

## **ARTICLE 4 - GENERAL USE ZONING DISTRICTS**

### **4.1 Purpose**

The purpose of each general use zoning district is as follows and each description shall be considered in determining whether a use not specifically listed in Appendix 1 Table of Permitted Uses, is appropriate in a particular district, pursuant to section 4.2(2)(D).

#### **(1) CR – Conservation & Recreation**

The purpose of this district is to provide for open space preservation and recreation activities in parks, including low-lying floodplain areas. A limited number of uses are permitted.

#### **(2) RU – Rural**

The purpose of this district is to allow, preserve, and continue agricultural and farming activities; allow residential development at low rural densities; permit rural uses in areas where public services are not available; preserve the largely rural character of sparsely-developed areas; to encourage a mixture of low-density rural residential development, agricultural and forestry operations, agricultural support businesses, and limited public and semi-public institutions; to protect agriculture and forests from encroachment by suburban residential development that may be incompatible with agricultural uses; and to discourage the premature conversion of land from rural uses to urban and suburban uses and densities. Limited residential development on large lots is permitted within this district; however major subdivisions, as defined in Subdivision Ordinance, are prohibited.

#### **(3) R-20 – Low Density Single-Family Residential**

The purpose of this district is to accommodate low-density detached residential development in rural or suburban areas that may not have access to public water and/or sewer service. This district is designed to allow primarily residential development adjacent to areas that are rural and agricultural in nature, and as such, the density and intensity of residential development in this district is restricted to provide the maximum amount of compatibility between residential and rural uses. This district acts as a buffer between rural uses and more suburban residential development

#### **(4) R-15 – Low Density Single-Family Residential**

The purpose of this district is primarily to accommodate low-density detached residential development. Also allowed are a limited amount of complimentary institutional, governmental and nonresidential uses that are not detrimental to the residential character of the district, including parks, schools, churches and day care centers.

#### **(5) R-10 – Moderate Density Single-Family Residential**

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The purpose of this district is primarily to accommodate moderate low-density detached residential development. Also allowed are a limited amount of complimentary institutional, governmental, and nonresidential uses that are not detrimental to the residential character of the district, including parks, churches, schools, and day care centers.

### **(6) R-8 – Moderate Density Single-Family Residential**

The purpose of this district is primarily to accommodate moderate-density detached and duplex residential development. Also allowed are a limited amount of complimentary institutional, governmental, and nonresidential uses that are not detrimental to the residential character of the district, including parks, schools, churches and day care centers.

### **(7) R-6 – High Density Single-Family Residential**

The purpose of this district is primarily to accommodate higher-density detached and duplex residential development, near and adjacent to neighborhood business nodes. Also allowed are a limited amount of complimentary institutional, governmental, and nonresidential uses that are not detrimental to the residential character of the district, including parks, schools, churches and day care centers.

### **(8) R-MH – Manufactured Home Residential**

The purpose of this district is to provide for the development of manufactured home subdivisions and manufactured home parks in appropriate locations.

### **(9) R-MF – Multiple-Family Residential**

The purpose of this district is to accommodate a mix of multi-family, townhouse, duplex residential development along with detached or attached single-family residential development, and complementary non-residential uses in and adjacent to neighborhood business nodes. Complimentary uses include most institutional and governmental uses.

### **(10) NB – Neighborhood Business**

The purpose of this district is to accommodate small scale commercial establishments and professional offices that provide goods and services to local residents. Medical, education and government services are also included. This district is meant to be applied in close proximity to residential areas to encourage and accommodate pedestrian access to convenience goods and services. This district is to be compatible with nearby residential neighborhoods, and includes suitable setbacks and buffers from them. This district is intended to separate residential districts from more intense and larger commercial and industrial uses. Drive-through service is not allowed in this district.

### **(11) GB – General Business**

The purpose of this district is to accommodate a wide range of commercial establishments that provide goods and services to the residents of the Town and

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the surrounding area. The district is intended to accommodate larger buildings than the Neighborhood Business (NB) district allows. It is intended that this district be located at the intersections of primary roads in Town. This district provides accommodations and services to transient visitors and includes automobile-related uses. Drive-through service is allowed in this district.

### **(12) LI – Light Industrial**

The purpose of this district is to accommodate industrial and manufacturing uses where all or nearly all activity is contained inside a building. This district does not permit significant outside storage. Normally, the impact of work and operation in this district, such as noise, dust, and odors, are small and do not travel beyond the boundaries of the property. General categories of uses include light manufacturing and assembly, transportation, warehousing and utilities.

### **(13) HI – Heavy Industrial**

The purpose of this district is to accommodate fabrication, processing, storage and assembly operations. This district may require extensive loading and unloading facilities or much outside storage. These uses involve a great deal of activity and storage outside of buildings, large doors are often open; noise, light, heat, smoke, dust, and odors may be detected beyond the property lines. Also, the hours of operation may fall outside of the normal eight-to-five routine.

## **4.2 Permitted Uses**

### **(1) General**

Uses permitted in all general use zoning districts in this Article 4 shall be in accordance with Appendix 1, Table of Permitted Uses. For each use identified in the table, “P” indicates that the use is permitted by right in the identified zoning district; “D” indicates that the use is required to adhere to the additional development standards specified in Article 9 of this ordinance; and “C” indicates that the use is a conditional use in the identified zoning district and shall be allowed only with approval of the Town Council, and subject to the standards of Section 16.6.

### **(2) Uses Not Specifically Listed**

**(A)** Any use not listed in this Ordinance is prohibited unless the Zoning Administrator determines in writing that the use is similar to a permitted use. Where such similar use is a conditional use or is subject to development standards, the proposed use shall also be a conditional use or subject to such development standards. The Zoning Administrator shall not amend the Table of Permitted Uses (Appendix 1) by adding to or eliminating any use or any standard for a use. Further, the Zoning Administrator shall refer to the most recent edition of the North American Industry Classification System (NAICS) in determining a similar use.

**(B)** Where a use not listed is found by the Zoning Administrator not to be similar to any other permitted use, the use shall be permitted only

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following a text amendment in accordance with Section 16.7. The decision of the Zoning Administrator may be appealed to the Board of Adjustment.

- (C) When considering the appropriate districts for a use not listed in the Table of Permitted Uses (Appendix 1), the district intent statements shall apply.
- (D) Determination of an appropriate district and similar use for a proposed use not listed shall be made by applying the following criteria:
  - 1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category.
  - 2. The relative amount of site area or floor space and equipment devoted to the activity.
  - 3. Relative amounts of sales from each activity.
  - 4. The customer type for each activity.
  - 5. The relative number of employees in each activity.
  - 6. Hours of operation.
  - 7. Building and site arrangement.
  - 8. Types of vehicles used and their parking requirements.
  - 9. The relative number of vehicle trips generated.
  - 10. Signs.
  - 11. How the use is advertised.
  - 12. The likely impact on surrounding properties.
  - 13. Whether the activity is likely to be found independent of the other activities on the site.

### **(3) Developments with Multiple Principal Uses**

- (A) Each principal use shall be treated as an individual use and each use shall be subject to all applicable regulations for that individual use.
- (B) A development comprised of uses regulated by separate rows on the Table of Permitted Uses (Appendix 1) shall be reviewed using the most restrictive process from among the proposed uses.
- (C) Where a use permitted by right or by conditional use lies on a separate legal parcel, only the building containing the use and its separate parcel shall be subject to review, not the entire project. However, where the

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separate legal parcel is an outparcel, the application shall describe the relationship of the outparcel to the remaining site.

### **(4) Nonresidential Structure Sizes**

The following shall apply to these general use zoning districts: R-20, R-15, R-10, R-8, R-6, R-MH, R-MF and NB.

Nonresidential structures (with permitted uses determined in Appendix 1 – Table of Permitted Uses) in the above specified general use zoning districts (Section 4.2.(4)) with a gross floor area up to ten-thousand (10,000) square feet are allowed by right (except where a conditional permit is required for the use). Nonresidential structures greater than ten-thousand (10,000) square feet may be constructed only with a conditional use permit.

### **4.3 Dimensional Requirements**

Dimensional requirements shall be in accordance with Appendix 2 Table of Dimensional Requirements. Where public water and sewer is not provided, minimum dimensions shall be in accordance with the requirements of the Brunswick County Health Department, but in no case less than the requirements of Appendix 2. Where applicable, additional dimensional standards for uses permitted with additional development standards are found in Article 9, Additional Development Standards for Individual Uses.