

LAND USE REGULATIONS ORDINANCE

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ARTICLE 1. INTRODUCTION

Section 1. General Purpose.

The following land use regulations are adopted for the purpose of promoting health, safety, and general welfare of the citizens of Columbus County. These standards shall allow for the placement and growth of such uses with the appropriate approval and permitting, while maintaining the health, safety, and general welfare standards of established residential and commercial uses in Columbus County.

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan and designed to lessen traffic congestion; to secure safety from fire, panic and the dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of each district and to its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdiction.

Section 2. Legal Authority.

This ordinance is adopted under the general ordinance authority granted to counties pursuant to N.C.G.S. 153A-121, and the zoning authority granted to counties pursuant to N.C.G.S. 153A,

Article 18, Part 3 by the General Assembly of North Carolina.

Section 3. Territorial Coverage.

This ordinance shall apply to all areas of unincorporated Columbus County which are not within the extraterritorial planning jurisdiction of any municipalities. All municipalities, their respective corporate limits, and extra-territorial jurisdiction shall be exempted from the ordinance, unless they choose to adopt this ordinance or some form thereof.

Section 4. Bona Fide Farm Operations.

Bona fide farm operations are exempt from this ordinance. Bona fide farm operations include growing crops, raising livestock and poultry, growing plants in a greenhouse or nursery, and tree farming as defined by N.C.G.S. 106-581.1.

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Section 1. Application.

The regulations set forth in this ordinance affect all land, every building and every use of land and/or building, and shall apply as follows:

1.1 New Uses or Construction After the effective date of this ordinance all new construction or use of land shall conform to the use and dimensional requirements for the district in which it is to be located.

1.2. Existing Conforming Uses After the effective date of this ordinance, land or structures, or the uses of land or structures which then conform to the regulations for the district in which it is located may be continued, provided that any structural alteration or change in

use shall conform with the regulations herein specified.

1.3 Existing Nonconforming Uses After the effective date of this ordinance, land or structures, or uses of land or structures which would be prohibited under the regulations for the district in which it is located shall be considered as nonconforming. Nonconforming structures or uses may be continued provided they conform to the following provisions:

Section 2. Continuation of Nonconforming Uses.

The regulations set forth below provide the conditions under which the nonconforming uses shall be continued.

2.1 Minimum Single Lot Requirements. Where the owner of a lot at the time of the adoption of this ordinance or his successor in title there to does not own sufficient land to enable him to conform to the dimensional requirements of this ordinance, such lot may be used as a building site for a single-family residence in a district in which residences are permitted; provided, that the lot area is not more than twenty-five (25) percent below the minimum specified in this ordinance and providing that the minimum side and front yard requirements set out in this ordinance are conformed to.

2.2 Minimum Multi-Lot Requirements. If two or more adjoining and vacant lots on record are in a single ownership at any time after the adoption of this ordinance, such lots shall be considered as a single lot or several lots which meet the minimum requirements of this ordinance for the district in which such lots are located.

2.3 Extension of Nonconforming Uses. Nonconforming uses shall not hereafter be enlarged or extended in any way.

2.4 Change of Nonconforming Uses. Any nonconforming use may be changed to any conforming use, or with the approval of the Zoning Board of Adjustment, to any use more in character with the uses permitted in the district. In permitting such change, the Zoning Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this Ordinance.

2.5 Cessation of Nonconforming Uses. If active operations of a nonconforming use are discontinued for a continuous period of ten (10) months, such nonconforming use shall thereafter be used only for a conforming use.

2.6 Repair and Alteration of Nonconforming Uses. Normal maintenance and repair in a building occupied by a nonconforming use are permitted provided it does not extend the nonconforming use.

2.7 Damage or Destruction of Nonconforming Uses. Any nonconforming building or any

building containing a nonconforming use which has been declared by the Zoning Enforcement Officer to have been damaged by fire or other causes to an extent exceeding sixty (60) percent of its assessed value at the time of destruction shall thereafter be used only for a conforming use. Any nonconforming building or any building containing a nonconforming use which has been damaged by fire or other causes to an extent less than sixty (60) percent may be reconstructed and used as before provided it is done within two (2) years of such damage.

Section 3. Relationship of Buildings to Lots.

There shall be not more than one principal residential building and its accessory buildings on one lot.

Section 4. Open Space Requirements.

No part of a yard, court or other open space provided around any building or structure for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required under this Ordinance for another building or structure. Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except for the ordinary projection of sills, belt courses, chimney, flues, buttresses, ornamental features, and eaves; provided, however, that none of the aforesaid projections shall project into a minimum side yard more than one-third (1/3) of the width of such yard nor more than twenty-four (24) inches. Open or lattice enclosed fire escapes, fire proof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five (5) feet shall be permitted where placed; so as not to obstruct light and ventilation.

Section 5. Reduction of Lot and Yard Areas Prohibited.

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirement set forth in this ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 6. Public Access to Property.

Every building or structure hereafter erected shall be located on a lot and said lot shall abut a public street, highway, road, or other public way.

Section 7. Projections into Public Rights-of-Way.

No private signs nor other structures, shall project beyond an imaginary line drawn fifteen (15) feet from and parallel to the outer edge travelled portion of the public right-of-way.

Section 8. Interpretation of District Boundaries.

When uncertainty exists with respect to the boundaries of districts as shown on the official zoning map, the following rules shall apply.

8.1 Delineation District boundary lines are generally intended to be along or parallel to property lines, lot lines, the center lines of streets and roads, railroads, easements, other rights-of-way, and creeks, streams, or other water channels. In the absence of visual district boundaries or specified distances on the zoning map, dimensions or distances shall be determined by scaling the distance on the Official Zoning Map.

8.2 Zoning Board of Adjustments When the public right-of-way or property layout existing on the ground is at variance with that shown on the Official Zoning Map, the Zoning Board of Adjustment shall interpret the district boundaries of this Ordinance.

Section 9. Interpretation of Regulations.

Regulations of this Ordinance shall be enforced and interpreted according to the following rules:

9.1 Permitted Uses not designated as permitted uses shall be prohibited.

Additional uses when in character with the district may be added to the Ordinance by amendment.

9.2 Minimum Requirements The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity or the general welfare.

Section 10. Official Zoning Map.

The boundaries of each zoning area and zoning district are shown on a map entitled "Official Zoning Map", for Columbus County which is hereby made a portion of this Ordinance.

A reproducable copy of the Official Zoning Map shall be filed by the County Clerk in the office of the Columbus County Clerk. Amendments to the Official Zoning Map shall be made as necessary on this map so that it portrays at all times the current status of the zoning districts and zoning district boundaries.

ARTICLE 3. ADMINISTRATION, ENFORCEMENT AND APPEALS

Section 1. Administration.

The Planning Director of his/her designee shall be responsible for the administration and enforcement of this ordinance.

If the Planning Director shall determine that any of the provisions of this ordinance are being violated, they shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to within ten (10) working days correct the violation. He may order the discontinuance of illegal use of land, buildings, or structures; the removal of illegal buildings or structures or of addition, alterations, or structural changes thereto; the discontinuance of any illegal work being done; and may take any other action authorized by this ordinance to insure compliance with, or to prevent violation of, its provisions.

Any person aggrieved, or any taxpayer affected by any decision of the Administrator in the administration of this Ordinance, may appeal to the Board of Adjustment.

Section 2. Appeals.

- A. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment, by filing with the Administrator a notice of appeals specifying the grounds thereof. The Planning Director shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
- B. An appeal shall stay all proceeding in furtherance of the appealed action unless the Planning Director certifies to the Board of Adjustment, after the notice of appeal has been filed with it that, by reason of the facts stated in the certificate, a stay would in the opinion of the Planning Director cause imminent peril to life or property. In such cases, proceedings shall not be stayed except by order of the Board of Adjustment or notice to the Planning Director and on due cause shown.
- C. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
- D. The Board of Adjustment may, in conformity with the provisions of this Ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such other requirement, decision or determination as may be appropriate under the circumstances.

Section 3. Conflict with Other Laws.

Wherever the provisions or application of this ordinance impose higher standards than are required in any other local ordinance or regulation, the provisions or application of this ordinance shall govern. Wherever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by the provisions or application this ordinance, the provisions of such other statute or local ordinance or regulation shall govern.

Section 4 Penalties.

Any person, firm or corporation who violates any provision of any article of this ordinance; or who shall violate or fail to comply with any order made hereunder; or who shall continue to work upon any structure after having received written notice from the Ordinance Administrator to cease work, shall, upon conviction, be guilty of a Class 3 misdemeanor as provided by N.C.G.S. § 14-4 as may be amended from time to time, and shall be punishable by a fine not to exceed fifty (\$50.00) dollars, or imprisonment not to exceed twenty days. Each day such violation shall be permitted to exist shall constitute a separate offense. Notice of violation shall be sufficient if directed to the owner, the agent of the owner, or the contractor and left at his known place of residence or place of business. In lieu of or in addition to the criminal penalties outlined above, each person violating this ordinance shall be subject to a civil penalty, under N.C.G.S. 153A-123(c), in the amount of two-hundred (\$200.00) dollars per day. No penalty shall be assessed prior to notice to the violator. For every day a violator is in violation of this ordinance, it shall be considered a separate offense. If the violator does not pay such penalty within 30 days of notification of its assessment by written citation it and any subsequently accruing penalty may be recovered by the County in a civil action in the nature of a debt. Any contest of said penalty shall be by appropriate action taken in the General Court of Justice for Columbus County.

Section 5. Severability Clause.

Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so declared to be unconstitutional or invalid.

Section 6. Ordinance Amendments.

After a recommendation from the Planning Board, this Ordinance may be amended by the Board of Commissioners following a public hearing on the proposed changes. The Board shall cause notice of the hearing to be published once a week for two successive calendar weeks. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

ARTICLE 4. PLANNING BOARD ESTABLISHED

The Board of County Commissioners hereby establish The Columbus County Planning Board hereinafter referred to as the "Planning Board", and ordain that it be governed by the following provisions:

Section 1. Membership and Vacancies.

Unless provided for otherwise, the term of office for the Columbus County Planning Board, shall be three (3) year staggered terms. The term of office for appointments shall be: two (2) members shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; three (3) members shall be appointed for a term of three (3) years. Members shall continue to serve until their successors have been appointed. All terms of office shall begin at the time of appointment. Vacancies shall be filled for the unexpired portion of terms only. A complete application is required to be considered for appointment or re-appointment to the Columbus County Planning Board. Persons serving on the Columbus County Planning Board may serve no more than six (6) continuing years, but may serve more than six (6) years of interrupted service. The Columbus County Board of Commissioners may remove a member of the Columbus County Planning Board for failure to attend at least seventy-five percent (75%) of regularly scheduled meetings within a twelve (12) month period, or for any other good cause.

Section 2. Organization, Rules, Meetings, and Records.

Within thirty days after appointment, the Planning Board shall meet and elect a chairman and create, and fill such offices, as it may determine. The term of the chairman and other officers shall be one (1) year, with eligibility for reelection. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its, resolutions, discussions" findings, and recommendations, which record shall be a public record. The Board shall hold at least one (1) meeting monthly, and all of its meetings shall be open to the public. There shall be, a quorum of five (5) members for the purpose of taking any official action required by this ordinance. The County Manager shall assign a staff employee to coordinate with the Columbus County Planning Board and to prepare the agenda and take minutes.

Section 3. General Powers and Duties.

It shall be the duty of the Planning Board, in general:

- (1) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends present trends and conditions, and forces at work to cause changes in these conditions;
- (2) To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area;

- (3) To establish principles and policies for guiding, action in the development of the area;
- (4) To prepare and recommend to the Board of County Commissioners ordinances promoting orderly development along the lines indicated in the comprehensive plan;
- (5) To determine whether specific proposed developments conform to the principals and requirements of the comprehensive plan for the growth and improvement of the area;
- (6) To keep the Board of County Commissioners and the general public informed and advised as to these matters;
- (7) To perform any other duties which may lawfully be assigned to it.

Section 4. Basic Studies.

As background for its comprehensive plan and any ordinance it may prepare, the Planning Board may gather maps and aerial photographs of man-made and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the area, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

All county officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

Section 5. Comprehensive Plan.

The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the Board of County Commissioners for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; the most desirable pattern of land use, for recreational uses, for open spaces, and for mixed uses.

The plan and any ordinances or other measures to effect-ate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

Section 6. Zoning Ordinance.

The Planning Board shall prepare and submit to the Board of County Commissioners for its consideration and possible adoption a zoning ordinance for the control of the height, area, bulk, location, and use of buildings and premises in the area, bulk, location, and use of buildings and premises in the area, in accordance with the provisions of Article 18 of Chapter 153A of the General Statutes of North Carolina.

The Planning Board may initiate, from time to time, proposals, for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the ordinance.

Section 7. Subdivision Regulations.

The Planning Board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the Board of County Commissioners its recommendation, if any, for adoption or revision of said regulations.

The Planning Board shall review and make recommendations to the Board of County Commissioners concerning all proposed plats of land subdivision.

Section 8. Public Facilities.

The Planning Board shall review with the county officials and report as recommendations to the Board of County Commissioners upon the extent, location, and design of all public structures and facilities, and on the acquisition and disposal of public properties. However, in the absence of a recommendation from the Planning Board, the Board of County Commissioners may, if it deems wise, after the expiration of thirty (30), days from the date on which the question has been submitted in writing to the Planning Board for review and recommendation, take final action.

Section 9. Miscellaneous Powers, and Duties.

The Planning Board may conduct such public hearings as may be required to gather information

necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any such plan it shall hold at least one public hearing thereon.

The Planning Board shall have power to promote public interest in and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

Members or employees of the Planning Board, when duly authorized by the Planning Board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation, and the Planning Board's budget, the reasonable travelling expenses incident to such attendance.

Section 10. Annual Report of Activities and Analysis of Expenditures and Budget Request for Ensuing Fiscal Year.

The Planning Board shall, in May of each year, submit in writing to the Board of County Commissioners a written report of its activities and an analysis of the expenditures to date for the current year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.

The Planning Board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the Board of Commissioners. It may accept and disburse such contributions for special purposes or projects, subject to any specific conditions which it deems acceptable, whether or not such projects are included in the approved budget.

The Planning Board is authorized to appoint such committees and employees, and to authorize such expenditure; as it may see fit, subject to limitations of funds provided for the Planning Board by the Board of County Commissioners in the County's annual Budget. All revenues raised by the Columbus County Planning Board are the property of Columbus County and shall immediately be given to the Finance Director of the County for deposit. No individual serving on the Columbus County Planning Board has the right to expend funds or obligate Columbus County in any way. All expenditures must be handled through the staff employee assigned to the board or commission and must be provided for in the Annual Operating Budget of Columbus County. All expenditures also require a Purchase Order approved by the Finance Director. All contracts require the prior approval of the Columbus County Board of Commissioners and the signature of the Chairman of the Columbus County Board of Commissioners, or other designated official.

Section 11. Advisory-Council and Special Committees.

The Planning Board may seek the establishment of an unofficial advisory council and may cooperate with this council to the end that its investigations and plans may receive fullest

consideration, but the Board may not delegate to such advisory council any of its official prerogatives.

The Planning Board may set up special committees to assist it in the study of specific questions and problems.

ARTICLE 5. BOARD OF ADJUSTMENT ESTABLISHED

Section 1. Establishment, Membership and Rules of Procedures.

The Columbus County Board of Commissioners does hereby create and establish a Board of Adjustment.

The Board of Adjustment shall consist of seven (7) voting members. In so far as possible, members of the board shall be appointed from different areas within the County's jurisdiction. Initial appointment of the board shall have terms of appointment as follows: Three (3) members for a term of three (3) years, two (2) members for a term of two (2) years and two (2) members for a term of one (1) year. Following the expiration of terms of the first appointed board members, the successors to the regular members shall be appointed for three (3) year terms. Vacancies shall be filled for the unexpired term only.

The Planning Director and/or his designee shall serve as clerk to the Board of Adjustment.

The Board of Adjustment is a quasi-judicial body. Meetings of the board shall be held at the call of the Chairman and at such other times as the board may determine. The board shall establish rules of procedure at the first called meeting or as soon thereafter as possible.

A quorum is not obtained unless five voting members are present. In the event there is abstention for reason declared into the record by a voting member, then a particular matter cannot proceed unless and until five other voting members are present and vote.

As required by N.C.G.S. 153A-345.1 and 160A-388, a concurring vote of four fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of a certiorari. For purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority.

A member of any board exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected person's constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is

not susceptible to change, undisclosed ex parte communications, a close familial, business or other association relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

As early as possible in each new year the voting members shall elect a chairman and vice-chairman. Either such party when in the chair shall have the authority to administer oaths to witnesses.

All decisions of the Board of Adjustment run with the land, never the person or corporation. Special Uses may have time limits imposed on their validity.

The minutes of the Board of Adjustment shall be kept in such detail as necessary, and do not reflect official action of the Board until adoption of same.

Minutes shall be filed in the office of the Planning Director, as a public record.

The chair of the board, any member acting as chair of the board, and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person, who while under oath during a proceeding before the Board of Adjustment, willfully swears falsely is guilty of a Class 1 misdemeanor.

The Board of Adjustment shall have the authority to subpoena witnesses and compel the production of evidence as specified in N.C.G.S. 153A-345.1 and 160A-388.

All other rules regarding the Board of Adjustment, not stated herein, are set out more fully in N.C.G.S. 153A-345.1 and 160A-388.

Section 2. Powers and Duties.

The Board of Adjustment shall hear and take final action on the following development review procedures:

- Variance
- Special Use Permit
- Appeal of Administrative Decision

ARTICLE 6. ZONING AREAS ESTABLISHED

For the purposes of this Ordinance, Columbus County is hereby divided into two Zoning Areas: the Southeastern Community College Zoning Area; and the General Use District Zoning Area.

ARTICLE 7. SOUTHEASTERN COMMUNITY COLLEGE ZONING AREA

DISTRICT REGULATIONS

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For the purpose of this Ordinance, the Southeastern Community College Zoning Area is hereby divided into the following districts:

RA-20	Residential-Agricultural
B	Business
I	Institutional
IND-1	Industrial
IND-2	Industrial
M-H	Mobile Home

The boundaries of these districts are hereby established as shown on the "Official Zoning Map", Southeastern Community College Area, which is a part of this Ordinance.

Section 1. RA-20 - Residential Agricultural District.

The RA-20 Residential Agricultural District is established as a district in which the principal use of land is for low density residential and agricultural purposes. The regulations of this district are intended to protect the agricultural sections of the area from an influx of uses likely to render it undesirable for farms and future development, and to ensure that residential development not having access to public water supplies and dependent upon septic tank systems and outdoor privies for sewage disposal will occur at sufficiently low densities to insure a healthful environment.

1.1 Permitted Uses:

Single family and two family dwellings

Churches

Home occupations; convalescent and nursing homes, dressmaking, beauty shops, offices for architects, engineers, accountants, physicians, dentists, tax consultants, realtors, and day nurseries and kindergartens only when an outdoor play area equivalent to at least one hundred (100) square feet per child is provided.

Mobile homes (no more than two per lot)

Signs, accessory; provided no more than two (2) signs are displayed, and these must be on the same lot with the use being advertised. Illuminated signs shall be permitted only if the signs are located more than one hundred (100) feet from adjacent residential dwellings and casts no direct light on adjoining property. Signs, independent; provided such signs shall be one thousand (1000) feet apart and shall be located no less than five hundred (500) feet from the nearest residential dwelling.

Uses and buildings customarily accessory to the above permitted uses.

1.2 Dimensional Requirements:

1.21 Lot Area. Minimum required lot area for the first dwelling unit - 20,000 square feet.

Minimum additional lot area for the second dwelling unit in principal structure – 10,000 square feet

Minimum required lot area for permitted non-residential uses -30,000 square feet.

1.22 Lot Width. Minimum required lot width for the first dwelling unit-100 feet.

Minimum additional required lot width for the second dwelling unit in the principal structure - 10 feet.

Minimum required lot width for permitted non-residential uses -200 feet.

1.23 Yard Requirements. Minimum required depth of front yard – 40 feet

Minimum required width of any residential side yard-15 feet.

Minimum required width of any nonresidential side yard 20 feet.

Minimum required width of any corner side yard 30 feet.

Minimum required depth of rear yard - 25 feet.

1.24 Signs. Maximum sign surface area for churches shall be eighteen (18) square feet.

Maximum sign surface area for all other permitted accessory signs shall be two (2) square feet.

1.25 On a corner lot nothing shall be erected, placed, plan ted, Visibility or allowed to grow in such a manner as to materially impede vision between a height of two and one-half, (2.5) feet and ten (10) feet in a triangular area formed by a diagonal line between two points on the rights-of-way lines, twenty (20) feet from where they intersect.

1.26 Accessory buildings may be located in the required rear Accessory yard provided such buildings shall be: (1) fifteen (15) feet from the principal building; (2) not less than five (5) feet from any lot line; and (3) occupy not more than twenty (20) percent of the required rear yard.

1.3 Off-Street Parking Off-street parking shall be provided according to the provisions set forth in Section 7 of this Article.

Section 2. I - Institutional District.

This district is established primarily for institutional uses. As this district is usually adjacent to residential districts, provisions are made for yards, off-street parking and off-street loading areas.

2.1 Permitted Uses:

Churches, colleges, public and private schools

Signs, accessory, provided no more than two (2) signs are displayed, and these must be on the same lot with the use being advertised.

Uses and building customarily accessory to the above permitted uses.

2.2 Dimensional Requirements Minimum required lot -20,000 square feet.

2.21 Lot Width: Minimum required lot width -100 feet.

2.23 Yard Requirements:

Minimum required depth of the front yard – 40 feet

Minimum required side yard – 15 feet

Minimum required width of any corner side yard – 30 feet

Minimum required depth of rear yard -25 feet.

2.24 Visibility at Intersections: On a corner lot nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2.5) feet and ten feet in a triangular area formed by a diagonal line between two points on the right-of-way lines, twenty (20) feet from where they intersect.

2.25 Accessory Buildings: Accessory buildings may be located in the required rear yard provided such buildings shall be: (1) fifteen (15) feet from the principal buildings, (2) not less than five (5) feet from any lot line; and (3) occupy not more than twenty (20) percent of the required rear yard.

2.3 Off-Street Parking Off-street parking shall be provided according to the provisions set

forth in Section 7 of this Article.

Section 3. B - Business District.

The Business District is established as a district in which the principal use of the land is to provide for retailing goods and services to the passing motorists and residences living in the area. Because the Business Uses are subject to the public view, developers and operators of businesses should provide an appropriate appearance, ample parking, and design the entrances and exits to businesses in' a manner to minimize traffic congestion.

3.1 Permitted Uses:

Barber shops

Beauty Shops

Eating and drinking establishments

Florists

Laundries, Laundromats, and dry cleaning establishments

Motels

Offices; business, professional and governmental

Parking lots for automobiles

Post office facilities

Repair shops for jewelry, shoes, radios, and televisions and other small household appliances

Service stations

Signs; accessory

Storage, provided it is within a building and the use is not visible from outside the building.

Retailing establishments engaged in selling appliances, clothing, drugs, fabrics, foods, and beverages, furniture, hardware, jewelry, notions, paint and wallpaper and sporting goods.

Uses and building customary accessory to the above permitted uses.

3.2 Dimensional Requirements

3.21 Yard requirements:

Minimum required depth of front yard shall be fifteen (15) feet which shall be developed for sidewalks, grass, and plants and the necessary entrance driveways. Off-street parking shall not be permitted in this area.

No side yards are required except on lots that are adjacent to residentially zoned lots. These lots shall have a minimum of fifteen (15) foot side yards. In cases where a side yard, not required, is provided, it shall be at least five (5) feet in width.

Minimum required depth of rear yard shall be twenty (20) feet.

3.3 Required Buffers: After the effective date of this Ordinance, the establishment of any business use in the business district where it abuts a lot in a residential district or land occupied by any residential use permitted by this Ordinance, shall provide and maintain along said property line, a continuous visual buffer. The buffer shall be a compact evergreen hedge or other type of evergreen foliage screening, or shall be a combined fence and shrubbery screen, the latter facing the residential use.

3.4 Off-Street Parking Off-street parking shall be provided according to the provisions set forth in Section 7 of this Article.

Section 4. IND-I Industrial District.

The IND-I Industrial District is established as a district in which the principal use of land is for industries which can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential, institutional, or business districts.

4.1 Permitted Uses:

Animal hospitals

Assembly of farm products such as granaries and storage bins, but not fertilizer or tallow plants.

Automobile service

Building materials, storage and sale, but not including saw mills.

Carpenter shops

Construction contractor's office and/or storage yards

Dairy products processing

Dry cleaning and laundry plants

Electrical and industrial equipment repair and servicing

Farm machinery assembly, repair and sales

Food processing

Gasoline or fuel oil storage or bulk terminal plants for any flammable gases or liquids, provided that: 1) no storage takes place closer than fifty (50) feet to any boundary line of the lot on which said storage is located and 2) the uses are in conformity with the codes and regulations applicable to the storage of gasoline or fuel oil in the area.

Industrial research and educational facilities

Laboratories for research and testing

Machine shops

Printing, publishing and reproduction establishments

Public utilities

Repair and servicing of office and household equipment

Service stations

Signs, accessory and independent

Storage warehouses

Storage yards, not including automobile salvage facilities, provided such yards are enclosed by a solid wall or fence at least six (6) feet in height.

Textile manufacturing plants

Warehouse including tobacco warehouses

Welding shops

Wholesale establishments

Wood working shops, millwork

Uses and buildings customarily accessory to the above permitted uses.

4.2 Dimensional Requirements

4.21 Lot Width: Minimum required lot width shall be one hundred (100) feet

4.22 Yard Requirements:

Minimum front yard depth shall be fifteen (15) feet which shall be devoted for sidewalks, grass, and plants, and the necessary driveways.

Off-street parking shall not be permitted in this area.

Minimum required width of side yard shall be fifteen (15) feet.

Minimum required depth of rear yard shall be twenty (20) feet.

4.23 Visibility at Intersections. On a corner lot nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 1/2) feet and ten (10) feet in a triangular area formed by a diagonal line between two (2) points on the right-of-way lines, twenty (20) feet from where they intersect.

4.3 Required Buffers. After the effective date of this Ordinance, the establishment of any industrial use in this industrial district where it abuts a lot in a residential district or land occupied by any residential use permitted by this Ordinance, shall provide and maintain along said property line. The buffer shall be a compact evergreen foliage screening, or shall be a combined fence and shrubbery screen, the latter facing the residential use.

4.4 Off-Street Parking and Loading. Off-street parking and loading shall be provided according to the provisions set forth in Section 7 of this Article.

Section 5. IND-2 Industrial District.

The IND-2 Industrial District is established as a district in which the principal use of land is for heavy industries that by their nature may create some nuisance and which are not properly associated with nor compatible with residential, institutional, or business establishments.

5.1 Permitted Uses

Any use permitted in the IND-1 Industrial district

Automobile wrecking and salvage operations and similar types of uses when conducted within a structure or on a lot enclosed by a solid fence at least six (6) feet in height, provided such fence shall not be less than fifty (50) feet from any public right-of-way line.

Blacksmith's shops

Foundries producing iron and steel products

Chemical manufacture and sales

Machine tool manufacture

Metal fabrication plants using plate and structural shapes and including boiler or tank works.

Mixing plants for concrete, or paving materials and manufacture of concrete products.

Paper, pulp, cardboard and building board manufacture.

Railroad freight yard, terminals or classification yards, car repairs, and manufacture.

Signs, accessory and independent.

Truck terminals, repair shop, hauling and storage yards.

5.2 Dimensional Requirements

5.21 Lot Width. Minimum required lot width shall be one hundred (100) feet.

5.22 Yard Requirements. Minimum front yard depth shall be fifteen (15) feet which shall be devoted for sidewalks, grass, and plants, and the necessary driveways. Off-street parking shall not be permitted in this area.

Minimum required width of side yard shall be fifteen (15) feet.

Minimum required depth of rear yard shall be twenty (20) feet.

5.23 Visibility on a corner lot nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (21) feet and ten (10) feet in a triangular area formed by a diagonal line between two points on the rights-of-way lines, twenty (20) feet from where they intersect.

5.3 Required Buffers. After the effective date of this Ordinance,' the establishment of any industrial use in this industrial district where it abuts a lot in a residential district or land occupied by any residential use permitted by this Ordinance, shall provide and maintain along said property line. The buffer shall be a compact evergreen hedge or other type of evergreen foliage screening, or shall be a combined fence and shrubbery screen, the latter facing the residential use.

5.4 Off-Street Parking Off-street parking shall be provided according to the provisions set forth in Section 7 of this Article.

Section 6. Mobile Home District.

Groupings of more than two (2) mobile homes shall be permitted only in a mobile home court in a mobile home district subject to the requirements of Standard C, Manufactured/ Mobile Home Park Ordinance, of this Chapter.

Section 7. Off-Street Parking Requirements.

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seat, or floor area; or before conversion from one type of use of occupancy to another, permanent off-street parking space in the amount specified by this section. Such parking space may be, provided in a parking garage or properly graded open space.

7.1 Certification of Minimum Parking Requirements Each application for a zoning permit submitted to the Zoning Enforcement Officer as provided for in this Ordinance shall include information as to the location and dimensions of off-street parking and loading space and the means of entrance and exit to such space. This information shall be in sufficient detail to enable the Zoning Enforcement Officer to determine whether or not the requirements of this section are met.

7.2 Minimum Off-Street Parking Requirements: The following off-street parking space shall be required:

<u>Residential and Related Uses</u>	<u>Required Off-Street Parking</u>
Any residential use consisting of one or more dwelling units	One (1) parking space on the same lot for each unit
Rooming or boarding houses	One (1) parking space for each two (2) rooms to be rented
Home Occupation	Addition to residence requirements: one (1) parking space per 100 square feet of floor space devoted to the home occupation use
Public/Semi-Public Uses, Hospitals	One parking space per two (2) beds intended for patient use, exclusive of bassinets
Medical Clinics	Four (4) parking spaces for each doctor plus one (1) parking space for each employee
Nursing Homes	One (1) parking space for each five (5) beds intended for patient use

Churches	One (1) parking space for each four (4) seats in the sanctuary
Elementary and Junior High Schools	One parking spaces for each classroom and administrative office
Senior High Schools	One (1) parking space for each twenty (20) students for which the building was designed plus one (1) parking space for each classroom and administrative office
Colleges and similar institutions	One (1) parking space for each five (5) students for which the building was designed plus one (1) parking space for each classroom and administrative office
<u>Nonresidential and Related Uses</u>	<u>Required Off-Street Parking</u>
Stadiums	One (1) parking space for each eight (8) spectator seats
Auditoriums	One (1) parking space for each four (4) seats in the largest assembly room
Public or private clubs	One (1) parking space for each two hundred (200) square feet of gross floor space
Public Utility Building	One (1) parking space for each employee
<u>Business Uses</u>	<u>Required Off-Street Parking</u>
Tourist Homes	One (1) parking space for each room to be rented plus one (1) additional parking space for each three (3) employees
Motels or Motor Courts	One (1) parking space for each room to be rented plus one (1) additional parking space for each three (3) employees
Offices, General	One (1) parking space for each two hundred (200) square feet of gross floor space
Offices, Medical, Dental	One (1) parking space for each employee plus three (3) spaces per medical doctor or dentist
Offices, Professional (other than	One (1) parking space for each employee plus three

medical and dental)	(3) spaces per professional on staff
Banks	One (1) parking space for each two hundred (200) square feet of gross floor space plus one (1) for each two (2) employees
Filling Stations	Five (5) parking spaces for each grease rack and five (5) parking spaces for each wash rack
Funeral Homes	One (1) parking space for each four (4) seats in the chapel or parlor
Retail uses not otherwise indicated	One (1) parking space for each one hundred (100) square feet or floor area

Industrial and Wholesale

Required Off-Street Parking

Wholesale Uses	One (1) parking space for each two (2) employees on the largest shift
Industrial Uses	One (1) parking space for each two (2) employees on the largest shift

Section 8. Off-Street Loading for Industrial Uses.

The number of off-street loading berths required by this section shall be considered as the absolute minimum and the developer shall evaluate his own needs to determine if they are greater than the minimum specified by this section. For purposes of this section an off-street loading berth shall have minimum plan dimensions of twelve feet by twenty-five feet and fourteen feet overhead clearance with adequate means for entrance and exits.

Square Feet of Gross Floor Area	Required Number of Berths
0 – 25,000	1
25,000 – 40,000	2
40,000 -100,000	3
100,000 -160,000	4
160,000 -240,000	5
240,000 -320,000	6

320,000 -400,000	7
Each 90,000 above 400,000	1

ARTICLE 8. GENERAL USE DISTRICT ZONING AREA REGULATIONS

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For the purpose of this Ordinance, the General Use District Zoning Area is hereby designated as General Use District (G-U).

Section 1. General Use District (G-U).

The General Use District is established as a zoning district in which the principal use of land is for uses that are in harmony with residential, agricultural, and commercial development in Columbus County. Any use not discussed in Section 2 is a permitted use in the (G-U) district if it can be properly identified and determined to be a classified land use by the Planning Director. If a land use cannot be determined by the Planning Director or his designee, the use is not permitted, and a text amendment to this ordinance will be required before the use will be approved and permitted.

Section 2. Regulated Uses.

Special Use permits are only required for the land uses listed below:

Heavy Industrial uses (unless in an area already zoned as I-II -Heavy Industrial)

Light Industrial Uses (unless in an area already zoned as I-I -Light Industrial)

Industrial Parks

Private and Public Utilities and related operations

Solar Energy Generation Facilities (Subject to STANDARD A)

Propane, Fuel Oil, Gasoline, or Other Hydrocarbon Bulk Storage Facilities

Junk, Storage, Recycling, Reclamation, or Salvage Yards

Electronic Gaming Operations

Wireless Communication Towers or other steel frame structures/towers

Firing Range (Indoor/Outdoor)

Landfill (Demolition and Sanitary)

Mining/Quarrying, Borrow Pits, and/or Extraction Operations

Go-Cart, Motor Cross, and or other categories of race tracks.

Intensive Livestock Farming

Meat Packing Facilities

Land Application of Animal and Human Waste

Adult Businesses (Subject to Columbus County Code of Ordinances Chapter 6 - Regulation of Certain Businesses, specifically Article 1 - Masseurs, Massage Parlors, Health Salons and Clubs and Article 2 – Sexually Oriented Businesses)

Resort Vehicle Campgrounds (Subject to STANDARD “B” herein)

Manufactured / Mobile Home Parks (Subject to STANDARD “C” herein)

Subdivisions where more than 10 lots are created

Multi-family Dwelling Units where multi-family is defined as three or more homes on a single parcel or are constructed within a single building

Section 3. Purpose and Procedures.

Special Use Permits shall be granted by the Columbus County Board of Adjustment as permitted by 153A-340(c) for the uses listed as special uses in Section 2.

The owner of the property or his agent who is requesting a Special Use Permit shall submit a Special Use Permit application to the Planning Director at least three weeks prior to a public hearing on the application scheduled before the Planning Board. The Special Use permit

application can be found on the Columbus County Planning Department website found at columbusco.org. Such application shall include all of the requirements pertaining to this Ordinance including any proposed site plans, the names and addresses of all adjacent property owners including property owners that are directly across from any public or private street or roadway, and the requisite fee established by the Columbus County Planning Department Fee Schedule. After a public hearing, the Columbus County Planning Board shall forward a recommendation to the Columbus County Board of Adjustment for their consideration.

Planning Department Administrative Review:

1. Pre-Development Conference: All applicants shall meet with the Planning Director to discuss the permit application, proposed site plans, and additional information needed for approval process.
2. Technical Review Committee: The Planning Director shall make and distribute copies of the proposed site plan to the Chairman of the Planning Board, the Clerk to the Board of Commissioners, the Columbus County Health Department, the Columbus County Board of Education (*only, if the project involves multi-family housing*), the Columbus County Inspections Department, the Columbus County Soil and Water Conservation District, the Columbus County Fire Marshal, the Columbus County Tax Administrator and the local District Engineer of the State Department of Transportation. The Technical Review Committee shall be given ten (10) days to review and respond with comments. The Technical Review Committee shall forward their comments, if any, to the Planning Director. The Planning Director shall consider any reasonable request submitted by the committee member in writing which will be reviewed by the Planning Director and/or the Planning Board Chairman, who then shall grant or deny the request. Upon receipt of comments from the Technical Review Committee, the Planning Director shall prepare a report summarizing the comments, if any, for review by the Planning Board and the applicant. The applicant may then submit a revised site plan to the Planning Department at least five (5) days prior to the public hearing before the Planning Board.
3. Prior to approval of the site plan, the Planning Director may consult with other qualified personnel for assistance to determine if the application meets the requirements of this Ordinance.

Section 4. Planning Board Action.

1. After the Pre-Development Conference, the Planning Director shall set a date and time for a public hearing before the Planning Board. Notice of the public hearing shall be given once a week for two successive calendar weeks in a local newspaper of general circulation, said notice to be published the first time at least ten (10) days, but not more than twenty-

five (25) days, prior to the date fixed for said public hearing. In addition to the newspaper advertisement, the property concerned shall be posted indicating that a public hearing will take place regarding a proposed zoning change/permitting action by the Columbus County Planning Department, at least one week before the public hearing. The posting shall also include the phone number of the Planning Department so that more information can be provided upon request.

2. The Planning Board shall consider the application, the comments of the applicant, and any comments of any interested persons attending the public hearing. In conducting the public hearing, the Planning Board shall follow the same rules and procedures as employed in the conduct of public hearings held before the Columbus County Board of Commissioners. Following the public hearing, the Planning Board shall forward a recommendation to grant, deny, or grant with conditions the Special Use permit to the Board of Adjustment.
3. No Planning Board member shall participate in a manner that would violate an affected person's constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself/herself, the remaining members shall by majority vote rule on the objection. Vacant positions on the Planning Board and members who are disqualified from voting on the matter shall not be considered "members of the Board" for calculation of the requisite majority.
4. In deciding whether or not to recommend the issuance of a Special Use permit, the Planning Board shall use as a guide the specific conditions outlined in this Article for each use proposed. In making their recommendation to the Board of Adjustment, the Planning Board shall consider the following criteria:
 - A. That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved;
 - B. That the use meets all required conditions and specifications;
 - C. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
 - D. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Columbus County Land Use Plan.

Based above criteria, the Planning Board shall then forward a recommendation to the Board of Adjustment regarding the Special Use Permit.

Section 5. Board of Adjustment Action.

1. After the public hearing before the Planning Board, the Planning Director shall schedule an evidentiary hearing before the Board of Adjustment.
2. Prior to the hearing before the Board of Adjustment, the Planning Director shall pursuant to NCGS 160A-388(a2) notify by first class mail all owners of property abutting the property that is the subject of the hearing and to owners of property across any public or private street from the subject property. Within that same time period, the property concerned shall be posted indicating that a public hearing will take place regarding a proposed zoning change/permitting action by the Columbus County Planning Department, at least one week before the public hearing. The posting shall also include the phone number of the Planning Department so that more information can be provided upon request.
3. The Planning Director shall provide to the Board of Adjustment, copies of the application, site plans, reports and any other written administrative material relevant to the evidentiary hearing. The administrative materials may be submitted at the hearing or distributed, in written or electronic form, to the Board prior to the evidentiary hearing. At the same time a copy of the administrative materials shall be submitted to the applicant or landowner, if he is not the applicant. The administrative materials shall become part of the hearing record. Any objections to the inclusion or exclusion of administrative materials shall be made at the hearing.
4. At the evidentiary hearing the applicant, the owner of the subject property, local government, adjacent landowners and any other interested person who has relevant evidence to offer, shall have the right to present evidence and participate in the hearing.

5. At the evidentiary hearing, the Board of Adjustment shall consider the application and other relevant evidence, including sworn testimony and exhibits and may deny, grant or grant with reasonable and appropriate conditions the Special Use permit. In conducting the evidentiary hearing, the Board of Adjustment shall follow quasi-judicial procedures as set forth in NCGS 153A and 160A.
6. The concurring vote of four-fifths of the Board shall be necessary to grant a variance. A majority of the members of the Board shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. Vacant positions on the Board and members who are disqualified from voting on the matter shall not be considered "members of the Board" for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.
7. No Board of Adjustment member shall participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself/herself, the remaining members shall by majority vote rule on the objection.
8. In rendering a decision on a Special Use permit, the Board of Adjustment shall consider the following conditions for each proposed use:
 - A. Whether or not the use materially endangers the public health or safety;
 - B. Whether or not the use meets all required conditions and specifications;
 - C. Whether or not the use will substantially injure the value of adjoining or abutting property or will be a public necessity; and
 - D. Whether or not the location and character of the use, will be in harmony with the area in which it is located and be in general conformity with the Columbus County Land Use Plan.
9. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing reflecting the Board's determination of any contested facts and their application to the applicable standards. A quasi-judicial decision is effective upon filing the written decision with the Clerk to the Board of Commissioners. The decision of the Board shall be delivered within a reasonable time by personal delivery, electronic mail, or by first class mail to the

applicant, property owner, and to any other person who has submitted a written request for copy prior to the date the decision becomes effective.

10. In granting the Special Use Permit the Board of Adjustment may designate conditions which, in its opinion, assure that the use in its proposed location will be harmonious with the area and with the spirit of this Ordinance and in keeping with the public welfare. All such additional conditions shall be entered in the minutes of the hearing at which the Special Use Permit is granted, on the Special Use Permit itself, and on the approved plans submitted therewith. All specific conditions shall run with the land and shall be binding on the original applicants for the Special Use permit, their heirs, successors and assigns. The Special Use permit shall be kept on file in the office of the Planning Department, including in the Planning Department's electronic data files.

Section 6. Denials and Appeals.

If the Board of Adjustment denies the Special Use Permit, the Board shall enter the reason for their action in the minutes of the meeting at which the action is taken.

No appeal may be taken from the action of the Board of Adjustment in granting or denying a Special Use permit except through the Columbus County Superior Court within thirty (30) days.

If denied, the applicant must wait for a period of six (6) months before a new application can be submitted.

Section 7. Failure to Comply/Notification of Adjacent Property Owners.

In the event of failure to comply with the plans approved by the Board of Adjustment, or with any other conditions imposed upon the Special Use permit, the permit shall thereupon immediately become void and of no effect. No building permits for further construction or certificates of occupancy under this Special Use permit shall be issued, and all completed structures shall be regarded as nonconforming uses subject to the provisions of this Ordinance. In such cases, owners of adjoining property shall be notified that the Special Use permit is no longer in effect.

Section 8. Expiration of Special Use Permit.

In any case where a Special Use permit has not been exercised within the time limit set by the Board of Adjustment, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development; or completed (sewerage, drainage, etc.). When construction is not a part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set forth in the permit.

Section 9. Modifications of Plans.

Where plans are required to be submitted and approved as part of the application for a Special Use permit, the Board of Adjustment may authorize modifications of the original plans.

Section 10. General Requirements for Special Uses.

A site plan must be submitted with the Special Use Permit Application and may be prepared by the applicant. The site plan must include the following:

1. The shape and dimensions of the lot on which the proposed building(s) is to be erected;
2. The location of said lot with respect to adjacent rights-of-way;
3. The shape, dimensions, and location of all buildings, existing and proposed, and required setbacks;
4. The nature of the proposed use of the building or land, including the extent and location of the use;
5. The location and dimensions of off-street parking and loading space and means of ingress and egress;
6. The square feet and percentage of lot as built upon area if the lot is located in a Watershed;
7. The location and type of all required buffers;
8. Required Driveway Permits from the Department of Transportation;
9. A landscape plan that meets requirements of the Highway Corridor Overlay District (if applicable);
10. A Sedimentation and Erosion Control Plan (if applicable) as submitted to the Land Quality Section, Department of Environment and Natural Resources; and,
11. The location and dimensions of outdoor activity areas including outdoor storage.
12. location and type of outdoor lighting, and areas of environmental concern such as flood plains, surface water, and drainage ways.
13. Any other information, which the Planning Staff may deem necessary for consideration in enforcing all provisions of this Ordinance.

ARTICLE 9. SPECIAL DEVELOPMENT STANDARDS

The following Special Development Standards shall apply to the uses specified in addition to the general standards:

Standard A – Minimum Solar Farm Requirements	62
Standard B – Resort Vehicle Park/Campground Ordinance	63
Standard C – Manufactured/Mobile Home Park Ordinance	75

STANDARD A - MINIMUM SOLAR FARM REQUIREMENTS

1. All solar farms must be set back from an adjacent highway right-of-way at least 50 feet. Similarly, a side or rear set-back distance of 30 feet from any property line is required.
2. A vegetative buffer consisting of either one or two rows of staggered evergreen vegetation is required as per the vegetative buffer design specification sheet available from the Columbus County Planning Department. A vegetative buffer may be constructed using any of those evergreen varieties identified or an approved equivalent. A staggered two row buffer is to be located between any solar farm fencing and an adjacent highway. Similarly, a two-row vegetative buffer is required to screen the farm from the direct view of adjacent residential housing units. Where required, a single row vegetative buffer is required along perimeter fencing as noted in item three (3) below.
3. A vegetative buffer consisting of one row of evergreen vegetation is required along all perimeter areas not covered under item number 2 above (i.e. where two-row vegetative buffering is called for) but with the following exceptions:
 - a. Where a natural vegetative buffer already exists on the property and which allows for said natural vegetative buffer to remain and be maintained in an undisturbed natural state which provides adequate screening to adjacent parcels on the side or sides, or along the back fence line of the solar farm.
 - b. When a solar farm is located over 250 feet from an adjacent highway such that only minimal vegetative screening is needed to prevent the farm from becoming a distraction to drivers on the adjacent highway or to adjacent landowners.
4. Vegetative buffers may be located within the required setback areas.
5. The maximum height for a ground mounted solar system under these guidelines is 15 feet above ground level.
6. General Standards:
 - a. All Solar Farms shall comply with all Building and Electrical Codes.
 - b. Shall not create a visual safety hazard for any passing motorist or aircraft.

- c. Shall be removed, at the property owner's expense, or at the solar farm owner's expense within one hundred and eighty (180) days of determination by the Planning Department that the facility is no longer being maintained in an operable state of good repair or is no longer supplying solar power.
- d. All solar farms must be maintained in a reasonable fashion with regard to the facility grounds such that the facility does not become a public eyesore or contain undergrowth which may harbor vermin due to the excessive length of grass and other vegetation located inside or outside of the perimeter fencing.

STANDARD B - RESORT VEHICLE PARK/CAMPGROUND ORDINANCE

A. PURPOSE

The purpose of this Ordinance is to regulate and guide the establishment of campgrounds in order to promote the public health, safety and general welfare of the citizens of Columbus County, North Carolina. This Ordinance is designed to accomplish the following specific objectives: (a) to further the orderly layout of campgrounds; (b) to secure safety from fire, panic and other danger; (c) to provide adequate light and air; and (d) to ensure that facilities for transportation, parking, water, sewage and recreation are provided for campground visitors.

B. AREA GOVERNED

These regulations shall govern the establishment of each and every new campground and the alteration or expansion of existing campgrounds lying within the jurisdiction of Columbus County and which is not governed by a municipality within Columbus County.

C. AUTHORITY

Columbus County hereby exercises its authority to adopt and enforce a Campground Ordinance pursuant to the authority granted to Columbus County by Chapter 153A, Article Six of the General Statutes of North Carolina.

D. SHORT TITLE

This Ordinance shall be known as the CAMPGROUND ORDINANCE, COLUMBUS COUNTY, and may be cited as the Campground Ordinance.

E. DEFINITIONS

When used in this Ordinance, the following words and phrases shall have the meaning given in this section. Terms not herein defined shall have their customary definitions where not inconsistent with the context. The term shall is mandatory and words used in the singular include the plural and those in the present include the future tense.

1. Columbus County Health Department: Health Director or his/her designated agent(s).

2. Camper: A folding structure manufactured of metal, wood, canvas, plastic or other materials, or any combination thereof, mounted on wheels and designed for travel, recreation or vacation use. A camper is not designed or intended to be used as a permanent dwelling. Campers may also include the following:
 - a) Travel Trailer: A vehicular, portable structure built on chassis, designed to be towed by a self-propelled vehicle for use for travel, recreation or vacation purposes. A travel trailer is not designed or meant to be used as a permanent dwelling.
 - b) Recreational Vehicle: A self-propelled vehicle or portable structure mounted on such a vehicle designed as a temporary dwelling for travel, recreation and vacation.
 - c) Tent: A portable shelter of canvas, plastic or skins stretched over a supporting framework of poles with skins stretched over a supporting framework of poles with ropes and pegs.
3. Camper Space: A plot of land within a campground designed for the accommodation of one (1) camper or tent.
4. Campground: Any lot which fifteen (15) or more camper or tent spaces are provided for temporary occupancy according to requirements as set forth in this Ordinance. A campground shall also be known as a recreational vehicle park or travel trailer park.
5. Cul-de-sac: A street with only one (1) end to traffic and the other end being permanently terminated and a vehicular turnaround provided for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turnaround to the center line of the connecting non-cul-de-sac street.
6. Developer: Any person, firm, trust, partnership, association or corporation engaged in development or proposed development of a Campground, as defined herein.
7. Easement: The right to use another person's property, but only for a limited and specifically named purpose, the owner generally continues to make use of such land since he/she has given up only certain and not all ownership rights.
8. Sanitary Sewage System: A complete system of sewage collection, treatment and disposal, including approved privies, septic tank systems, connection to public or community sewage systems, incinerators, mechanical toilets, composting toilets, recycling toilets, mechanical aeration systems or other such systems.
9. Public Street: A dedicated and accepted public right-of-way which affords access to abutting property and meets the standards of this Ordinance and the most recent North Carolina Department of Transportation's minimum construction standards for subdivision roads.
10. Public Water Supply: Any water supply furnishing potable water to fifteen (15) connections or combination of twenty-five (25) residences or businesses so approved and designated by the appropriate agent of the State of North Carolina. This definition is not to be inferred as limited to publicly owned or operated systems, as such systems may be owned and operated by either public or private enterprise.

11. Septic Tank System: A subsurface sanitary sewage system consisting of a settling tank and a subsurface disposal field and other appurtenances required for proper collection, distribution, treatment, disposal, operation and performance.
12. Service Building: A building housing toilet and bathing facilities for men and women, with laundry tray.
13. Setbacks: The distance between a structure and the space or boundary line.
14. Surveyor: A qualified land surveyor or engineer registered and currently licensed to practice surveying in the State of North Carolina.
15. Board Designate: an agent(cies) and/or representative appointed by the Board of County Commissioners to represent their interest and act on their behalf.
16. Board of County Commissioners: governing body for the County of Columbus with equal representation from all districts.
17. Nude: A situation involving a condition of individuals being unclothed or devoid of clothing.

F. PROCEDURE FOR SECURING APPROVAL OF CAMPGROUNDS

Section F.1: Approval Required.

Campgrounds, as permissible uses, may be established upon the approval of the Board of County Commissioners or their Designate. The Board of County Commissioners or their Designate shall have approval authority of such Campgrounds.

Section F.2: Campground Plan Submission.

1. Prior to the construction of a campground or the expansion of an existing campground, the developer shall submit a campground plan to the Columbus County Administrator. Ten (10) copies of the proposed campground plan must be received at least thirty (30) days prior to a regularly scheduled meeting of the Columbus County Board of Commissioners if the plans are to be reviewed by the Board at that time. New campgrounds or the expansion of an existing campground regardless of site numbers will be approved by the Board of County Commissioners or their Designate.
2. All park plans shall be prepared by a registered land surveyor currently licensed and registered in the State of North Carolina, or the owner or his/her authorized agent and shall be drawn legibly at a scale of one hundred (100') feet to one (1 ") inch, or larger, and shall include the following plan requirements:
 - a. Name of the park, developer, scale, date and tax map, block and parcel number;
 - b. Vicinity Map, sketch showing relationship between campground and surrounding area;
 - c. The location of existing property lines, streets, service buildings, natural and manmade water courses, existing wells and septic tanks, railroads, transmission lines, sewers, bridges, culverts and drain pipes, water mains, city and County lines (if adjoining),

- drainage easements and public utility easements, all structures to be located on the park site;
- d. The outside boundaries of the tract of land on which the park will be built and approximate bearings and distances of each line;
 - e. Proposed camper spaces well defined, indicating accurate dimensions and site numbers;
 - f. All existing structures and proposed structures;
 - g. The proposed location of all streets, driveways, open recreational areas, parking areas, service buildings, easement and camper spaces;
 - h. Water distribution system which will connect to County system, if applicable (should be designed to minimum County standards and submitted for review);
 - i. Surface and/or subsurface drainage plan;
 - j. Classification of the property;
 - k. Site data:
 - 1. Acreage in total tract;
 - 2. Acreage in campgrounds, if applicable;
 - 3. Total number of spaces; and
 - 4. Lineal feet in streets;
 - l. Flood plain information, if necessary;
 - m. Landscaping and buffering;
 - n. Adjoining property owners;
 - o. Sign location, setback and dimensions;
 - p. Title, date, graphic scale, north arrow;
 - q. Sedimentation control plan information in accordance with North Carolina State Law;
 - r. Uses on adjacent properties;
 - s. Off-street parking, loading areas and their dimensions;
 - t. The location and dimensions of present and proposed campground streets and adjacent highways;
 - u. Method of garbage disposal; and
 - v. Water/Utility systems.

Section F.3: Review of the Proposed Campground Plan.

The County Administrator shall review the proposed campground plan. The County Administrator shall also forward a copy of the proposed campground plan to the Columbus County Health Department and all other appropriate agencies for review and comments. Following the evaluation period, a review meeting shall be set with the applicant and appropriate agencies, not less than thirty (30) days prior to a regular scheduled Board of County Commissioners' Meeting, to discuss the plan. If deficiencies are found with the plan, the plan will then be returned to the developer for correction. If the Board of County Commissioners or their Designate determines no inconsistencies with applicable regulations, the County Administrator shall then ask for the plan to be approved.

The matter will not be heard before the County Commissioners until all requirements are met and approved.

1. The County Administrator shall determine if the proposed campground plan is in accordance with the design standards set forth in this Ordinance, including, but not limited to the following:
 - a. Title information;
 - b. Location map;
 - c. Recreation areas;
 - d. Street and lot design;
 - e. Surface water drainage;
 - f. Other features of the campground;
 - g. Columbus County Health Department's report;
 - h. County Inspections Department;
 - i. Buffering; and
 - j. Other approvals as may be required.

2. The Columbus County Health Department shall review the proposed campground plan to determine if the plan is in accordance with the minimum health standards and regulations as follows:
 - a. Source of water and water distribution system;
 - b. Sanitary sewage system: owner/developer shall submit plans for proposed sanitary sewerage system to the Columbus County Health Department for its review. Each campground intended for the use of septic systems will require an application for a site evaluation. An operations permit must be maintained in order for the campground to remain operational;
 - c. Adequate space size, if septic tanks are to be used; and
 - d. Each well located so as to provide a minimum pollution-free radius as specified in Title 15A, Subchapter 18C, Section .0203 of the North Carolina 'Administrative Code.

3. Each agency's review shall be completed within a reasonable time. Should any agency find deficiencies in the proposed campground plan, the developer or his agent shall be notified by the County Administrator to correct such deficiencies in the plan. Each agency shall notify the County Administrator after reviewing the proposed campground plan and shall provide a written statement of approval or disapproval. If disapproved, then the reasons therefore shall be stated.

4. If any permitting agency should disapprove the proposed campground plan, the reasons for such action and recommended changes shall be given to the developer or his agent.

Section F.4: Plan Approval.

1. Plan Review; Procedure by the Board of County Commissioners or Their Designate:
The Columbus County Board of Commissioners or their Designate shall make a decision on a final plan approval based on all required final agency reviews and other available pertinent information.
2. Notification of Final Approval:
After receiving approval of the campground plan from the Board of County Commissioners or their Designate, Health Department and other relevant County agencies, the County Administrator is authorized to write a letter of approval to the developer. The County Administrator shall notify the owner as shown on the plan of this approval within ten (10) days of the action. The intent of the letter of approval is to enable the execution of the campground plan in the field and shall not be construed to entitle the recipient to offer spaces for rent or lease, or to operate a campground as defined in this Ordinance. Spaces can only be occupied after all required improvements have been installed and Certificates of Occupancy have been issued by the County Inspections Department.
3. Issuance of a Certificate of Compliance:
 - A. After receiving approval of the campground plan by the Board of County Commissioners or their Designate, the Health Department and the County Inspections Department, the County Administrator's office is authorized to issue a compliance permit. The intent of this permit is to enable the execution of the campground plan in the field and shall not be construed to entitle the recipient to offer spaces for rent or lease or to operate a campground as defined in this Ordinance.
 - B. When the developer has completed the construction of the campground, he/she shall apply to the County Administrator for a Certificate of Compliance. The County Inspections representative and a representative from the Health Department shall make an on-site inspection of the campground.
 - i. If the plan conforms to the campground plan approved by the Board of County Commissioners or their Designate and other agencies, the County Administrator shall issue the developer a Certificate of Compliance.
 - ii. If the plan does not conform with the approved plan, the County Administrator shall delay issuance of the Certificate of Compliance until it comes into conformity.
 - C. The Certificate of Compliance issued to the developer shall constitute authority to lease or rent spaces in the campground.
 - D. When a campground is to be developed in stages, the proposed plan may be submitted for the entire development or application for a Certificate of Compliance may be made for each stage developed.
4. Development Time Frame:
If the construction of the campground has not begun within twelve (12) months from the issue date of the letter of approval, the Board of County Commissioners may grant an

extension of this approval if the developer appears before the Board and shows cause. If cause is not shown, the developer must repeat all the required steps of procedure for securing approval of a campground as required by this Ordinance.

When a campground is to be developed in stages, the preliminary campground plan shall be submitted for the entire development, and an application for approval shall be made for each stage of development.

G. DESIGN STANDARDS

The following standards shall be considered the minimum requirements for all new campgrounds.

Section G.1: General Requirements.

1. Every campground shall contain at least fifteen (15) spaces.
2. No more than one (1) camper may be parked on anyone (1) space. Campers shall not be permitted on parcels, lots or spaces other than those approved through these regulations.
3. No space shall have direct vehicular access to a public road.
4. All spaces shall be located on sites with elevations that are not susceptible to flooding. The spaces shall be graded to prevent any water from ponding or accumulating within the park. Each space shall be properly graded to obtain a reasonably flat site for a campground and to provide adequate drainage away from the space. The requirement is not intended to circumvent FEMA regulations or the County Flood Management Plans.
5. Pursuant to the North Carolina State Building Code, each campground shall have at least one (1) service building to provide necessary sanitation and laundry tray. This structure may also contain a retail sales counter and/or coin operated machine for the campground residents' use, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area. All service buildings shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All service buildings shall be accessible to the County Health Department and shall be in conformity with all County codes. All buildings shall be constructed in accordance with the North Carolina State Building Code, and shall meet the North Carolina State Building Code setback requirements.
6. No swimming pool or bathing area shall be installed, altered, improved or used without compliance with applicable Columbus County Health Department regulations. No bathing area shall be used without the approval of the Columbus County Health Department.
7. The campground owner is responsible for refuse collection. Storage, collection and disposal of refuse shall be so managed as not to create health hazards, rodent harborage, insect-breeding areas, accident, fire hazards or air pollution. The method of garbage disposal shall be noted on the plan and approved by the Board of County Commissioners or their Designate.

8. It shall be unlawful to park or store a manufactured home in a campground. However, two (2) manufactured homes may be allowed within a campground to be used as residences of persons responsible for the operation and/or maintenance of the campground.
9. The transfer of title of a camper space or spaces either by sale or by any other manner shall be prohibited within a campground as long as the campground is in operation.
10. All camping units must be placed individually on approved camper spaces where all design standards and utilities have been completed.
11. Junked or wrecked vehicles are prohibited in campgrounds.

Section G.2: Streets and Parking.

1. Off-Street Parking Requirements

Two (2) off-street parking spaces shall be provided and maintained for each camper space. Required parking spaces may be included within the minimum required space area for each camper space.

2. Public Street Access

No camper space within a campground shall directly access a public road. Access to all campers and accessory structures within the campground shall be made using internal streets.

3. Internal Street Standards

A. One (1) or two (2) way streets shall be used throughout the campground. One (1) way streets shall have a minimum width of sixteen (16') feet. Two (2) way streets shall have a minimum width of eighteen (18') feet. Such streets shall be well maintained and clearly identified. All streets within the campground shall be privately owned and maintained. Each camper space shall abut an internal street within the campground.

B. All internal streets that dead end shall be provided with a permanent turnaround.

C. All parking within the campground shall take place off the internal street within designated parking areas only. All internal streets within the campground shall be equipped with adequate and suitable drainage facilities.

D. Maintenance of all internal streets and drainage facilities shall be the responsibility of the owner of the campground. Such streets shall be maintained in a manner to be free from pot holes, breaks in the pavement, rough surfaces, _ ponding of water and associated problems which would impede or cause hazards to motor vehicles. Speed reduction bumps on paved internal streets are permissible, but they shall be painted and appropriate signs indicating the speed reduction bump must be placed along the street.

4. Ingress and Egress

Campgrounds shall not be located on through lots unless the campground is designed in a manner which does not encourage motorists from using the campground as a means of traveling from one (1) public street to another.

Campgrounds requiring only one (I) entrance and exit area shall provide at least one (1) permanent turnaround within the campground. All campground entrances must be approved by the North Carolina Department of Transportation.

Section G.3: Campground Space.

1. Minimum Campground Area All campgrounds shall have a gross land area of at least three (3) acres.
2. Minimum Space Design
 - a. The following minimum space requirements also takes into account the need for adequate space to prevent overcrowding, prevent fire hazards, provide sufficient light and air, etc.
 - i. Minimum space size, square feet: 1,250
 - ii. Minimum space width, feet: 25
 - b. Where public, municipal or community water or sewer systems exist within one thousand (1,000') feet of the park, the developer shall connect to such system. If the water distribution system is installed in accordance with minimum County standards, the developer could dedicate the system to the County to operate. The County will have the "right to accept or not accept such water systems.
 - c. A minimum of eight (8%) percent of the total land area shall be devoted to accessible common open space intended for recreational use. These areas are separate from the camper spaces and shall be grouped and of character suitable for active and passive recreation and shall be reasonably located for safe and convenient access to residents.
 - d. Each camper shall be located at least thirty (30') feet from the edge of any publicly-maintained street or road.
3. Spaces Numbered

Each camper space shall be identified by a permanent number which shall not be changed. The appropriate number of each camper space must be permanent and visibly displayed on each space. Each number shall be placed on a concrete, wood, metal or any permanent post and conspicuously located on the lot.

Section G.4: Utility Requirements.

1. An accessible, adequate, safe and potable supply of water shall be provided in each campground. Where a public supply is available, connection shall be made thereto and its supply used exclusively. When a public water supply is not available, a community water supply may be developed and its supply used exclusively in accordance with local and state regulations and standards of the Division of Environmental Management, North Carolina Department of Environment, Health and Natural Resources codified in 15A NCAC 2C. Siting well locations will be designated by the Columbus County Health Department.

2. Adequate and safe sewage disposal facilities shall be provided in all campgrounds. A public sewage disposal system and sewage treatment plant complying with the requirements of the North Carolina Department of Environment, Health and Natural

Resources shall be provided in every campground. Individual septic tank systems are permissible in accordance with the requirement of the State Health Sewage Disposal Regulations.

- A. Sewage dumping stations shall be approved by the Columbus County Health Department. Each campground shall provide at least one (1) sewage dumping station for each fifty (50) camper spaces, which are not equipped with individual sewer and water connections. Each campground shall also provide a sewer outlet to accommodate any dependent campers for emptying containers of human waste.
 - B. No method of sewage disposal shall be installed, altered or used without the approval of the Columbus County Health Department. All sewage waste from each park, including waste from toilets, showers, bathtubs, lavatories, wash basins, sinks and water-using appliances not herein mentioned, shall be piped into an approved sewage disposal system.
3. Building and grounds shall be maintained free of rodent/insect harborage and infestation. Extermination methods and other control measures shall be in accordance with the requirements of licensed pest control operators. The campground owner shall be responsible for pest extermination and pest control measures to prevent the development of unsanitary conditions.

Section G.5: Buffering.

A buffer strip at least ten (10') feet in width shall be maintained. This strip shall be free of all encroachment by buildings, park areas or impervious coverage. No designated camper spaces shall include any areas required for buffering in accordance with this Ordinance.

Section G.6: Registration of Occupants.

Every campground owner or operator shall maintain an accurate register containing a record of all occupants and owners of campers in the campground. The register shall be available for inspection at all times by authorized County representatives. The register shall contain the following information:

- a. Name and address of the occupants of each space;
- b. Camper space number; and
- c. Date when occupancy within the campground begins and date when occupancy within the campground ceases.

Section G.7: Permanent Occupancy Prohibited.

No camper space shall be used as a permanent place of abode. Any action toward removal of wheels of a camper except for temporary purposes of repair is hereby prohibited.

Section G.8: Inspection.

1. The County Administrator, the Columbus County Health Department, the Columbus County Building Inspections Department and the Columbus County Board of Commissioners are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance. If connecting to County water, the developer must comply with minimum County standards. It shall be the duty of the owners of campgrounds to give these agencies free access to such premises at reasonable times for inspections.
2. The person to whom an operating permit for a campground is issued shall operate the campground in compliance with this Ordinance and shall provide adequate supervision to maintain the campground, its facilities and equipment in good repair and in a clean and sanitary condition.
3. The campground owner shall notify campground visitors of all applicable provisions of this Ordinance and inform them of their responsibilities under this Ordinance.

H. PRIVATE ORGANIZATIONS OPERATING AS NUDE CAMPGROUNDS, COLONY, RESORT OR OTHER SIMILAR FACILITIES

Private organizations operating as nude campgrounds, colonies, resorts or similar facilities, must operate with the following minimum requirements:

1. Must meet all applicable County and State regulations including, but not limited to, campground, mobile home park and PUD ordinances;
2. Must operate as private organization with no access by the general public. Only members or guest of members may be permitted on site;
3. Must provide adequate visual and noise screening and/or buffering; and
4. No part of any facility or structure shall be:
 - a. Located within one thousand five hundred (1,500') feet in any direction from a building used as a dwelling.
 - b. Located within one thousand five hundred (1,500') feet in any direction from a building in which an adult business or asexually oriented business is located.
 - c. Located within one thousand five/hundred (1,500') feet in any direction from a building used as a church, synagogue, other house of worship or cemeteries.
 - d. Located within one thousand five hundred (1,500') feet in any direction from a building used as a public school or as a state licensed day care center.
 - e. Located within one thousand five hundred (1,500') feet in in any direction from any lot or parcel on which a public playground, public swimming pool or public park is located.

- f. Located within one thousand five hundred (1,500') feet in any direction of any publicly owned or operated facility.

I. ADMINISTRATION

Section I.1: Variances.

Where strict adherence to the provisions of this Ordinance would cause an unnecessary hardship because of topographical or other conditions peculiar to the site, the Board of County Commissioners or their Designate may authorize a variance, if such variance can be made without destroying the intent of the Ordinance. Any variance this authorized shall be entered into the minutes of the Board of County Commissioners or their Designate and the reasoning on which the departure was justified shall be set forth.

Section I.2: Conformance Requirements.

Campgrounds shall be permitted only in conformance with the regulations of this Ordinance.

Section I.3: Criminal Violations.

Any person violating the provisions of this Ordinance shall be guilty of a Class Three misdemeanor and is punishable by a fine up to five hundred and 00/100 (\$500.00) dollars per violation in accordance with NCGS 14-4. Each day that the violation continues to exist shall be considered a separate and distinct offense. For the purpose of this Ordinance, a violation begins from the date of first notification.

Section I.4: Civil Penalties.

In addition to the other remedies cited in this Ordinance for the enforcement of these provisions, these regulations may be enforced through the issuance of citations by Columbus County. These citations shall be in the form of a civil penalty. The County may recover this penalty within seventy-two (72) hours after being cited for a violation. In' addition, failure to pay the civil penalty within the seventy-two (72) hour period, may subject the violator to criminal charges.

The following civil penalties are established for violations under this Section:

VIOLATION	CHARGE
Warning Citation	None, correct within ten (10) days
First Citation	\$25.00
Second Citation for Same Offense	\$50.00
Third and Sequential Citation for Same Offense	\$50.00

These civil penalties are in addition to any other penalties which may be imposed by the court of law for violations of the provisions of this Ordinance.

In addition to the foregoing enforcement provisions, this Ordinance may be enforced by any remedy provided in North Carolina General Statute 153-A-123, including, but not limited to, all appropriate equitable remedies issued from a court of competent jurisdiction as provided in General Statute 153A-123(d) and particularly the remedy of injunction and order of abatement as allowed by North Carolina General Statute 153A~123(e).

This Ordinance specifically provides that each day's continuing violation is a separate and distinct offense.

Section I.5: Separability.

Should any section or provision of these regulations be held void or invalid by the courts for any reason, it shall not affect the validity of any other section or provision hereof which is not itself held void and invalid.

Wherever the provision of any other law, ordinance or regulation impose higher standards than are required by the provision of this Ordinance, the provisions of such law, ordinance or regulations shall govern.

Section I.6: Amendment Procedure.

This Ordinance may be amended from time to time by the Board of County Commissioners as provided by the General Statutes. No amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Board of County Commissioners or their Designee's review and recommendation.

STANDARD C - MANUFACTURED/MOBILE HOME PARK ORDINANCE

A. GENERAL PROVISIONS

Section A.1: Purpose.

The purpose of this Ordinance is to regulate and guide the establishment of manufactured/mobile home parks in order to promote the health, safety and general welfare of the citizens of Columbus County, North Carolina. This Ordinance is designed to accomplish the following specific objectives:

- 1) To further the orderly layout of manufactured/mobile home parks;
- 2) To secure safety from fire, panic and other danger;
- 3) To provide adequate light and air; and
- 4) To ensure that facilities for transportation, parking, water, sewage and recreation are provided for manufactured/mobile home park residents and visitors.

Section A.2: Jurisdiction.

These regulations shall govern the establishment of each and every new manufactured/mobile home park and the alteration or expansion of existing manufactured/mobile home parks lying within the jurisdiction of Columbus County. Facilities developed within a municipal limit or extra-territorial jurisdiction will come under the authority of that particular municipality.

Section A.3: Authority.

Columbus County hereby exercises its authority to adopt and enforce a Manufactured/Mobile Home Park Ordinance pursuant to the authority granted to Columbus County by North Carolina General Statutes 153A-121 and 153A-341.1.

Section A.4: Short Title.

This Ordinance shall be known as the MANUFACTURED/MOBILE HOME PARK ORDINANCE FOR COLUMBUS COUNTY, and may be cited as the Manufactured/Mobile Home Park Ordinance.

Section A.5: Administration.

The Planning Department shall administer and enforce this Ordinance. The Planning Department may be provided with assistance of such other persons as necessary.

B. DEFINITIONS

Section B.1: Word Usage.

1. Words used in the present tense include the future tense.
2. Words used in the singular number include the plural and words used the plural number include the singular.
3. The word "shall" is always mandatory and not merely directory.
4. The word "may" is permissive.
5. The words "used" or "occupied" include the words intended, designed or arranged to be used or occupied.
6. Masculine includes feminine and neuter.

Section B.2: Definitions.

1. Abandoned Vehicle: A motor vehicle which is left on private property without the consent of the owner, occupant or lessee of the property.
2. Adjacent: Having a common border such as a space or lot line or street right-of-way.
3. Building Inspections Department: Columbus County Building Inspector or designee.
4. Community or Municipal Sewage Disposal System: A sewage disposal system which is a single system of sewage collection, treatment and disposal owned and operated by a public

utility or community association constructed and operated in compliance with applicable requirements of the North Carolina Department of Environment and Natural Resources.

5. County: Columbus County, North Carolina acting by and through its Board of County Commissioners or duly authorized designee(s).
6. Family: Members of the same family, which shall be limited to spouse, parents, step-parents, grandparents, step-grandparents, children, step-children, brothers, step-brothers, sisters, step-sisters, aunts, uncles, father-in-law, step-father-in-law, mother-in-law, step-mother-in-law, brother-in-law, step-brother-in-law, sister-in-law, step-sister-in-law.
7. Farm: Farming operations that include growing crops, raising livestock and poultry, and growing nursery plants. A farm does not include commercial operations related to agriculture, such as a store selling fertilizer, a meat-packing operation, or a commercial grain-drying operation.
8. Health Director: The Columbus County Health Director or authorized designee.
9. Household Solid Waste: Waste normally generated by households.
10. Human Habitation: Used or intended to be used by human beings for occupancy.
11. Individual Sewage Disposal System: A septic tank and absorption field sewage system approved by the Environmental Division of the Columbus County Health Department.
12. Junk: (i) Any motor vehicle that is partially dismantled or wrecked and cannot be self-propelled or moved in the manner in which it was originally intended to move; or (ii) machinery and/or materials in which no specific or expressly written purpose can be provided.
13. Letter Permitting Construction: A notice issued by the Planning Department upon approval of the proposed manufactured/mobile home park plan allowing the Operator to begin construction of the manufactured/mobile home park in conformity with the approved manufactured/mobile home park plan.
14. Letter of Compliance: A notice issued at the completion of the construction of the Manufactured/Mobile Home Park and annually thereafter by the Planning Department certifying that the Manufactured/Mobile Home Park has been inspected and found to be in compliance with this Ordinance.
15. Manufactured/Mobile Home: A movable or portable dwelling over 32 feet in length and over 8 feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit and not complying with the N.C. State Uniform Residential Building Code.
16. Manufactured/Mobile Home Park: Any lot or part thereof, or any parcel of land under common ownership, regardless of the number of separate tracts, upon where more than two (2) manufactured homes will be used for the purpose of renting a space with or without a manufactured home will be or are used for human habitation purposes, whether the manufactured/mobile homes are owned by the Operator of the manufactured/ mobile home

park or owned by individual occupants. More than two (2) manufactured/mobile homes on land under common ownership for the purpose of renting a manufactured/mobile home or space where the placement of a third manufactured/mobile home is located within five hundred (500') feet of any manufactured/mobile home(s) on property under common ownership is defined as a manufactured/mobile home park. This definition does not apply to manufactured/mobile home(s) that are exempt by farm or family status as defined within this ordinance.

17. Manufactured/Mobile Home Space: A plot of land within a manufactured/mobile home park designed for the accommodation of a single manufactured home in accordance with the requirements set forth in this Ordinance.
18. Operator: The person who owns or IS responsible for the operation of a manufactured/mobile home park.
19. Person: Any individual, firm, corporation, association or partnership.
20. Planning Board: The Board appointed by the Columbus County Board of Commissioners pursuant to NCGS 153A-321.
21. Planning Department: Columbus County Planning Director or designee.
22. Pre-existing Mobile Home Parks: A manufacture/mobile home park, as defined by this Ordinance, that was in operation and occupied at the time of the effective date of this Ordinance.
23. Public Water System: As defined by Article 10, Chapter 130A, and Section 313 (10) of the North Carolina General Statutes.
24. Recreation Area or Park: An area of land and/or water resource that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.
25. Solid Waste: Garbage, refuse, rubble, trash or other discarded materials resulting from industrial, commercial and agricultural operations, from community activities and from household use of products and materials, but does not include solids or dissolved materials and domestic sewage or other significant pollutants and water resources such as silt, dissolved or suspended solids and industrial pollutants, dissolved or suspended solids and industrial waste effluents, dissolved materials and irrigation, return flows or other common water pollutants.
26. Technical Review Committee (TRC): A committee of representatives chosen by the Planning Department from various county and state departments and agencies involved with development to serve as a review resource of proposed development.
27. Tie Downs: Galvanized steel cables or strapping which "tie" a manufactured/mobile home and its steel frame to anchors embedded in the ground.
28. Tract: A piece of land whose boundaries have been described or delineated in a legal instrument or on a map submitted to the Planning Department as part of the application for a permit to construct or expand a manufactured/mobile home park.
29. Travel Trailer: A wheeled vehicular portable structure built on a chassis designed to be

used as a temporary dwelling including, but not limited to, structures mounted on auto or truck bodies that are commonly referred to as campers.

30. Variance: A modification of the terms of this Ordinance where, as a result of conditions peculiar to the property, a literal enforcement of this Ordinance would result in an unnecessary hardship.
31. Wind Zone II: Structures built to withstand one hundred (100) miles per hour winds.
32. Wind Zone II Declaration Sticker: Map of the United States placed in a manufactured/mobile home by manufacturer designating Wind Zone placement areas.
33. Wind Zone II Designation: Minimum rating designation required for all manufactured/mobile homes to be set up in Columbus County.

C. NON-CONFORMING MANUFACTURED/MOBILE HOME PARKS (PRE-EXISTING PARKS)

Section C.1: Minimum Standards.

Manufactured/mobile home parks existing at the time of adoption of this Manufactured/Mobile Home Park Ordinance for which the Operator is not applying for expansion of or an addition or alteration to such pre-existing manufactured/mobile home park, and do not meet the minimum standards contained in Section D. Minimum Standards shall have sixty (60) days from the effective date of this Ordinance to comply with the following requirements:

1. Provide street names to be used in the parks;
2. Signage for park;
3. Solid waste disposal plan;
4. Register with the Columbus County Tax Office;
5. Register with the Columbus County Health Director;
6. Register with Columbus County Planning Department; and
7. Provide a road maintenance disclosure statement.

Section C.2: Letter of Compliance.

1. Upon compliance with A. 1. Through 7 above and the payment of the appropriate fees, the Letter of Compliance will be issued.
2. Operators of all Manufactured/Mobile Home Parks existing at the time of adoption of this Ordinance shall be required to obtain and maintain a current Letter of Compliance. Failure of an Operator to renew the Letter of Compliance within thirty (30) days following the expiration of such Letter shall result in the permanent loss of the existing status. Once the Ordinance is adopted, Operators will have not more than sixty (60) days after adoption to obtain a Letter of Compliance. Any expansion of the manufactured/mobile home park, either in area or in the number of homes, shall also immediately result in the loss of existing status. Any manufactured/mobile home park which loses its existing status shall be

required to meet all minimum standards contained in Section D: Minimum Standards before a new Letter of Compliance will be issued.

D. MINIMUM STANDARDS OF DESIGN, CONSTRUCTION AND LAYOUT FOR OTHER THAN PRE-EXISTING MANUFACTURED/MOBILE HOME PARKS

Section D.1: Minimum Manufactured/Mobile Home Park Size: All manufactured/mobile home parks created after the effective date of this Ordinance shall contain a gross land area of at least two (2) acres and shall contain at least three (3) manufactured/mobile home spaces for occupancy.

Section D.2: Phases of Development: Manufactured/Mobile Home Parks developed in phases shall be required to develop a minimum of three (3) spaces in the first phase and a minimum of four (4) spaces in all additional phases except where the remaining spaces to be developed are less than four (4). In such case, all remaining spaces must be developed in the final phase.

Section D.3: Drainage: No manufactured/mobile home park shall be so located that the drainage of the manufactured/mobile home park area will endanger any public or private water supply.

Section D.4: Flood Hazard: Manufactured/mobile home parks shall not be located in areas that are susceptible to regular flooding as noted on FEMA Maps. Existing manufactured/mobile home parks located in flood hazard areas shall not be allowed to add additional spaces or manufactured/mobile homes. Manufactured/mobile home spaces shall be graded so as to prevent water from ponding or accumulating on the premises.

Section D.5: Spaces: All new manufactured/mobile home parks or additions to existing manufactured/mobile home parks shall have manufactured/mobile home spaces complying with the following:

1. Where a community or municipal sewage disposal system is used, each manufactured/mobile home space shall be at least than forty (40) feet wide and not less than four thousand (4,000) square feet in size.
2. Where individual sewage disposal system is used, unless it is determined by the Health Director that additional area is needed, each manufactured/mobile home space shall be at least sixty (60) feet wide and not less than seven thousand two hundred (7,200) square feet in size for a single-wide unit; and no less than nine thousand six hundred (9,600) square feet in size for a double or triple-wide unit.
3. In all cases, the corners of every manufactured/mobile home space shall be plainly marked by comer markers. The distance between manufactured/mobile homes, including any enclosed extension thereof, shall be at least than fifteen (15) feet. No manufactured/mobile home shall be located closer than fifteen (15) feet to any property line of the manufactured/mobile home park or to any other structure on the premises and not closer than twenty-five (25) feet to any public street or highway right-of-way.

Section D.6: Access and Streets.

1. All manufactured/mobile home parks shall be provided with a network of streets, roads or driveways that will allow safe and convenient vehicular access to an improved public street from each manufactured/mobile home space. No Manufactured/Mobile Home Park space may have direct driveway access to public roads. Direct driveway access may not be misconstrued in the meaning as to serve other manufactured/mobile home park spaces as an entrance or a primary Manufactured/Mobile Home Park road.
2. All manufactured/mobile home park roads, streets, driveways and parking areas shall be constructed and maintained with an all-weather surface. The design and construction of the road cross section and associated drainage features shall be in compliance with the Division of Highways, North Carolina Board of Transportation Subdivision Roads / Minimum Design Standards with the exception that pavement surface (S9.5A or S9.5B) will not be required. Appropriate construction testing reports certifying compliance with N C DOT standards shall be provided to the Planning Department. As an alternative cross section to that specified in the referenced NCDOT standards, four (4") inches of ABC with a test certified sub-grade at ninety-eight (98%) percent compaction or six (6") inches of ABC with a non-certified compacted sub grade may be used.
3. Roads and streets within the manufactured/mobile home park shall have a minimum travel-way width of eighteen (18) feet and be aligned and graded to provide adequate drainage.
4. The intersection of the public street with the entrance way or private access road to the manufactured/mobile home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the manufactured/mobile home park. All park entrance ways shall be hard surface, approved by the North Carolina Department of Transportation, and shall be well marked and lighted. All manufactured/mobile home spaces must be accessed through the use of the interior road network of the manufactured/mobile home park.
5. Through streets connecting two (2) public thoroughfares or extending to adjacent properties shall be built to minimum construction standards required by the North Carolina Department of Transportation for acceptance to the State Highway System. All through streets shall have approval by the North Carolina Department of Transportation.

Section D.7: Parking.

1. Each manufactured/mobile home park shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of a manufactured/mobile home shall not necessitate the use of any public street, sidewalk or right-of-way or any private grounds not part of the manufactured/mobile home park.
2. Each manufactured/mobile home space shall have parking space a minimum of 10' x 20' in size, sufficient to accommodate at least two (2) passenger vehicles, on four (4) inches of compacted well graded aggregate base course.

Section D.8: Exterior Lighting.

Adequate lights shall be provided to illuminate streets, common driveways, walkways and dead-end streets for the safe movement of vehicles and pedestrians at night. Minimum requirements will be based on 0.4 foot candles per light, spaced at a maximum of two hundred (200) feet between lights, and nine thousand five hundred (9500) lumens at a twenty-five (25) foot mounting height. Utility Company (Progress Energy or BEMC) lighting shall be acceptable as exterior lighting.

Section D.9: Planting Strip.

The manufactured/mobile home park shall have a planting strip not less than ten (10) feet wide adjacent to the manufactured/mobile home park property line extending along the entire perimeter of the manufactured/mobile home park. The planting strip shall not be a portion of any manufactured/mobile home space, street or private drive. It shall be planted with evergreen and/or deciduous trees not more than eight (8) feet apart and must be at least four (4) feet in height when planted, and a minimum of eight (8) feet tall at maturity. Dead trees must be replaced. It shall be adequately landscaped with grass and shrubbery in such a manner as to be harmonious with the landscaping and/or adjacent properties and in keeping with the general character of the surrounding neighborhood. A privacy fence at least six (6) feet in height may meet the planting strip requirements in such instances where landscaping is impracticable or in instances where the Planning Department determines that a fence would be the most effective buffer. All required planting strips must be continually maintained by the Operator. Failure to maintain any required planting strip may cause the manufactured/mobile home park Letter of Compliance to be withheld or revoked. The planting strip requirement may be waived where a property line of the manufactured/mobile home park abuts a natural vegetative area.

Section D.11: Numbering and Park Signs.

1. The Operator is responsible for obtaining manufactured/mobile home park space numbers from the Columbus County E-911 Addressing Office.
2. The Operator shall be required to install manufactured/mobile home space numbers. These numbers shall be at least six (6) inches in height and three (3) inches in width so as to clearly identify each manufactured/mobile home space from the street. These numbers shall be displayed either on the manufactured/mobile home or on a post placed within the manufactured/mobile home space.
3. All streets within the manufactured/mobile home park will be named. The Operator shall obtain approval of all street names from Columbus County E-911 Addressing Office.
4. The Operator shall purchase all street signs through the Columbus County E-911 Addressing Office.
5. The Operator shall install such street signs in a manner so that the signs are visible and

clearly identify the individual streets within the manufactured/mobile home park.

6. Street signs shall be erected before any manufactured/mobile homes enter the manufactured/mobile home park.
7. The Operator shall also be required to install a reflective or lighted manufactured/ mobile home park sign at all entrances which identifies the name of the manufactured/ mobile home park and lists a telephone number at which the Operator may be contacted. The sign must be visible from the road adjacent to the manufactured/mobile home park.
8. Each manufactured/mobile home park sign shall be a minimum of three (3) feet high and four (4) feet wide with letter/numbers at least six (6) inches high and three (3) inches wide, visible to traffic at entrances.

E. ADDITIONAL REQUIREMENTS AND RESTRICTIONS

Section E.1: Manufacture Date.

No manufactured/mobile home manufactured prior to July 1, 1976 shall be placed in a Manufactured/Mobile Home Park. A manufactured/mobile home that was manufactured prior to July 1, 1976, and is located in Columbus County as of the adoption of this Ordinance, may be moved to a new Manufactured/Mobile Home Park provided that all other regulations and codes are met.

Section E.2: Responsibilities and Duties of Operator.

1. The Operator shall be required to provide adequate supervision to maintain the manufactured/mobile home park in compliance with the requirements of this Ordinance. The Operator shall keep all park -owned facilities, improvements, equipment and all common areas in good repair and maintained in such a manner as to prevent the accumulation of storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage, the accumulation of junk, or the storage of possessions and/or equipment in the area beneath the manufactured/mobile homes is expressly prohibited in pre-existing and/or new manufacture/mobile home parks.
2. The Operator will use extermination methods and other measures that conform with the requirements of the Health Director to control insects and rodents.
3. The Operator will cause all lumber, pipes, and other building materials to be stored at least one (1) foot above the ground.
4. Where the potential for insect and rodent infestation exists, the Operator will cause all exterior openings in or beneath any structure to be appropriately screened with wire, mesh or other suitable materials.
5. The Operator will control the growth of brush, weeds, and grass so as to prevent harborage of ticks, chiggers, and other noxious insects. The manufactured/mobile home park will be maintained in such a manner as to prevent the growth of ragweed, poison ivy, poison oak,

poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

6. Prior to the issuance of a Letter of Compliance, the Operator will provide in writing a road disclosure statement regarding the maintenance of manufactured/mobile home park roads. The disclosure will outline the Operator's plan for road upkeep and maintenance. The disclosure statement is required for pre-existing manufactured/ mobile home parks as well as new Manufactured/Mobile Home Parks.
7. The Operator will ensure that all manufactured/Mobile Home Park roads will allow for unencumbered access for emergency and safety vehicles to enter and service emergency and safety needs of the residents of the manufactured/mobile home park.
8. The Operator shall be required to observe the placement of all manufactured/mobile homes and to guarantee that no home is occupied until a current Certificate of Occupancy is issued by the Building Inspections Department.
9. All applicable health regulations shall apply to manufactured/mobile home parks except where such regulations are in conflict with the provisions of this Ordinance, in which case the more restrictive provisions shall apply.
10. The Operator shall pay all applicable fees as set out in the "Schedule of Fees for Manufactured/Mobile Home Parks." These fees are determined by the Planning Department and prominently posted in the Planning Department. Such schedule shall be prepared and posted by the Planning Department no later than the first Monday after the adoption of this Ordinance. Fees are subject to change with the most recent fee changes shown on a new "Schedule of Fees for Manufactured/Mobile Home Parks," which shall be posted within five (5) days of the effective date of the change.
11. Failure to comply with any of these responsibilities and duties shall be cause to revoke or deny a manufactured/mobile home park Letter of Compliance.

Section E.3: Placement and Anchoring.

1. All manufactured/mobile homes within a manufactured/mobile home park shall be properly anchored, or provided with tie downs, in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, manufacturer's instructions and meet all code requirements.
2. All manufactured/mobile homes within a manufactured/mobile home park shall be a minimum of Wind Zone II Certified as designated by the North Carolina Department of Insurance.

Section E.4: Skirting.

Each manufactured/mobile home shall be properly installed with skirting that is anchored down and of the type that is manufactured specifically for such use. The skirting shall be made of a material compatible with the siding of the manufactured/mobile home.

Section E.5: Utility and Solid Waste Disposal Requirements

1. Sewage Disposal: Every manufactured/mobile home shall be provided with an adequate sewage disposal system by connection to a public sewage system or a septic tank system constructed in compliance with State regulations and approved by the Health Director.
2. Solid Waste Collection and Disposal:
 - a) The Operators of manufactured/mobile home parks shall provide for the collection of solid waste from the containers furnished by Operator, and transport of solid waste to certified disposal sites.
 - b) All garbage and refuse in every manufactured/mobile home park shall be stored in suitable water-tight and fly-tight metal receptacles (commercial dumpsters), which shall be kept covered with tight-fitting metal covers or other methods approved by the Health Director. It shall be the responsibility of the Operator to see that all garbage and refuse is disposed of regularly and in a sanitary manner.

Section E.6: Residential Units Not to Be Travel Trailers.

The Operator shall not permit a travel trailer to locate within the manufactured/mobile home park if used for any dwelling purpose whatsoever.

Section E.7: Non-Residential Uses.

No part of the manufactured/mobile home park may be used for non-residential purposes, except uses that are required for the direct servicing and wellbeing of the manufactured/mobile home park residents and for the management and maintenance of the manufactured/mobile home park.

Section E.8: Assist County Tax Assessor.

The Operator shall be required to comply with North Carolina General Statute 105-316 (a) (1) which requires that as of January 1st, of each year, the Operator of the manufactured/mobile home park renting spaces for three (3) or more manufactured/mobile homes, furnish to the County Tax Assessor the name of the owner of and a description of each manufactured/mobile home located in the manufactured/mobile home park.

F. COMPLIANCE

Section F.1: Approval Required.

Until proper application has been made and approval granted by the Planning Board, no person shall:

1. construct or engage in the construction of any manufactured/mobile home park;

2. make any expansion of or addition or alteration to a manufactured/mobile home park that increases/decreases the number of manufactured/mobile homes within the manufactured/mobile home park;
3. alters the number of spaces available for manufactured/mobile homes within the manufactured/mobile home park; or
4. affects the facilities required within the manufactured/mobile home park.

Section F.2: Exception for Farms.

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter any farm, as defined within this Ordinance. The farm owner may request that his farm be exempt from this Ordinance by submitting to the Planning Department a notarized statement stating that the manufactured/mobile homes on the farm property will be used for farm labor housing, which also includes NC Department of Labor certified "Migrant Camps", or family. The farm owner shall provide additional documentation as requested by the Planning Board as supporting proof of the notarized statement.

Section F.3: Exception for Families.

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter families from occupying more than two (2) manufactured/mobile homes on a single tract of land. The family may request that the homes be exempt from this Ordinance by submitting to the Planning Department a notarized statement stating each and every manufactured/mobile home on the tract is owned and occupied by a family member as defined by in this Ordinance.

Section F.4: Enforcement.

1. If the Planning Department shall find that any of the provisions of this Ordinance are being violated, it shall notify the Operator of the violation in writing, specifying the nature of the violation and what corrective actions must be taken. The Operator shall take the corrective actions within thirty (30) days of receipt of the notice.
2. The Building Inspections Department shall take any action authorized by law to ensure compliance with or to prevent violation of the provisions of this Ordinance.
3. An annual inspection of all Manufactured/Mobile Home Parks shall be conducted by the Planning Department to ensure that all provisions of this Ordinance are being met. The Operator shall be advised, in writing, of any deficiencies. Once the deficiencies are corrected and the inspection fee is paid, a Letter of Compliance shall be issued by the Planning Department.
4. All manufactured/mobile home parks shall be inspected annually by the Health Director.
5. Violation of any provision of this Ordinance constitutes grounds for refusing to issue, renew, or to revoke a Letter of Compliance.

Section F.5: Variances.

The Planning Board may grant a variance from this Ordinance when the Planning Board determines that compliance with this Ordinance will create an undue hardship. In granting any variance, the Planning Board shall make the findings below, taking into account the nature of the proposed manufactured/mobile home park and the probable effect of the manufactured/mobile home park upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Board finds the following facts:

1. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the Operator of the reasonable use of the property; and
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the Operator; and
3. The circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance; and
4. The granting of the variance will not be detrimental to the health, safety and welfare of the public or injurious to adjacent property; and
5. The granting of the variance will not confer on the Operator any special privileges; and
6. The granting of the variance will not be in contradiction to other local, state or federal regulations.

Section F.6: Penalties/Fines.

1. Criminal: The Operator who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine of not more than two hundred dollars (\$200.00) or imprisonment not to exceed thirty (30) days, as provided by NCGS 14-4(a).
2. Civil: In lieu of or in addition to the criminal penalties outlined above, the Operator who violates any provision of this Ordinance may be subject to a civil penalty under NCGS 153-AI23(c), not to exceed two hundred dollars (\$200.00). Each day such violation shall be permitted to exist shall constitute a separate offense. If the Operator does not pay such penalty within thirty (30) days of notification of its assessment, it may be recovered by the County in a civil action in the nature of a debt. The Operator may contest said penalty in the court of appropriate jurisdiction.

Section F.7: Right of Appeal.

If a Letter of Compliance is denied or revoked, the Operator may appeal the action of the Planning Department to the Planning Board. Such appeal may be made by submitting written notice to the Planning Department. The Planning Board decisions may be appealed to the court of appropriate jurisdiction as provided by law.

G. APPLICATION PROCEDURE

Section G.1: Application for Approval.

1. **Sketch Plan:** Prior to a formal application, the Operator is encouraged to meet with the Planning Department in order to discuss the proposed manufactured/mobile home park. At or prior to such meeting, the Operator shall provide to the Planning Department three (3) copies of a sketch plan of the proposed manufactured/mobile home park. The plan shall show existing and proposed roads, proposed spaces, significant natural features (such as, but not limited to, watercourses, wetlands, floodplains, steep slopes), proposed solid waste facilities and any proposed amenities. The sketch plan must be to a scale and in such detail to convey the intent of the proposed manufactured/mobile home park. The sketch plan may be prepared by the Operator or his/her designee. The sketch plan does not require a Professional Engineer's nor a Licensed Surveyor's seal. The Planning Department may request that the sketch plan be reviewed by the Technical Review Committee but such review is not a required step in the approval process.
2. **Application:** Prior to the construction of a manufactured/mobile home park, or the expansion of an existing manufactured/mobile home park, the Operator shall make application to the Planning Department for a permit to construct or expand such manufactured/mobile home park. The application shall be complete when accompanied by three (3) copies of the proposed manufactured/mobile home park plan and any associated fee remitted to the Planning Department. Such proposed manufactured/mobile home park plan must meet the requirements of Section 2 herein below. The complete application shall become a permanent part of the records of the Planning Board.
3. **Proposed Manufactured/Mobile Home Park Plan Requirements:** The proposed manufactured/mobile home park plan shall be drawn at a scale no smaller than one (1) inch = one hundred (100) feet and must be drawn and sealed by a registered engineer or licensed surveyor and shall include the following:
 - a. The name of the manufactured/mobile home park, the names and addresses of the Operator and the registered engineer or licensed surveyor;
 - b. Date, scale and approximate North arrow;
 - c. Boundaries of the tract shown with bearings and distances;
 - d. Streets, traffic circulation, walkways, driveways, recreation areas, parking spaces, service buildings, water courses, easements, manufactured/mobile home spaces and numbers, all structures to be located in the manufactured/mobile home park and total acreage of the manufactured/mobile home park;
 - e. Vicinity map showing the location of the manufactured/mobile home park and the surrounding land usage;
 - f. Names of adjacent property owners;
 - g. The existing and proposed plans for surface water drainage, street lights, water supply and solid waste and sewage disposal facilities;

- h. A detailed plan for electrical installations prepared to meet the state and county codes;
- i. A detailed drawing to scale of not less than one (1) inch = ten (10) feet shall be prepared of a typical manufactured/mobile home space showing the location of the manufactured/mobile home, all utilities, the patio, concrete footing, walks, parking spaces, driveways, and all other improvements; and
- j. As necessary, provide information concerning phases of development.

Section G.2: Review.

1. Planning Department: The Planning Department shall present the proposed manufactured/mobile home park plan for review to the Technical Review Committee (TRC) within fifteen (15) days of receipt of the complete application.
2. Technical Review Committee: The TRC shall make any comments and suggestions concerning the proposed manufactured/mobile home park and return the proposed manufactured/mobile home park plan along with such comments and suggestions to the Planning Department within fifteen (15) days of the TRC receiving the plan. The Planning Department shall present the complete application with the TRC's comments and suggestions to the Planning Board at its next regularly scheduled Planning Board meeting.
3. Planning Board: The Planning Board shall review the complete application to determine if the proposed manufactured/mobile home park plan is in accordance with the requirements set forth in this Ordinance.
 1. If the Planning Board determines that the complete application does not comply with the requirements herein, then the Planning Board shall disapprove the complete application, state the reasons for such disapproval and make recommended changes. The disapproval, the reasons for disapproval and the recommended changes shall be given to the Operator.
 2. If the Planning Board approves the complete application, one (1) approved copy of the proposed manufactured/mobile home park plan shall be sent to the Building Inspections Department and one (1) approved copy of the proposed manufactured/mobile home park plan shall be given to the Operator. The Planning Board shall also notify the Planning Department of its approval of the complete application.
4. Appeal: The Operator may appeal the decision of the Planning Board disapproving the complete application by making written request for a hearing before the Planning Board. Such appeal must be received by the Planning Department within ten (10) calendar days from the date of such disapproval. Failure to make such appeal within the time specified causes the Operator to lose all right to appeal the decision of the Planning Board. The Planning Department shall submit such appeal to the Chairman of the Planning Board within seven (7) days of receipt of such appeal. A hearing shall be scheduled within forty-five (45) days from the receipt of the notice of appeal. Notice of such hearing shall be

mailed by certified mail, return receipt requested at least fifteen (15) days prior to the scheduled hearing. At the hearing the Planning Board shall allow the Operator and any person(s) the Operator wishes to present to the Planning Board to give information to the Planning Board concerning whether the Planning Board should reverse its decision. If the Planning Board upholds its decision to disapprove the complete application, the Operator is precluded from resubmitting the complete application for a 12-month period from the date of the hearing.

Section G.3: Permits.

1. Letter Permitting Construction

- a. After receiving notice of the approval of the proposed manufactured/mobile home park plan from the Planning Board, the Planning Department shall issue a letter informing the Operator that he may proceed with the construction of the manufactured/mobile home park according to the plan as approved by the Planning Board. The letter allowing construction shall not be construed to entitle the Operator to offer space for rent or lease, or to operate a manufactured/mobile home park.
- b. The letter permitting construction shall be valid for twelve (12) months from the date of issuance. The Operator shall begin construction of the manufactured/mobile home park within twelve (12) months from the issuance date of the initial letter permitting construction. If the Operator has not begun construction within twelve (12) months from the issuance letter allowing construction, the Operator may request in writing to the Planning Board for an extension of time to begin construction by showing reasonable cause for the delay in beginning construction. The Planning Board may grant an extension of time to the Operator upon a showing of reasonable cause. If the Planning Board denies the Operator's request for an extension of time, the letter permitting construction expires and the Operator must then resubmit the complete application.

2. Letter of Compliance

- a. When the Operator has completed the construction of the manufactured/mobile home park, he shall notify the Planning Department in writing. The Planning Department shall make an onsite inspection.
- b. If the manufactured/mobile home park conforms to the manufactured/mobile home park plan approved by the Planning Board, the Planning Department shall issue the Operator a Letter of Compliance. The Letter of Compliance issued to the Operator shall constitute authority to operate the manufactured/mobile home park.
- c. If the manufactured/mobile home park does not conform to the approved manufactured/mobile home park plan, the Planning Department shall not issue the Letter of Compliance until the manufactured/mobile home park comes into conformity.

- d. The Building Inspections Department shall not issue a Certificate of Occupancy until after the Letter of Compliance has been issued by the Planning Department.

Section G.4: Annual Review.

The Letter of Compliance shall expire after a one (1) year period and must be renewed annually. For manufactured/mobile homes without a Certificate of Occupancy, the Building Inspections Department shall withhold Certificate of Occupancy Permits until a current Letter of Compliance is issued.

Section G.5: Development in Phases.

When a manufactured/mobile home park is to be developed in phases, the proposed manufactured/mobile home park plan may be submitted for the entire development. All existing phases of a manufactured/mobile home park must have a current Letter of Compliance in order for any additional phases to be approved. The Operator may request a Letter of Compliance be issued for each phase completed.

Section G.6: Appeal.

If a Letter of Compliance is denied or revoked, the Operator may appeal the action of the Planning Department to the Planning Board. Such appeal may be made by submitting written notice to the Planning Department. The Planning Board decisions may be appealed to the courts of appropriate jurisdiction as provided by law.

H. AMENDMENT

1. The provisions of this Ordinance may be amended, supplemented, changed, modified or repealed by the County.
2. The Planning Board shall consider and make recommendations to the County concerning each proposed amendment.

ARTICLE 10. DEFINITIONS

Definitions are presented in two (2) parts; Definitions Related to the Southeastern Community College Zoning Area; and Definitions Related to the General Use District Zoning Area. Some definitions are also included in the text of Article 9, Standards B and C.

Section 1. Rules of Construction:

- A. Words used in the present tense shall include the future tense.
- B. Words used in the singular number shall include the plural number and the plural singular.
- C. The word "shall" and "will" are mandatory and not discretionary.

- D. The word "may" is permissive.
- E. The word "lot" shall include the words "parcel", "plot" and "tract".
- F. The word "building" and "structures" are synonymous.
- G. The phrase "used for" shall include the terms "intended to be used", or "intended for" and "designed for" and "occupied for".
- H. Words used here in the masculine gender shall be interpreted to include the feminine gender.

Section 2. Definitions Related to Southeastern Community College Zoning Area.

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

Accessory Use. A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Building. Any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry, or other public or private purpose, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, and mobile homes, and similar structures whether stationary or moveable.

Building Accessory. A subordinate building, the use of which is incidental to that of a principal building on the same plot.

Building, Principal. A building in which is conducted the principal use of the plot on which it is situated.

Building Setback Line. A line establishing the minimum allowable distance between the nearest portion of any building, excluding steps, gutters, and similar fixtures, and the property line when measured perpendicularly thereto.

Building Height. The vertical distance measured from the mean elevation of the proposed finished grade at the front of the building to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.

District. Any section of the Southeastern Community College Area in which zoning regulations are uniform.

Dwelling. A building or portion thereof designed, arranged or used for permanent living quarters for one or more families. The term "dwelling" shall not be deemed to include a motel, hotel, tourist home, house trailer, or other structures designed for transient resident.

Dwelling Unit. A building or portion thereof designed, arranged or used for living quarters for one family.

Dwelling, Single Family. A detached building designed or occupied exclusively by one family.

Dwelling, Two Family. A building or portion thereof designed for or occupied exclusively by two families living independently of each other and doing their own cooking therein, including apartment houses.

Family. One or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house or hotel.

Garage, Private. A garage used for storage purposes only and having a capacity of not more than three automobiles or not more than one automobile per family housed in the building to which such garage is accessory, whichever is the greater.

Home Occupation. Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and no person, not a resident of the premises, is employed in connection with the home occupation. Such occupation shall be carried on solely within the main dwelling and shall not occupy more than twenty-five (25) percent of the floor area the dwelling. Off-street parking shall be required.

Junk Yard. Any 1 and or area used, in whole or in part for commercial storage and/or sale of waste paper, rags, scrap, metal or other junk, and including storage of vehicles and machinery and dismantling or such vehicles or machinery.

Lot. A parcel of land occupied or to be occupied by one (1) main building or use, with its accessories and including the open spaces necessary to it. No area shall be counted as accessory to more than one (1) main building or use, and no area necessary for compliance with the open space requirements for one (1) main building or use shall be included or counted in the calculation of the open space accessory to any other main building or use. For the purpose of this Ordinance the word "lot" shall be taken to mean any number of contiguous lots or portions thereof, upon which one (1) principal building and its accessory buildings is located or intended to be located.

Lot, Depth of. The mean horizontal distance between the front and rear lot lines.

Lot, Corner. A lot or portion of a lot at the junction and abutting upon two (2) or more streets.

Lot Lines. The lines bounding a lot as defined herein.

Lot, Width. The mean horizontal distance between side lot lines.

Nonconforming Use. A building or land occupied by a use that does not conform with the use

regulations of the district in which it is situated.

Parking Space. The storage space for one automobile of not less than eight (8) feet by twenty (20) feet plus the necessary access space. It shall always be located outside of the dedicated street right-of-way.

Service Station. Any building or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, lubricants, or tires, except that indoor car washing, minor motor adjustment, and flat tire repair are only performed incidental to the conduct of the service station.

Sign. An advertising or announcement device used to attract attention or to disseminate information. Sign restrictions in this Ordinance shall not apply to the following: traffic control devices; legal notices, noncommercial use of flags and insignias; mailbox numbers and names; house numbers and names; and noncommercial names of premises or occupants thereof which have areas of one (1) square foot or less.

Sign, Accessory. An advertising service used to disseminate information concerning a person, place or thing, pertaining to the use of the land upon which it is located.

Sign, Area. The sign shall be computed by the smallest square, triangle, rectangle, circle, or combination thereof, which will encompass the entire advertising copy area.

Sign, Independent. One (1) advertising device used to disseminate information concerning a person, place, or thing, not pertaining to the use of the land upon which it is located.

Story. That portion of a building included between the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

Street or Road. A thoroughfare which affords the principal means of access to abutting property and has been accepted for maintenance by the State Highway Commission.

Structures. Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having more or less permanent location on the ground.

Tourist Home. A dwelling wherein rooms are rented as a home occupation to provide overnight accommodations for transient guests.

Yard. An open space on the same lot with a principal building unoccupied and unobstructed from the ground upward except as otherwise provided herein.

Yard, Front. An open space on the same lot with a principal building between the front line of the building (exclusive of steps) and the front property or street right-of-way line and extending across the full width of the lot. The depth or the front yard shall be measured between the front line of the building and the front line of the lot. Covered porches, whether enclosed or unenclosed shall be

considered as part of the main building and shall not project into a required yard.

Yard, Rear. An open space between the rear line of the principal building (exclusive of steps) and the rear line of the lot and extending the full width of the lot and may be used for accessory buildings. The depth of the rear yard shall be measured between the rear line of the lot or the center line of the alley, if there be an alley, and the rear line of the main building.

Yard, Side. An open unoccupied space on the same lot with a building between the side line of the building (exclusive of steps) and the side line of the lot and extending from the front yard line to the rear line. If there be no front yard the front boundary of the side yard shall be the front line of the lot and if there be no rear yard the rear boundary of the side yard shall be the rear line of the lot.

Zoning Enforcement Officer. The official charged with the enforcement of the Zoning Ordinance.

Section 3. Definitions Related to the General Use District Zoning Area.

Words and terms set forth below shall have the meanings ascribed to them. Any word, term(s) or phrase used in this Ordinance not defined below shall have the meaning ascribed to such word, term or phrase in the most recent editions of Merriam-Webster's Dictionary, Black's Law Dictionary unless, in the opinion of the Administrator, established customs or practices in Columbus County justify a different or additional meaning. Furthermore, for the purpose of this Ordinance, certain words, terms and phrases are herein defined as follows:

Adult Business. An adult business shall be defined as any business activity, club or other establishment which permits its employees, members, patrons or guests on its premises to exhibit any specified anatomical areas before any other person or persons. This includes any establishment that, as their primary business, is involved in the sale of adult oriented literature, video recordings, etc.

Asphalt Plants. A plant used for the manufacture of asphalt, macadam and other forms of coated road stone, sometimes collectively known as blacktop.

Bona Fide Farms. A commercial agricultural use of a tract of five (5) or more acres used exclusively for the raising of crops, livestock, or other plants and animals, including orchards, vineyards, and nurseries, along with any buildings and structures that are customarily and necessarily incidental to such activities, as set forth in NCGS 105-277.1 et seq. This shall include the retail sale of agricultural products grown or raised on the premises or agricultural products purchased for resale. In addition, this Ordinance does not impose nor exercise any controls over croplands, timber lands, pasture lands, orchards, or idle or other farmlands. Nor does it exercise control over any farmhouse, bam, poultry house, or other farm buildings, including tenant or other houses for persons working on said farms, as long as such houses shall be in the same ownership

as the farm and located on the farm. Residences for non-farm use or occupancy and other non-farm uses shall be subject to the provisions of this Ordinance.

Cement Mixing Facilities. A facility that combines various ingredients to form concrete. Some of these inputs include sand, water, aggregate (rocks, gravel, etc.), fly ash, potash, and cement. This includes ready mix and central mix plants.

Chemical Manufacturing. The mechanical or chemical transformation of materials and substances into new products, including the assembly of component parts and the blending of materials.

Chemical Storage Facility. Chemical storage facilities are places for bulk storage of any raw chemicals not covered by other categories. They may be either gas, liquid, or solid. This does not include warehouse storage of packaged chemicals or chemical products.

Comprehensive Land Use Plan. A general plan for the future development of Columbus County, adopted by the Columbus County Board of Commissioners according to the provisions of the North Carolina General Statutes.

Chipping Mill. The conversion of wood or logs into wood chips.

Electronic Gaming Ordinance. A business enterprise, whether principal or accessory, where persons may play games on on-site machines/terminals/computers that reveal the results of sweepstakes or similar contests associated with the on-site purchase of internet time, phone time, office supply or other retail good; and where redeemable cash sweepstakes awards (government issued coins and bills in hand) in amounts of \$10.00 or more may be received. This definition does not apply to any game or process prohibited by N.C.G.S. §§ 14-304 through 14-309 or to any game regulated by the North Carolina Education Lottery Commission.

Electrical Generating Facility. An industrial facility also referred to as a power station, generating stations, power plants, power house or generating plant is an industrial facility for the generation of power.

Explosive Manufacturing. Explosive and emulsion manufacturing projects.

Firing Range. A specialized facility designed for firearms practice where ammunition is used. May be indoor or outdoor.

Fuel Oil Bulk Storage. Storage facilities where 30,000 gallons or greater of fuel is stored.

Industrial Uses. Any use or category of uses that meet the criteria set forth below for Heavy, Light, or Industrial Park uses:

1. Heavy Industrial -Intensive industrial processes that encompass more than one acre and generate EPA controlled discharges as part of their by product, and by their nature, create high decibel noise, smoke, or dust. May also include mining and related excavations and extractions of material for sale off site, asphalt plants, explosive manufacturing, chemical manufacturing, paper mills, and large scale wood processing operations.
2. Light Industrial -Industry that is less intensive and not otherwise covered by the definition of Heavy Industry. Examples may include, but not be limited to, small manufacturing, small spinning/sewing operations, solar farms, cement mixing facilities, warehousing, small scale craft and wood working facilities.
3. Industrial Park -Large tracts of land that are designated as an industrial park, typically operated by the County, that has water and sewer available to it.

Intensive Livestock Operation/Animal Operation. Any enclosure, pen, feedlot, building, or group of buildings intended to be used, or actually used, to feed, confine, maintain, or stable a concentration of cattle, horses, sheep, poultry, or swine and that meet the following criteria as defined by N.C.G.S. 143-215.10B:

1. Anytime the total number of animals meets or exceeds the following threshold level:
 - Cattle -minimum 100 animals
 - Horses -minimum 75 animals
 - Swine -minimum 250 animals
 - Sheep/goats -minimum 1000 animals
 - Poultry -minimum 30,000 animals
2. Where dietary needs are met primarily by means other than grazing; and,
3. Where liquid animal waste is primarily handled through a liquid waste management system, or any agriculture feedlot activity with a liquid animal waste management system that discharges to the surface waters of the State.

Intensive livestock operations include any buildings, structures, excavations, or enclosed areas directly involved therein, including land used for pasture or feedlot purposes, and any animal waste storage structures, excavations or areas directly connected to or associated with such operations.

Intensive livestock operations typically include an enclosure, pen, feedlot, building or group of buildings intended for the confined feeding, breeding, raising or hold of animals where animal waste may accumulate or where vegetative cover cannot be maintained due to the concentration of animals.

Junk, Storage, Recycling, Reclamation, or Salvage Yards. Any area, in whole or in part, where waste or scrap materials are bought, sold, exchanged, stored, baled, packaged, disassembled, or

handled, including, however not limited to: scrap iron and other metals, scrap building/construction materials, plastic pipe, paper, rags, vehicles, vehicle parts and components, rubber tires, bottles, cans and household goods. The term includes junkyards and auto wrecking yards but does not include uses established entirely within enclosed buildings.

Landfill (Demolition & Sanitary). A sanitary landfill is a site used for the disposal of solid wastes beneath layers of soil and other materials. A demolition landfill is a site that is used for the disposal of stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth and other solid wastes resulting from construction, demolition or land clearing.

Land Application of Waste. Land application of any human or animal waste, treated or untreated.

Manufactured Mobile Home. A structure defined by the Manufactured/Mobile Home Park Ordinance for Columbus County as approved November 3, 2009 and as may be amended.

Manufactured Home Park. A parcel (or contiguous parcels) of land as defined by the Manufactured/Mobile Home Park Ordinance for Columbus County as approved November 3, 2009 and as may be amended.

Meat Packing Facility. A facility used for processing and packing meats to be sold for wholesale.

Mining. The breaking or disturbing of surface soil or rock in order to remove minerals to make them suitable for commercial, industrial or construction use.

Mining does not include:

- Those aspects of deep mining not having significant effect on the surface, where the affected land does not exceed one acre in area;
- Excavation or grading when conducted solely in aid of on-site farming or of on-site construction for purposes other than mining, such as constructing a residence, garage, commercial or industrial building;
- Excavation or grading when conducted in aid of construction borrow pits in conjunction with site prep for an approved development;
- Mining operations where the affected land does not exceed one (1) acre in area;
- Plants engaged in processing minerals produced elsewhere and whose refuse does not affect more than one (1) acre of land; or,
- Removal of overburden and mining of limited amounts of any ores or mineral solids when done only for the purpose of and to the extent necessary to determine the location, quantity, or quality of any natural deposit, provided that no ores or mineral solids removed during exploratory excavation or mining are sold, processed for sale, or consumed in the regular operation of a business, and provided further that the affected land resulting from any exploratory excavation does not exceed one (1)

acre in area.

Nonconforming Use. The use of a building, mobile home, or land which does not conform to the use regulation of this Ordinance, either at the effective date of this Ordinance or as a result of subsequent amendments which may be incorporated. Any building or land use covered by this Ordinance that is not operational during a one (1) year period from adoption of this Ordinance shall be considered a nonconforming use.

Propane or Gasoline Bulk Storage. The storage of product at 30,000 gallons or greater for the purpose of an individual or corporation to sell various quantities for profit.

Race Tracks (Includes Go-Cart, Motocross, etc.). Any facility used for the purpose of racing vehicles such as cars, four-wheelers, dirt bikes, go-carts, etc.

Recreation Vehicle (RV) Campgrounds. Any site or tract of land upon which fifteen (15) or more recreational vehicle spaces are provided for temporary occupancy. A recreational vehicle park shall also be known as a campground or travel trailer park.

Site Plan. A specific and detailed plan of development meeting the requirements of this ordinance.

Solar Farm/Park. Any parcel of land one (1) acre or greater where solar panels are located for the purpose of selling power. (See Light Industrial)

Wireless Communication Facility. A Wireless Communication Facility is any unstaffed facility for the transmission and/or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, an equipment facility, and a support structure to achieve the necessary elevation.

Wireless Telecommunication Tower. Any tower or structure erected for the purpose of supporting, including, but not limited to, one or more antennas designed to transmit or receive television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication. Alternative structures, as defined by this Ordinance, are considered towers by this definition. The following shall not be included in this definition:

- Amateur radio facilities with antennas mounted on supporting structures less than 100 feet in height;
- Residential antennas for receiving television or AM/FM radio broadcasts;
- Residential satellite dishes; or,
- Commercial or industrial satellite dishes that are less than 20 feet in height.”

Approved and Adopted by the Columbus County Board of Commissioners on the 21st day of February, 2022.