between any corral, un-vegetated exercise area, manure pile or manure application area and any surface water or well.
- d. In areas with a slope of five percent (5%) or less, corrals un-vegetated exercise areas and manure piles must be located 150 feet from any well and two-

hundred (200') feet from any surface water, unless the water is upgrade of the corral, un-vegetated exercise area or manure pile or there is adequate diking provided.

- e. Corrals, un-vegetated exercise areas, manure piles and manure application areas are prohibited in areas with slopes greater than five percent (5%), in 100-year floodplains, in waterways and on soils classified as very poorly drained as indicated in the Surry County Soil Survey.

2. Livestock Sales

- a. Livestock sales uses may not be located within five-hundred (500') feet of an existing residential lot.
- b. Manure may not be stored or applied within five-hundred (500') feet of a residential lot line, surface watercourse or well used for potable water.
- c. The use shall be located on, and take access from, a road classified as either a major or a minor thoroughfare.

3. Wineries

- a. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal.
- b. All structures, buildings, storage areas, etc. (except fences or walls) associated with the winery must be twice (2X) the setback for the applicable zoning district from all property lines or street rights-of-way.
- c. A facility serving as an established Cooperative Winery or as an independent commercial winery may be permitted without the presence of an on-site vineyard, if, in the Board's estimation, the facility will benefit, cater to, and serve the vineyards of the surrounding areas.
- d. Outdoor lighting shall be designed to minimize light directly hitting adjacent property or any public right-of-way.
- e. All parking and storage areas associated with the winery shall be screened from adjoining properties used or zoned for residential or agricultural purposes. If existing topography and natural vegetation does not provide an existing visual barrier, selective screening may be required.
- f. Associated small-scale processing or catering facilities (i.e. cheese making, restaurant, wine tasting rooms) that are incidental to the winery, but may enhance the overall property in relation to tourism, may be permitted on a case-by-case basis by the Planning and Zoning Board. The Planning and Zoning Board shall hold a public hearing and upon approval issue a Special Use Permit for each use. Associated uses are subject to the above requirements as well.

4. Customary Home Occupations

- a. Customary home occupations may be established in single family, site-built dwellings as permitted in a residential district. The following requirements shall apply in addition to all other applicable requirements of this chapter for the residential district in which the uses are located:
- b. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.

- c. Use of the dwelling for home occupations shall be limited to twenty-five (25%) of one (1) floor of the principal building.
- d. Residents of the dwellings only may be engaged in the home occupations, except that not more than one assistant may be employed by the following professional persons: lawyers, physicians, dentists, chiropractors, accountants.
- e. No display of products shall be visible from the street and only products made on the premises may be sold on the premises.
- f. No internal or external alterations inconsistent with the residential use of the building shall be permitted.
- g. No accessory building [except as provided in Subsection 4(1), below] or open storage shall be allowed in connection with the home occupation.
- h. No machinery that causes noises or other interferences in radio and television reception shall be allowed.
- i. Only vehicles used primarily as passenger vehicles shall be permitted in connection with the conduct of the customary home occupation.
- j. No chemical, electrical or mechanical equipment that is not normally a part of domestic or household equipment shall be used primarily for commercial purposes, with the exception of medical and dental equipment used for professional purposes.
- k. Unless otherwise specified, customary home occupations may employ one sign, not more than one square foot in area and which shall not be illuminated.
- l. In the zoning districts that allow a Special Use Permit for customary home occupations in a detached accessory structure, the Planning and Zoning Board shall make all the above findings in addition to all findings otherwise required by this ordinance.

5. Dwelling, Manufactured Home (On Individual Lots)

- a. The lot must be recorded with the Surry County Register of Deeds as an individual lot.
- b. If municipal utilities are not available, the well and/or septic tank must be approved by the county health department.
- c. All yard dimensional requirements for the respective district must be met.
- d. The lot must have legal access to a public street.
- e. A certificate of occupancy must be issued by the Ordinance Administrator after these conditions and all other code requirements are met and before the unit can be occupied.

6. Manufactured Home Parks. The purpose of these manufactured home park regulations is to provide an acceptable environment for what are in fact small communities of manufactured homes: New manufactured home parks may be located in the RA district as special uses subject to a finding by the Planning and Zoning Board in addition to the findings required under this ordinance, that the following conditions will be met:

- a. Plans clearly indicating the developers' intention to comply with the provisions of this section shall be submitted to and approved by the Planning and Zoning Board. Plans must show the area to be used for the proposed manufactured home park; the ownership and use of neighboring properties; all proposed

entrances, exits, driveways, walkways, and off-street parking spaces; the location of manufactured home spaces, recreation area, buffer strips, and service buildings; the location of sanitary conveniences, including laundries, if applicable, and refuse receptacles; the proposed plan of water supply, sewage disposal and electrical service and lighting. The Planning and Zoning Board shall have the authority to impose the reasonable conditions and safeguards on the proposed development, as it deems necessary for the protection of adjoining properties and the public interest.

- b. The lot area for a manufactured home park shall be at least two acres. All

areas to be included in the park shall be clearly shown on the plans required by division (A) above.

- c. Each home in a manufactured home park shall occupy a designated space having at least six-thousand square feet (6,000ft²), with a width of at least fifty (50') feet, exclusive of common streets.
- d. Each manufactured home space shall abut a street within the park; the streets shall be graded and surfaced with not less than four inches of crushed stone or other suitable material on a well-compacted sub-base to a continuous width of twenty (20') feet, exclusive of required parking spaces extending to the frontage street.
- e. Two (2) off-street parking spaces with not less than four (4") inches of crushed stone or other suitable material on a well-compacted sub-base shall be provided for each new manufactured home space. Required parking spaces may be included within six-thousand square feet (6,000ft²) required for each manufactured home space.
- f. At least two-hundred square feet (200ft²) of recreation space for each manufactured home space shall be reserved within each mobile home park as common recreation space for the residents of the park. The areas shall, along with streets and walkways, be adequately lighted for safety.
- g. No homes or other structures within a manufactured home park shall be closer to each other than sixteen (16') feet, except that storage or other auxiliary structures for the exclusive use of the manufactured home may be closer to that mobile home than sixteen (16') feet.
- h. No manufactured home shall be located closer than thirty (30') feet to the exterior boundary of the park or a bounding street right-of-way of a bounding street.
- i. Proposed water supply and waste disposal facilities for the manufactured home park shall be approved in writing by the county health officer or his or her representative.
- j. All refuse containers shall be located on a concrete, asphalt or similar base and shall be enclosed on three sides with a wooden or masonry fence or wall at least six feet high.
- k. Any expansion of manufactured home parks in existence on the effective date of this chapter shall comply with the provisions of this section.
- l. **Non-conforming Manufactured Home Parks.** The term nonconforming manufactured home park refers to any park not meeting the development

standards established by the preceding requirements.

- i. Nonconforming manufactured home parks may not be enlarged or altered to create additional space until the park had been brought into compliance with the provisions of this chapter.
- ii. Manufactured or mobile homes that are not inspected and approved by HUD, and which were manufactured prior to June 15, 1976, shall be known as “nonconforming manufactured homes.” Existing nonconforming manufactured homes located within the zoning jurisdiction of the Town upon the adoption of this section, shall be discontinued and removed when the structure has deteriorated to the point where major repairs are necessary to make the home habitable, in the judgment of the Surry County Building Inspector. Installation of nonconforming manufactured homes shall not be permitted in the zoning jurisdiction of the Town for residential or any other purposes.

7. Animal Services and Hospitals (With Outdoor Kennels)

- a. No outdoor containment of animals shall be located less than 250 feet from any residentially zoned property and fifty (50’) feet from any other adjacent property line.
- b. Kennel areas must be surrounded by an opaque fence of not less than six (6’) feet in height and enclosed as to prevent escape.

8. Bed and Breakfast Inn

- a. The use shall only be permitted in a structure that was originally built as a single-family dwelling that was constructed to the North Carolina State Building Code.
- b. When located in a residential zoning district, meals may not be provided to persons who are not registered guests of the Bed and Breakfast.
- c. Rooms may not be equipped with cooking facilities.
- d. Guest parking areas may only be located at the side or rear of the residence. In the case of corner lots, the parking must be provided on the side of the lot that does not front on the streets. This provision does not apply to through or double frontage lots.
- e. One (1) freestanding sign not exceeding sixteen square feet (16ft²) in sign area may be installed on site. The sign and any other signage shall comply with all other general sign regulations
- f. Special events (e.g., weddings, receptions, parties, etc.) held on the site shall comply with all requirements specified under the Temporary Use requirements as set forth in Section 9.16. This provision shall not apply to establishments located in the RA, CB, or HB districts.
- g. Applications must contain a written description of the proposed use(s) of the site and building(s) thereon including, at a minimum, the following information:
 - i. Number of full and part-time employees.
 - ii. Number of clients and/or occupants expected to use the facility.
 - iii. Building elevations for all existing and proposed structures on the property.
 - iv. A copy of the recorded deed establishing an ingress/egress easement

to the lot in cases where access to the lot on which the bed and breakfast is to be located will be provided by an easement or private road.

9. Sexually Oriented Businesses (All)

- a. No sexually oriented business shall be located within one-thousand (1,000') feet of another sexually oriented business, which shall be measured from the exterior walls of the building(s) containing such regulated use.
- b. No sexually oriented business shall be located within 1,500 feet of any area zoned for residential use or from the property line of residential unit(s), churches, synagogues, temples, nursery schools, day care centers (child/adult) and public or private schools, in all zoning districts, which will be measured from the property line(s) containing such regulated use.
- c. Sign content shall consist of text only, and shall not depict or suggest subject matter that is lewd, offensive, sexual or anatomical in nature, as determined by the Planning and Zoning Board.
- d. Screening is required around the entire perimeter of any sexually oriented business. This screening shall consist of a naturally wooded area or planted with a mixture of evergreen and deciduous trees and shrubs to simulate a naturally wooded area within three (3) years. This screening shall be located in a fifteen (15') foot wide buffer.
- e. **Supplemental Site Plan Requirements**
 - i. Location of existing structures on property within one-thousand (1,000') feet of exterior wall(s) of the regulated use.
 - ii. Zoning of properties within 750 feet of each property line of the regulated use.
 - iii. Other area or site-specific information as deemed necessary by the Ordinance Administrator.
- f. **Operational Considerations**
 - i. If applicable, all viewing booths shall be open and be visible to manager(s) of the establishment.
 - ii. If applicable, there shall be a minimum separation of six (6') feet between patrons and performers.
 - iii. Masseuses and servers of food and beverage shall at all times wear a shirt and pants.
 - iv. No nude or seminude service or entertainment of any kind shall be allowed outside the building of a regulated use.

10. Wholesale Uses, Bulk Petroleum, Chemical and Gas

a. Site Standards

- i. All storage buildings and yards shall be a minimum of two hundred (200') feet from any residential use, hospital, nursing or convalescent home, retirement home, life care community, school, or church. However, the Planning and Zoning Board shall be authorized to increase this setback if the situation warrants, based on the specific substances that are to be manufactured or stored and in what specific quantities.

- ii. All structures (except fences and walls), buildings, storage areas, etc. used in the operation shall be a minimum of one hundred (100') feet from all property lines or street rights-of-way.
- iii. Buildings must meet all requirements for Hazardous Occupancy under the NC Building Code.
- iv. Outdoor lighting shall be designed to minimize or prevent light from directly hitting adjacent property or any public right-of-way.
- v. Use shall be totally enclosed by a security fence or wall at least eight (8') feet high or enclosed within a locked fireproof building. A vegetative screen, either planted or natural wooded area, shall be provided along any street right-of-way and any property line within four-hundred (400') feet of property used or zoned for residential purposes.

b. Operational Requirements

- i. The site shall be utilized in a manner that shall not pose a hazard off-site.
- ii. All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
- iii. Buildings must be maintained to meet all requirements for Hazardous Occupancy under NC Building Code.
- iv. The Fire Marshall and local fire department shall be kept notified of the types of materials used, manufactured, or stored on site.

11. Go Kart Tracks, Commercial Recreation - Outdoor

- a. Hours of operation shall be limited to 9AM until 9PM.

12. Golf Driving Range

- a. Hours of operation shall be limited to 6AM until 10PM.
- b. The range shall be surrounded by netting or similar barriers when the edge of the driving area is located within one-hundred (100') feet of a roadway or property line.

13. Shooting Range, Outdoor

- a. Access will be controlled to prevent unregulated entrance to the firing area. The means of controlling access shall be indicated on the site plan and permit application.
- b. Security fencing will be provided to prevent an individual from crossing the property downrange.
- c. There will be a minimum separation of three-hundred (300') feet between the range and the closest exterior property line.
- d. Warning signs meeting NRA guidelines for shooting ranges shall be posted at one-hundred (100') foot intervals along the entire perimeter of the shooting range facility.
- e. Ranges shall be operated in a manner that is consistent with the safety guidelines outlined in the most recent version of the NRA Range Source Book, or equivalent range operations guidelines.
- f. Shooting ranges shall be designed according to the guidelines in the NRA Range Source Book. Weapons and ammunition that exceed the design

capacity of a range or shooting lane shall be prohibited from being fired on that facility. It shall be the responsibility of the range owner to enact policies and procedures that prevent such unauthorized firing.

- g. All shooting ranges must be located at least one-thousand (1,000') feet from any existing occupied dwelling, with the exception of a dwelling located on the site of the range that is occupied by the owner, range manager, or caretaker.
- h. Shooting ranges are allowed to operate between 8AM and sunset (between 11:30AM and 6PM on Sunday), except that the hours may be extended after sunset for purposes of subdued lighting certification for law enforcement officers and military personnel. The range operator shall notify the Police Department twenty-four (24) hours prior to holding extended range hours.
- i. The applicant/owner will be required to carry a minimum of \$1,000,000 of liability insurance. Such insurance must name the Town of Pilot Mountain as an additional insured party and save and hold the Town, its elected and appointed officials and employees acting within the scope of their duties, harmless from and against all claims, demands and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage arising out of the acts or omissions of the applicant/owner, his or her group or club or its agents or representatives. The Town will be notified of any policy changes or lapses in coverage.
- j. In addition to the site plan requirements of this Ordinance, the submitted site plan must also show the following:
 - i. Complete layout of each range, including shooting stations or firing lines, target areas, shot-fall zones or safety fans, backstops, berms and baffles;
 - ii. Projected noise contours; and
 - iii. Existing and proposed structures, occupied dwellings within one-quarter (1/4) mile, roads, streets, or other access areas, buffer areas and parking areas for the range facility.

14. Broadcast Towers / Wireless Telecommunication Towers

- a. Setback requirements shall be height of the tower plus twenty-five percent (25%). This applies to front, side and rear yard setbacks.
- b. Height limitation shall be three-hundred (300') feet, and be contingent upon a determination of "no hazard" by the Federal Aviation Administration (FAA).
- c. Accessory structures may be allowed for maintenance purposes only.
- d. Lighting may be required to meet FAA or FCC regulations, but lighting may not glare on adjacent properties. There may be flashing lights only as required by FAA or FCC regulations.
- e. Chain link fencing around the tower is required at the height of at least six (6') feet.
- f. The tower and grounds must be maintained and will be the responsibility of the property owner. Removing the tower, accessory structures, and related

facilities within six (6) months of abandonment, obsolescence, or cessation of use will be the responsibility of the property owner.

- g. Monopoles shall be the preferred construction over the lattice type.
- h. No commercial or advertising signs shall be permitted.
- i. Applicant shall demonstrate clearly the public need for the proposed new tower, and that such need cannot be met by use of existing or less intrusive facilities.

15. Distribution Centers and Freight Terminals

- a. Such uses shall be required to be located on, and take access from, a road classified as either a major or a minor thoroughfare.

16. Food Processing and Manufacturing

- a. Such uses shall be located at least one-thousand (1,000') feet from the property line of any residentially zoned property.
- b. All waste products from processing operations shall be stored inside a fully enclosed building.

17. Junkyards, Salvage Yards, and Recycling Operations

- a. No landfill or junkyard shall be permitted to locate or expand within two-hundred (200') feet of any property used or zoned for residential purposes, and any property used as a hospital, nursing or convalescent home, retirement home, school, church or commercial property.
- b. No landfill or junkyard shall be located within five-hundred (500') feet of any residential dwelling or well.
- c. A visual screen six (6') feet in height, either vegetative or by opaque fence, shall surround the perimeter of all open storage areas.

18. Mining and Quarrying Operations

- a. Such uses shall not be located within five-hundred (500') feet of an exterior property line.
- b. Hours of operation are limited to the hours of 6AM until 9PM.
- c. Blasting may only occur between the hours of 10AM and 5PM.
- d. The use shall be located on, and take access from, a major or minor thoroughfare.

19. Indoor Growing Facilities

- a. All activities and operations of the facility, including cultivation, shall take place inside the building.
- b. The facility shall include a ventilation and filtration system designed to ensure odors from the operation are not detectable from outside of the building.

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20. Accessory Dwelling

- a. No accessory dwelling shall be permitted prior to a single-family dwelling or bed & breakfast inn being constructed on a lot.
- b. Only one (1) accessory dwelling shall be permitted per parcel.
- c. The accessory dwelling shall not exceed fifty (50%) percent of the square footage of the conditioned (heated) area of the principle structure or one-thousand (1,000) square foot of gross floor area, whichever is less.
- d. A detached accessory dwelling shall be sited to the rear of the principle

structure. In that AR and RL districts, a detached accessory dwelling may be sited to the side of the primary dwelling if the lot exceeds two(2) acres in size.

e. The exterior of the accessory dwelling shall be compatible with the principle structure in terms of color, siding roof pitch, window detailing, roofing materials, and foundation. Mobile homes shall not be pulled up to or attached to a primary dwelling and considered an accessory dwelling.

21. Dwelling, within a Mixed Use Building

- a. Each dwelling unit within a mixed use building shall contain complete and permanent living facilities with a minimum of five-hundred (500ft²) square feet of habitable floor area.
- b. Dwelling units within a mixed use building shall be permitted above and below the street level. Dwelling units shall also be permitted on the street level if the dwelling space does not exceed fifty (50%) percent of the street floor area and is set to the rest of the building.
- c. No dwelling unit shall be accessed through the street level non-residential space.
- d. For new construction and conversions of existing buildings, an engineered floor plan shall show the proposed use of all building space.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

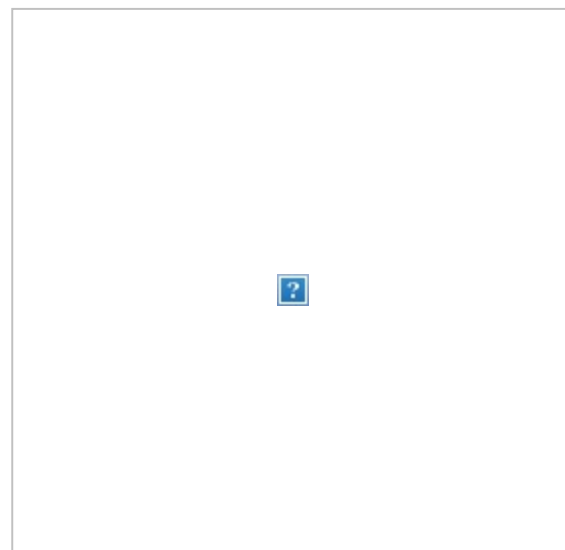
SECTION 4: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.


PASSED AND ADOPTED BY THE TOWN OF PILOT MOUNTAIN COUNCIL
NOVEMBER 13, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Scott Needham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Donna Kiger	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Rachel Collins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Dwight Atkins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest



Presiding Officer


Evan Cockerham, Mayor, Town of

Holly Utt, Town Clerk, Town of Pilot

Pilot Mountain

Mountain

