

**TOWN OF SILER CITY
ORDINANCE 11-1-2021 UDO**

**AN ORDINANCE AMENDING ARTICLE X (PERMISSIBLE USES) OF THE TOWN
OF SILER CITY UNIFIED DEVELOPMENT ORDINANCE (UDO)**

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

SECTION 1: **AMENDMENT** “136 Uses Defined” of the Town of Siler City Unified Development Ordinance (UDO) is hereby *amended* as follows:

AMENDMENT

136 Uses Defined

- (a) **Agricultural Use.** The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided however, that the operation of such accessory uses shall be secondary to that of normal agricultural activities.
- (b) **Airplane Hangar.** A building used for storage of aircraft, the location of which is either on municipal airport property or property adjoining a municipal airport. This use shall be permitted in accordance with the Table of permissible Uses provided an “Agreement Regarding Airport Access”, allowing access to Town property, runways and taxiways, has been fully executed.
- (c) **Antenna.** Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building.
- (d) **Automobile Graveyard.** Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts. Any establishment or place of business upon which six (6) or more unlicensed, used motor vehicles which cannot be operated under their own power are kept or stored for a period of fifteen (15) days or more.
- (e) **Bar (Night Clubs).** A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing is permitted.
- (f) **Beauty salon.** An establishment dealing with cosmetic treatments (hair, skin, health, feet, nails, etc.) for men and women.
- (g) **Billiard & Pool Halls.**
 - (1) An establishment that has three (3) or more billiard tables on site available for use by patrons of said establishment, or occupying more than fifty (50) percent of the gross floor area of an establishment.

- (2) Any use meeting this definition shall be considered a primary use regardless of association or location in conjunction with other permissible primary uses.
- (h) **Boarding House.** A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (at least month-to-month tenants) as opposed to overnight or weekly guest.
 - (i) **Bona Fide Farm Purposes.** Agricultural activities as set forth in G.S. 160D-903.
 - (j) **Child Care Homes.** A Home for not more than nine orphaned, abandoned, dependent, abused, or neglected children, together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.
 - (k) **Child Care Institution.** An institutional facility housing more than nine orphaned, abandoned, dependent, abused, or neglected children.
 - (l) **Church, Synagogue, or Temple.** Buildings used for religious and spiritual activities, particularly for worship services and prayer and include rooms for study, fellowship, and offices.
 - (m) **Consignment store.** An establishment that receives goods, merchandise, and equipment to be placed on sale from persons. The ownership of these goods may remain with the sender. The agent sells the goods on behalf of the sender according to an agreement. The sender of goods is known as the "consignor" and the agent entrusted with the custody and care of the goods is known as the "consignee".
 - (n) **Convenience Store.** A one-story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages and other household supplies to customers who purchase only a relatively few items. It is designed to attract and depends upon a large volume of stop-and-go traffic. Illustrative examples of convenience stores are this operated by the "Pantry", "Fast Fare", and "7-11" chains.
 - (o) **Cottage Industry.** A small scale industry where the owner/artisan (craftsman) works directly with the employees. An artisan is a skilled manual worker who makes items that may be functional or strictly decorative. The products and services created are handmade, unique and distinctive given the fact that they are not mass-produced. Labor is intensive and production uses traditional equipment and techniques. Custom products include wood working, furniture, sculpture, clothing, household items, tools, ceramics, jewelry, metal working, leather, fiber, crafts, bakery, value added food and beverage, etc.
 - (p) **Crematorium.** A furnace or establishment for the incineration of corpses.
 - (q) **Day Care Center.** Any child care arrangement that provides day care on a regular basis for more than four hours per day for more than five children of preschool age.
 - (r) **Emergency Management Operation.** A facility established in an effort to protect the citizens during emergencies and disasters. Emergency management is the creation of plans through which communities reduce vulnerability to hazards and cope with disasters.
 - (s) **Event Center Limited.** A venue to allow for various public or private gatherings/events, including, but not limited to, weddings, receptions, arts and craft

shows, meetings, outdoor movies, etc. on a smaller scale (less than five hundred (500) people) and which can be indoor or outdoor or a combination thereof.

- (t) Family Care Home. As defined in NCGS 160D-907.
- (u) **Food Commissary.** Any commercial kitchen where mobile food vendors and other food service providers prepare and store food including parking, storage, and maintenance of vehicles and equipment.
- (v) **Gaming Establishment, Adult.**
 - (1) Any establishment deemed legal by state law, featuring six (6) or more stand-alone electronic or conventional gaming units, skill-based or otherwise, or serving six (6) or more patrons in such a capacity at any one time, or occupying more than fifty (50) percent of the gross floor area of an establishment, which also rewards patrons with cash or other monetary payments, goods or certificates for services which are redeemable for cash or other monetary payment on or off premise and including on-line redemptions, as well as any rewards which cannot be legally obtained, consumed, or otherwise used by minors.
 - (2) Any use meeting this definition shall be considered a primary use regardless of association or location in conjunction with other permissible primary uses.
 - (3) State of North Carolina sanctioned lottery functions shall not be considered as adult gaming establishments for the purposes of this ordinance.
- (w) **Gaming Establishment, General.**
 - (1) Any establishment deemed legal by state law, excluding billiards halls, adult gaming establishments and any others similarly defined in this chapter, whose primary use is to provide entertainment services to the general public in the form of electronic or conventional gaming units which provide either no reward to patrons or rewards of limited value such as children's toys, games, and novelties when all of said rewards can be legally obtained and used by all ages and are not redeemable for cash or any other kind of compensation or services on or off premises, including on-line redemptions.
 - (2) Examples include traditional video game arcades and children's and family game centers, whether stand-alone or in conjunction with a restaurant or other permissible uses.
 - (3) This shall be considered a primary use when occupying more than fifty (50) percent of the gross floor area of an establishment.
- (x) **Halfway House.** A home for not more than nine persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single house keeping unit.
- (y) ~~**Handicapped or Infirm Home.** A residence within a single dwelling unit for at least six but not more than nine persons who are physically or mentally handicapped or infirm, together with no more than two persons providing care or assistance to such persons, all living together as a single housekeeping unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.~~
- (z) **Handicapped or Infirm Institution.** An institutional facility housing and providing

care or assistance for more than nine persons who are physically or mentally handicapped or infirm. Persons residing in such homes, including the aged or disabled, principally need residential care rather than medical treatment.

- (aa) **High-Volume Traffic Generation.** All uses in the 2.0 classification other than low-volume traffic generation uses.
- (ab) **Home Occupation.** An accessory use of a dwelling unit for gainful employment which:
- (1) is clearly incidental and subordinate to the use of the dwelling unit as a residence;
 - (2) is carried on only within the main dwelling;
 - (3) occupies no more than 33% of the gross floor area of the dwelling;
 - (4) does not use accessory structures (except for unheated storage);
 - (5) does not alter or change the exterior character of appearances of the dwelling;
 - (6) no display of goods, products or services shall be visible on site;
 - (7) traffic and parking generated and associated with the use shall not be:
 - a. detrimental to the neighborhood or create congestion on the street where the home occupation is located; and
 - b. in greater volumes than would normally be expected in a residential neighborhood.
 - (8) vehicles used primarily as passenger vehicles shall be permitted in connection with the home occupation;
 - (9) only two commercially licensed vehicles shall be allowed;
 - (10) no equipment or process shall be used in connection with the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference that is detectable off-site;
 - (11) is created and operated by the residents on the premises;
 - (12) has no more than one (1) employee who is not resident on the premises;
 - (13) child day care (no more than eight (8) total and no more than five (5) preschool age)
 - (14) hours for visits shall be between 8:00 am and 8:00 pm; and
 - (15) includes customary uses such as accounting, appraisals, architect, art studio (no mass production), baking, bookkeeping, computer systems design and training, cooking, craft making, dentist, dressmaking engineering, hair dressing, financial planning, florist, information and data processing, insurance sales, interior decoration (no studio permitted), law office, mail order (order taking only, no stock in trade), manufacture and assembly of goods and products, merchandising and sale of goods and products at retail, millinery, musical instruction or repair, photography, physician, real estate, surgeon, tailoring, tax services, teaching, tutoring.
 - (16) Occupations that have no non-resident employees, no signs, no on-site retail sales, or no visits from the general public do not require a zoning permit for a home occupation.
- (ac) **Home Occupation, Rural.** An accessory use of a nonfarm household located in a rural area intended for creating gross income, as defined in IRC 61, 26 U.S.C §61, from the sale of goods and services that is conducted either from within the dwelling

or accessory buildings occupied by the family conducting the home occupation. The following requirements shall apply to home occupation, rural:

- (1) is clearly incidental and subordinate to the use of the dwelling unit as a residence;
- (2) occupies no more than thirty-three percent (33%) of the gross floor area of the dwelling;
- (3) occupies up to one hundred percent (100%) of the gross floor area of accessory buildings;
- (4) does not alter or change the exterior character of appearances of the dwelling;
- (5) display of goods, products or services shall be at least one hundred (100) feet from any property line;
- (6) traffic and parking associated with the use shall not be detrimental to the neighborhood or create congestion on the street where the home occupation is located;
- (7) vehicles used primarily as passenger vehicles shall be permitted in connection with the home occupation;
- (8) is created and operated by the residents on the premises;
- (9) has no more than five (5) employees who are not residences on the premises.
- (10) no equipment or process shall be used in connection with the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference that is detectable off-site; and
- (11) in addition to the above subsections, home occupation activities including motor vehicle (repair, maintenance, body work, painting), welding and fabricating service, machining, lawn mower repair, cabinet making, sawmill, veterinarian service, kennel, pet grooming, and any other such use that would not otherwise comply with subsection (10) above shall:
 - a. contain at least four (4) contiguous acres; and
 - b. accessory buildings shall be located in the rear yard (behind the rear building line of the dwelling) and at least thirty-five (35) feet from side and rear property lines.

(ad) **Inert Debris Beneficial Fill.** Operation that does not require North Carolina Division of Waste Management permits, that only fills valley, holes, etc. for purpose of leveling up land for future construction. The fill material shall be solid waste that consists solely of material that is virtually inert (non-reactive under normal conditions), that is likely to retain its physical and chemical structure under expected conditions of disposal including but not limited to brick, concrete, cement, cinderblock, asphalt, gravel, rock soil, and similar materials that are not painted, treated, contaminated by petroleum products, nor biodegradable.

(ae) **Intermediate Care Home.** A facility maintained for the purpose of providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

(af) **Intermediate Care Facility.** An institutional facility maintained for the purpose of providing accommodations for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a

higher level than that provided in institutions for the handicapped or infirm.

- (ag) **Itinerant Merchant.** A person, other than a merchant with an established retail store in the county, who transports an inventory of goods to a building, vacant lot, or other location in a county and who, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail.
- (ah) **Junkyard.** An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills. An establishment or place of business which stores or keeps for a period of fifteen (15) days or more.
- (ai) **Kennel.** A commercial operation that: i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or ii) engages in the breeding of animals for sale.
- (aj) **Low-Volume Traffic Generation.** Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.
- (ak) **Manufactured Home, as defined in NCGS §143-145(7).**
 - (1) A structure, transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein.
 - (2) "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development (HUD) and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974.
 - (3) For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semipermanent foundation having a measurement of over thirty-two (32) feet in length and over eight (8) feet in width.
 - (4) "Manufactured home" also means a double-wide manufactured home, which is two (2) or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semipermanent foundation having a measurement of over thirty-two (32) feet in length and over eight (8) feet in width.
- (al) **Manufactured Home, Class A.** A manufactured home that meets or exceeds the construction and safety standards promulgated by the U.S. Department of Housing and Urban Development (HUD) that were in effect at the time of construction and

affixed with a HUD label.

- (am) **Manufactured Home, Class B.** A manufactured home that does not meet the construction and safety standards promulgated by the U.S. Department of Housing and Urban Development (HUD) and is not affixed with a HUD label.
- (an) **Manufactured Home, Double Wide.** A Class A manufactured home that is greater than sixteen (16) feet wide and is composed of more than one (1) component.
- (ao) **Manufactured Home Park.** A parcel (or continuous parcels) of land that contains two (2) or more manufactured homes.
- (ap) **Manufactured Home Park Rental Community** – Any site or tract of land where land rental and specified services (water and sewer) are provided for manufactured homes.
- (aq) **Manufactured Home, Single Wide.** A Class A manufactured home that is sixteen (16) feet wide or less.
- (ar) **Mobile Food Unit.** A motor vehicle, pushcart or any mobile apparatus in which, out of which, or from which food and beverage preparation is conducted, stored, sold, and consumed.
- (as) **Mobile Vending Unit (MVU), Temporary Use.** Locations in which licensed motor vehicles, pushcart or any mobile apparatus are parked on a lot as a structure in which, out of which, or from which any goods and merchandise are sold or stored, any services are performed, or other business is conducted including prepare and/or offer for sell and/or consumption of food and beverage. This definition shall include, but is not limited to, itinerant merchants, mobile food units, mobile vending vehicle, peddlers, and transient vendors. This definition also includes, but is not limited to:
 - (1) sale of items by a nonprofit charitable, educational, religious, scientific, or civic organization; and
 - (2) sale of farm products, nursery products, crafts, goods, printed material, wood for fuel, ice, seafood, meat, poultry, livestock, eggs, dairy products, bread, cake, pies, or own household property by an itinerant merchant, peddler, or transient vendor.

A MVU shall not:

- (1) Be connected to on site water, sewer, gas, electrical, phone, or cable hookups; or
 - (2) locate structures, buildings, or tables on site for more than one day.
- (at) **Mobile Vending Vehicle.** Shall include, but not limited to, any motor vehicle, truck, car, trailer, cart, wagon, conveyance, table, or structure not permanently fixed to a permanent foundation and which may be moved under its own power, pushed, or pulled by hand, towed by a motor vehicle, wheelchair, motorcycle, bicycle, or other mobile device, or carried upon or in a motor vehicle or trailer.
 - (au) **Modular Home.** A dwelling unit constructed in accordance with the standards set forth in the North Carolina State building code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two (2) sections transported to the site in a manner similar to a manufactured home (except that the modular home meets

- the North Carolina State Building Code applicable to site-built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site.
- (av) **Motel.** A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or a tourist court with more than one unit or a motor lodge shall be deemed a motel.
 - (aw) **Motor Vehicle Towing with Temporary Vehicle Storage, Accessory Use.** The storage area for an establishment or place of business that is maintained, used, or operated for storing, parking, sales, repair, and/or processing of inoperative, wrecked, towed, and/or damaged vehicles located outside of an enclosed structure for less than ninety (90) days.
 - (1) The use shall be customarily associated with but not limited too; motor vehicle sales or rental, installation of motor vehicle parts or accessories, motor vehicle repair and maintenance, motor vehicle painting and body work, commercial garages, and automobile service stations.
 - (2) Vehicles may include but not limited too; motor vehicles, automobiles, trailers, trucks, tractor-trailer, boats, recreational vehicles, and motorcycles.
 - (3) This definition does not include junkyard, automobile savage yard or automobiles graveyard operation.
 - (4) Staking, dismantling, and/or disassembling vehicles in order to sale the parts is not permitted under this definition.
 - (ax) **Night Club.** See “Bar”
 - (ay) **Nursing Care Home.** A facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.
 - (az) **Nursing Care Institution.** An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.
 - (ba) **Office.** A building or portion of a building wherein services are performed involving predominantly administrative professional, or clerical operations.
 - (bb) **Open Air Market.** A public marketplace where food, beverage, goods, and merchandise are sold. Including but not limited to: farmer’s market, craft market, flea market, produce market, specialty market, and mobile vending market. An open air market is further defined as a site in which one of the following may occur:
 - (1) On site water, sewer, gas, electrical, phone, or cable hookups are available to merchants, mobile vending units, peddlers, vendors, etc.; or
 - (2) Structures, buildings, or tables are placed on property and remain for more than one day.
 - (bc) **Park.** Any public or private land available for recreational, educational, cultural, or aesthetic use.
 - (bd) **Peddler.** A person who travels from place to place with an inventory of goods, who sells the goods at retail or offers the goods for sale at retail, and who delivers the identical goods.
 - (be) **Place of Worship.** A structure or space where people congregate to perform acts of

- devotion or religious study including, but not limited to, church, synagogue, or temple.
- (bf) **Planned Residential Development (PRD).** A development constructed on a tract of at least three (3) acres under single ownership, planned and developed as an integral unit, and consisting of single-family detached residences combined with either two-family residences or multi-family residences, or both, all developed in accordance with §148.
 - (bg) **Planned Unit Development (PUD).** A development constructed on a tract of at least three (3) acres under single ownership, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land within a PUD district (see §128) in accordance with §149.
 - (bh) **Pool Hall.** See “Billiard Hall”.
 - (bi) **Rendering Plant.** An operation that converts animal products including animal waste, fatty tissue, bones, and entire carcasses into stable, value added materials such as purified fats like lard and protein meal. Raw materials come from slaughterhouses, restaurant grease, butcher shops, and expired meat from grocery stores.
 - (bj) **Residence, Duplex.** A two-family residential use in which the dwelling units share a common wall and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.
 - (bk) **Residence, Multi-Family.** A residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall.
 - (bl) **Residence, Multi-Family Apartments.** A multi-family residential use other than a multi-family conversion or multi-family townhouse.
 - (bm) **Residence, Multi-Family Conversion.** A multi-family residence containing not more than four dwelling units and results from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.
 - (bn) **Residence, Multi-Family Downtown Apartments.** Multiple dwelling units located within the central business district intended for renter occupancy only and that share means of egress and other essential facilities.
 - (bo) **Residence, Multi-Family Downtown Condominiums.** Multiple dwelling units located within the central business district intended for owner occupancy, with the interior space is individually owned but the land beneath each unit and all common areas are owned proportionately by each unit owner in the development. Walls between units are constructed in accordance with state building code requirements.
 - (bp) **Residence, Multi-Family Townhouses.** A multi-family resident use in which each dwelling unit shares a common wall with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.
 - (bq) **Residence, Primary with Accessory Apartment.** A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than fifty (50) percent of the gross floor area of the building nor more than a total of one thousand (1,000) square feet.

- (br) **Residence, Single-Family Detached, More Than One Dwelling Per Lot.** A residential use consisting of two or more single-family detached dwelling units on a single lot.
- (bs) **Residence, Single-Family Detached, One Dwelling Unit Per Lot.** A residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units.
- (bt) **Residence, Two-Family.** A residential use consisting of a building containing two dwelling units. If two dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be located in one building.
- (bu) **Residence, Two-Family Apartment.** A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.
- (bv) **Residence, Two-Family Conversion.** A two-family residence resulting from the conversion of a single building containing at least 2,000 square feet of gross area that was in existence on the effective date of this Ordinance.
- (bw) **Restaurant.** An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes.
- (bx) **Salvage Yard.** A business or a person who possesses five (5) or more derelict vehicles, regularly engages in buying and selling used vehicle parts.
- (by) **Shelter House.** Short term housing for not more than twelve (12) women and children and up to six (6) bedrooms in need of safe and secure dwelling for victims of domestic abuse, and sexual assault, ~~and homeless~~ with no more than two (2) on site managers. Residents are responsible for the care of their children. This is not to be considered a treatment facility nor housing because of transiency, deinstitutionalization, chronic unemployment, alcoholism, or drug abuse and shall be permitted in accordance with the Table of Permissible uses provided there is not a similar facility on the same lot.
- (bz) **Slaughterhouse.** A facility where animals are killed for consumption as food products. Animals slaughtered include cattle, bison, sheep, hogs, goats, chickens, turkeys, and ducks.
- (ca) **Special Events.** Circuses, fairs, carnivals, festivals, or other types of special events that:
 - (1) run for longer than one day but not longer than two weeks (fourteen (14) days);
 - (2) are intended to or likely to attract substantial crowds;
 - (3) are unlike the customary or usual activities generally associated with the property where the special event is to be located; and
 - (4) may reoccur up to four (4) times a year (see § 151 for additional requirements).
- (cb) **Specialty Market.** A location, other than a permanent retail store, where space is rented to others for the purpose of selling goods at retail or offering goods for sale at retail.
- (cc) **Specialty Market Operator.** A person, other than the State or a unit of local government, who rents space, at a location other than a permanent retail store, to others for the purpose of selling goods at retail or offering goods for sale at retail.
- (cd) **Specialty Market Vendor.** A person, other than a merchant with an established retail

store in the county, who transports an inventory of goods to a specialty market and, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail.

(ce) **Solar Collector, Accessory.**

- (1) A device or structure for which the primary purpose is to convert solar radiant energy into another source for direct power consumption and interconnection with the power grid to offset energy consumption of a principal use.
- (2) Solar panels and related equipment may be ground-mounted, roof-mounted or integrated into the building design.
- (3) Is as an accessory use and is incidental to the principal use on a property.

(cf) **Solar Farm.**

- (1) A device or structure which transforms solar radiant energy into other forms of energy, which may take the form of a series of photovoltaic cells or an array of panels aimed to directly collect the sun's rays, along with necessary lines, wires, pumps, batteries, mounting brackets, framing, and other related equipment to support the placement of the solar energy receiving elements and to assist in the delivery or transformation of the received energy.
- (2) Interconnection with a utility power grid for primarily off-site energy consumption.
- (3) An entire tract or portion of a tract that contains a collection of ground-mounted solar panels, components, and related equipment and structures.
- (4) The size of a solar farm may vary from a few acres to hundreds of acres.
- (5) May also be referred to as a solar energy generation facility, solar power plant, solar collector installation, or solar photovoltaic farm.

(cg) **Stockyard/livestock auction sale with sale of agriculture related goods/equipment and restaurant as accessory/incidental uses.** A gathering point for livestock to be bought and sold by offering up for bid, taking bids, and then selling to the highest bidder.

(ch) **Synagogue.** See "Church".

(ci) **Temple.** See "Church".

(cj) **Temporary Emergency, Reconstruction, or Repair Residence.** A residence (which may be a single wide manufactured home or travel trailer) that is located on the same lot as an existing previously occupied single family residence made uninhabitable:

- (1) by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster; or
- (2) that is undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed.

(ck) Temporary home for homeless.

- (1) A home owned or operated by a non-profit agency for not more than fifteen (15) persons who satisfy the following criteria and who are in need of temporary housing, together with not more than two resident managers. All residents of such home, other than the manager shall:
 - a. be accepted only upon referral from an established agency within the

- community in collaboration with the Siler City Police Department.
- b. need housing and intend to reside within the home for at least twenty-four (24) hours not to exceed thirty (30) days while looking for more permanent accommodations within the community, and
- c. be in need of temporary shelter because of some temporary emergency or exigency (e.g., pregnant teenagers, victims of domestic abuse or sexual assault, newly unemployed persons evicted from their homes) and not because of transiency, de-institutionalization, chronic unemployment, alcoholism, drug abuse, or criminal conduct.

(2) Temporary homes for the homeless shall be subject to the following:

- a. There shall be on-site supervision at all times by persons employed by or volunteers trained by the non-profit agency operating the shelter.
- b. Rules of conduct shall be established and enforced by the agency operating the shelter. These rules shall prohibit the use or possession of drugs, alcohol or weapons as well as disorderly conduct.
- c. Residents living within the Town of Siler City Corporate Limits or Town of Siler City ETJ shall be given priority for staying in the subject temporary housing.

(cl) Tourist homes and other temporary residences.

- (1) A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units.
- (2) A tourist home is distinguished from a boarding or rooming house in that the former is designed to be occupied by overnight or weekly guest as opposed to longer term residents (at least month-to-month tenants).
- (3) May also be referred to as a bed and breakfast.

(cm) **Tower.** Any structure whose principal function is to support an antenna.

(cn) **Transient Vendor.** Any person who does not maintain a residence or place of business in town, but brings property into the town to sell to consumers.

(1) **Travel Trailer.** A structure that:

- a. is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and
- b. is designed for temporary use as sleeping quarters but that does not satisfy one (1) or more of the definition criteria of a manufactured home.

(co) **Use.** The activity or function that actually takes place or is intended to take place on a lot.

(cp) **Utility Facilities.** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by {the appropriate provision of state law} and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic

signals. Except from this definition are utility lines and supporting structures listed in Subsection 141(b).

- (cq) **Utility Facilities, Community or Regional.** All utility facilities other than neighborhood facilities.
- (cr) **Utility Facilities, Neighborhood.** Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.
- (cs) **Wholesale Sales.** On-premises sales of goods primarily to customers engaged in the business of reselling the goods.
- (ct) **Yard Sale.** A display and sale from a residence or residential property of personal property which has been owned or previously used. The term "yard sale" or "garage sale" does not include the mere incidental sale of one (1) or two (2) items of personal property when such sale is not part of a general sale of a number of items of personal property.

Amended November 18, 1998, January 2, 2001, March 1, 2004, May 3, 2004, June 7, 2004, December 15, 2008, October 15, 2012, June 17, 2013, August 18, 2014, September 15, 2014, December 21, 2015, February 15, 2016, June 20, 2016, August 15, 2016, September 19, 2016, October 17, 2016, January 17, 2017, June 19, 2017, August 21, 2017, October 2, 2017, April May 21, 2018, February 4, 2019, March 18, 2019, January 21, 2020, January 21, 2021

SECTION 2:**AMENDMENT** "147 Table Of Permissible Uses" of the Town of Siler City Unified Development Ordinance (UDO) is hereby *amended* as follows:

AMENDMENT

147 Table Of Permissible Uses

	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-1
1.0	RESIDENTIAL														
1.1	Single Family Residence (see §148)														

1.1 1	Single Family detached, one dwelling per unit per lot (see §148)													
1.1 11	Site-built & modular (see §148)	P	P	P	P	P	P	P	P	P				
1.1 12	Manufactured Home, Double Wide (see §136, §148)	P			S		P							
1.1 13	Manufactured Home, Class B (see §136)													
1.1 14	Manufactured Home, Single Wide (see §136, §148)	P					P							
1.1 16	Shelter House (see §148)				P	P					P			
1.1 2	Single family detached, more than one dwelling unit per lot (see §148)													
1.1 21	Site built and modular (see §146, §148)	P												
1.1 22	Manufactured Home Park (see §148)						C							
1.2	Two Family Residences (see §148)													
1.2 1	Primary residence with accessory apartment (see §148)	P	P	P	P	P		P	P	P				
1.2 2	Duplex (see §148)			P	P	P		P	P	P				
1.2 3	Two family apartment (see §148)			P	P	P		P	P	P				
1.2 4	Two family conversion (see §148)			P	P	P		P	P	P				
1.3	Multi-Family Residences													
1.3 1	Multifamily conversions			PC	PC	PC			PC	PC	PC			
1.3 2	Multifamily Town Homes			PC	PC	PC			PC	PC	PC			
1.3 4	Multifamily Apartments			PC	PC	PC			PC	PC	PC			

1.6	Temporary Emergency, Construction &or Repair Residences (see §148)	P	P	P	P	P	P	P	P	P	P	P	P	P	
1.7	Home Occupation														
1.7 1	Home Occupation (see §136)	P	P	P	P	P	P	P	P	P					
1.7 2	Home Occupation, rural (see §136)	P													
1.8	Planned Residential Developments (see §148)			C	C										
	Zoning Districts	A- R	R- 20	R- 10	R- 6	R- 3	R- M H	C- C	B- 1	O- I	G- C	H- C	L- I	H- I	L F- 1
2.0	SALES AND RENTAL OF GOODS, MERCHANDISE AND EQUIPMENT														
2.1	No Storage Or Display Of Goods Outside Fully Enclosed Building														
2.1 1	High volume traffic generation														
2.1 11	Miscellaneous							PC	PC		PC	PC			
2.1 12	Convenience stores							PC	S		PC	PC			
2.1 2	Low volume traffic generation							PC	PC		PC	PC			
2.1 3	Wholesale sales										PC	PC			
2.2	Storage And Display Of Goods Outside Fully Enclosed Building														
2.2 1	High volume traffic generation							PC			PC	PC	PC	PC	
2.2 2	Low volume traffic generation							PC			PC	PC	PC	PC	
2.2 3	Wholesale sales										PC	PC	PC	PC	
		A-	R-	R-	R-	R-	R-	C-	B-	O-	G-	H-	L-	H-	L

	Zoning Districts	R	20	10	6	3	M H	C	1	I	C	C	I	I	F- 1
3.0	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING ASSEMBLING OF GOODS, MERCHANDISE, AND EQUIPMENT (see §161-164)														
3.1	All operations conducted entirely within an enclosed building														
3.1 1	Majority of dollar volume of business done with walk-in trade							P	S			P	P	P	P
3.1 2	Majority of dollar volume of business not done with walk-in trade											P	P	P	P
3.1 3	Cottage Industry (see §136)														
3.1 31	Ten (10) or less employees							P	S			P	P	P	P
3.1 32	More than ten (10) employees							S				P	P	P	P
3.2	Operations conducted within or outside of a fully enclosed building												S	P	
3.3	Slaughterhouse (see §136)														P
3.4	Rendering Plant (see §136)														C
3.5	Salvage yard, junkyard, automobile graveyard (see §136)											C	C	C	
	Zoning Districts	A- R	R- 20	R- 10	R- 6	R- 3	R- M H	C- C	B- 1	O- I	G- C	H- C	L- I	H- I	L F- 1
4.0	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USE														
4.1	Schools														

4.1 1	Elementary & secondary schools	C		C	C	C		C	C						
4.1 2	Trade or vocational								S	S	S	S	S	S	
4.1 3	Colleges, Universities, Community Colleges	C		C	C	C		P	C	C	C		P	P	
4.2	Churches, synagogues and temples	P	P	P	P	P		P	P	P	P	P	P		
4.3	Libraries, Museums, Art Galleries, Art Centers, and Similar Uses (including associated educational and instructional activities)														
4.3 1	Located within a building designed and previously occupied as a residence or within a building having a gross floor area not exceeding 3,500 square feet	S		S	S	S		P	P	P	P	P	P		
4.3 2	Located within any permissible structure							P	P	P	P	P	P		
4.4	Social, fraternal club & lodges, union halls, and similar uses								P	P	P	P	P		
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-1
5.0	RECREATION, AMUSEMENT, ENTERTAINMENT														
5.1	Activity Conducted Entirely Within Building Or Substantial Structure														
5.1 1	Bowling alleys, skating rinks, indoor tennis and squash courts, indoor athletic & exercise facilities and similar uses							P	P	P	P	P	P		
5.1 2	Billiard & pool halls							C			C	C			

5.1 3	Movie theaters								P	P	P	P	P	P		
5.1 4	Coliseums, stadiums & all other facilities listed in the 5.1 classification designed to accommodate or seat +500 people								C			C	C	C	C	
5.1 5	Gaming Establishment, Adult (see §150)								C				C			
5.1 6	Gaming Establishment, General								C			C	C			
5.2	Activity Conducted Primarily Outside Enclosed Structure															
5.2 1	Privately owned outdoor recreational facilities such as golf & country clubs, tennis & swimming clubs, etc. not constructed in conjunction with a residential development	S			S	S	S	S								
5.2 2	Publicly owned outdoor recreation uses (other than Town of Siler City operations) not constructed pursuant to a permit authorizing school construction	C			C	C	C	C	C	C	C	C	C	C	C	C
5.2 3	Golf driving range not accessory to golf courses, skateboard parks, water slides, and similar uses	S											S	S		

5.2 4	Horseback riding; stables	P														
5.2 5	Automobile & motorcycle racing track											S	S			
5.2 6	Drive In Movie theaters										S	S	S			
5.2 7	Shooting range (indoor or outdoor)	S									S	S	S			
5.2 8	Miniature golf courses						P				P					
5.2 9	Event Center Limited on lot less than five (5) acres	S					P	P	P	P	P					
5.3 0	Event Center Limited on lot five (5) acres or greater	P					P	P	P	P	P					
	Zoning Districts	A- R	R- 20	R- 10	R- 6	R- 3	R- M H	C- C	B- 1	O- I	G- C	H- C	L- I	H- I	L F- 1	
6.0	INSTITUTIONAL RESIDENCE OR CARE OR CONFINEMENT FACILITIES															
6.1	Hospitals, Clinics, Other Medical Treatment Facilities In Excess Of 10,000 Sq. Ft. Floor Area										C	C	C			
6.2	Nursing Care; Intermediate Care; Handicapped Or Infirmary Or Child Care Institutions									C	C	C				
6.3	Institution Where Mentally Ill Persons Are Confined (Other Than Halfway Houses)									C		C				
6.4	Penal and Correctional Facility												C	C		

	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-1	
7.0	RESTAURANTS, BARS, NIGHT CLUBS															
7.1	No substantial carry out or delivery service, no drive in service, no service or consumption outside fully enclosed structure							P	P	P	P	P				
7.2	No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure allowed							P	P		P	P				
7.3	Carry out and delivery service, consumption outside fully enclosed structure allowed							P	P		P	P				
7.4	Carry out delivery service, drive-in service, service or consumption outside fully enclosed structure allowed							P				P				
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-1	
8.0	MOTOR VEHICLE RELATED SALES AND SERVICE OPERATIONS															
8.1	Motor vehicle sales or rental; Mobile home sales							P			P	P	P			
8.2	Sales with installation of motor vehicle parts or accessories (tires, mufflers, etc.)							P	S		P	P				

9.4	Food Commissary											P	P		
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-I
10.0	SERVICES RELATED TO ANIMALS														
10.1	Veterinarian											P	P	P	
10.2	Kennel											P	P	P	
11.0	EMERGENCY SERVICES														
11.1	Police Station	C	C	C	C	C	C	P	C	C	P	P	P	P	P
11.1	Police Stations (other than Town of Siler City operations)	C	C	C	C	C	C	P	C	C	P	P	P	P	P
11.2	Fire Stations, Rescue Squad, Ambulance Services (other than Town of Siler City operations)	C	C	C	C	C	C	P	C	C	P	P	P	P	P
12.0	AGRICULTURAL, MINING, QUARRY OPERATIONS														
12.1	Agricultural operations, farming (see §152)														
12.11	Excluding livestock	P	P	P	P	P	P	P	P	P	P	P	P		
12.12	Including livestock	P													
12.2	Mining or Quarry operations including on-site sales of products												S	S	
12.3	Insert Debris Beneficial Fill (see §154)	P	P	P	P	P	P	P	P	P	P	P	P	P	

12.4	Stockyard/Livestock auction sale with sale of agriculture related goods/equipment and restaurant as accessory/incidental uses (see §136)	P													P	
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-I	
13.0	MISCELLANEOUS PUBLIC (see §156) AND SEMI-PRIVATE FACILITIES															
13.1	Post Office							P		P	P	P				
13.2	Airport	C											C	C		
13.4	Military Reserve, National Guard	P													P	
13.5	Town of Siler City facilities, operations, and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
14.0	DRY CLEANER, LAUNDRY MAT							P	P	P	P	P				
15.0	UTILITY FACILITIES															
15.1	Neighborhood	S	S	S	S	S	S	S	S	S	S	S	P	P		
15.2	Community or regional	C											P	P		
15.3	Solar Collector, Accessory (see §136 & 157)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
15.4	Solar Farm (see §136 & 157)	S											P	P		
16.0	TOWERS & RELATED STRUCTURES															
16.1	Towers less than 50 feet	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

16.2	Towers greater than 50 feet	S											P	P	
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-I
17.0	OPEN AIR MARKETS HORTICULTURE SALES														
17.1	Open air markets (farms & craft markets, flea markets, produce markets) (see §150)	P						P			P	P			
17.2	Horticulture sales with outdoor display	P						P			P	P			
18.0	OFFICE CLERICAL, RESEARCH AND SERVICES NOT PRIMARILY ASSOCIATED WITH GOODS OR MERCHANDISE														
18.1	All operations conducted entirely within fully enclosed structure														
18.11	Operations designed to attract and serve customers or clients on the premises, such as offices of attorneys, physicians, other professions, insurance stock brokers, travel agents, government office buildings, etc.							P	P	P	P	P	P	P	
18.12	Operations designed to attract little or no customers or client traffic other than employees of the entity operating the principal use							P	P	P	P	P	P	P	
18.	Office or clinics of physicians or dentists with not more than							P	P	P	P	P			

13	10,000 sq. ft. of gross floor area																	
18.2	Operations conducted within or outside fully enclosed structure																	
18.21	Operations designed to attract and serve customers or clients on the premises, such as offices of attorneys, physicians, other professions, insurance stock brokers, travel agents, government office buildings, etc.												P	P	P			
18.22	Operations designed to attract little or no customers or client traffic other than employees of the entity operating the principal use												P	P	P			
18.23	Banks with drive-in windows							P	P	P	P	P						
	Zoning Districts	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	L-F-I			
19.0	CEMETERY, CREMATORIUM, FUNERAL HOME																	
19.1	Cemetery	S																
19.2	Crematorium												S	S				
19.3	Funeral Home							S	P	P	P	P						
19.4	Funeral Home with a crematorium as accessory use												S	S				

20. 0	NURSERY SCHOOLS; DAY CARE CENTERS	P	S	S	S	S	S		P	P	P	P			
21. 0	BUS STATION, TRAIN STATION							C			C	C			
22. 0	TEMPORARY USES (see §151)														
22. 1	Mobile Vending Unit (see §151)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
22. 3	Special Events (see §151)	S	S	S	S	S	S	P	S	S	P	P	P	P	
23. 0	SUBDIVISIONS (see §64)														
23. 1	Major (Preliminary Plat)	C	C	C	C	C	C	C	C	C	C	C	C	C	
23. 2	Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	
24. 0	SEXUALLY ORIENTED BUSINESSES (see §150)											C			
25. 0	LANDFILLS (see §155)														
25. 11	Inert Debris Landfill														C
25. 12	Land Clearing Debris Landfill														C
25. 13	Construction and Demolition Debris Landfill														C
26. 0	COMBINATION USES (see §144)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
27. 0	PLANNED UNIT DEVELOPMENTS (PUD) (see §149)	Permissible only in PUD districts with conditional zoning approval													

Amended March 17, 2000, June 5, 2000, January 2, 2001, August 19, 2002, March 1, 2004, May 3, 2004, June 7, 2004, June 21, 2004, December 15, 2008, March 5, 2012, October 15, 2012, February 18, 2013, June 17, 2013, April 21, 2014, August 18, 2014, September 15, 2014, April 20, 2015, July 20, 2015, December 21, 2015, February 15, 2016, June 20, 2016, December 19, 2016, January 17, 2017, March 20, 2017, June 19, 2017, October 2, 2017, January 16, 2018, April 16, 2018, May 21, 2018, July 16, 2018, February 4, 2019, March 18, 2019, March 16, 2020, December 7, 2020, January 21, 2021

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

PASSED AND ADOPTED BY THE TOWN OF SILER CITY BOARD OF COMMISSIONERS November 1, 2021.

Presiding Officer

Cindy B. Bray
Cindy B. Bray, Mayor Pro Tempore,
Town of Siler City

Attest

Jenifer K. Johnson
Jenifer K. Johnson, Town Clerk Town
of Siler City

