

ARTICLE 8

Zoning Districts

[Amended Oct. 19, 2015 per Ord 2015-O-21, ZTA-2015-03]

[Amended Nov. 21, 2017 per Ord 2017-O-18, ZTA-2017-03]

[Amended July 17, 2018 per Ord 2018-O-07, ZTA-2017-03]

8.1 PURPOSE

In order to provide for the orderly development of Creedmoor, preserve existing development patterns that contribute to the character and sense of place of the community, and to allow for creativity in the planning for future development, the City hereby establishes zoning districts and their associated development standards.

8.2 ZONING DISTRICTS CREATED

The following primary general use zoning districts are created; this listing is in order of intensity of development permitted within the district, from least intense to most intense:

1. Agriculture (AG)
2. Single Family Residential (SFR)
3. Residential/Main Street Transitional (R/MST)
4. Main Street Periphery (MSP)
5. Main Street (MS)
6. Civic (CIV)
7. NC 56 Commercial (C 56)
8. US 15 Commercial (C 15)
9. Industrial (IND)
10. Open Space Preservation (OSP) *[Amended December 6, 2016 per Ord. 2016-O-22]*
11. Traditional Neighborhood Development-Conditional District (TND-CD)

In addition to the primary general use zoning districts, the following overlay districts are created to provide for more creativity in the development of land.

1. Mini Farm Overlay (MFO)
2. Scenic Corridor Overlay (SCO)
3. Hazardous Industry Overlay (HIO)

8.3 DESCRIPTION OF ZONING DISTRICTS

The zoning districts created by this ordinance are described as follows:

- ❖ The **AGRICULTURE DISTRICT (AG)** is established to protect lands used for agricultural production, agricultural based businesses and related activities. Farm land is a defining element of Creedmoor's identity and the protection of these lands aids in preserving the character of the City. Permitted uses are limited, with an emphasis on uses that are agricultural in nature. Development density is very low to encourage preservation of agricultural lands while discouraging large lot residential development. The Agriculture District can also be used to protect open spaces.
- ❖ The **SINGLE FAMILY RESIDENTIAL DISTRICT (SFR)** provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods in a pattern that encourages the wise use of land. Allowed building/lot types in the Single Family District are Detached House and Civic Building. Permitted uses are restricted to single family homes and their accessory uses, a limited number of related uses that serve the residential neighborhoods, and civic uses. Neighborhoods in this district are the dominant land use in Creedmoor and are a major element in defining the character of the community. The Single Family Residential District permits the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Creedmoor prior to the effective date of these regulations.
- ❖ The **RESIDENTIAL /MAIN STREET TRANSITIONAL DISTRICT (R/MST)** provides for the completion of existing residential neighborhoods in the residential area(s) surrounding the Main Street and Main

Street Periphery District through in-fill development. The intent of this district is to recognize that most of the area surrounding the core of the downtown developed prior to the adoption of standards such as zoning and subdivision regulations. The gradual transformation of existing development to high quality mixed density residential development is needed to support the central core of the City. Higher density residential development allows a greater number of households to walk or bike, thus reducing the parking demand and providing environmental and health benefits. Allowed building/lot types in these districts are the Detached House, Attached House, Multi-family Building, and Civic Building. Streets in the Residential/Main Street Transitional District should be interconnected, with streets and sidewalks providing a connection from Creedmoor's downtown to the Single Family Residential districts surrounding these neighborhoods. A range of housing types is encouraged.

- ❖ The **MAIN STREET PERIPHERY DISTRICT (MSP)** provides for the development and maintenance of a range of uses in areas adjacent to Creedmoor's core downtown area. Allowed building/lot types in these districts are Multi-Family, Detached House, Attached House for both residential and/or non-residential permitted uses, and Civic Building. In this district, the development pattern integrates limited service, limited retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery District to the downtown and to surrounding neighborhoods. The Periphery District provides an area for the expansion of the Main Street District.
- ❖ The **MAIN STREET DISTRICT (MS)** provides for new development, revitalization, reuse, and infill development in Creedmoor's core downtown. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House, attached House, and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Main Street District shall be contiguous and not separated from the primary district area.
- ❖ The **CIVIC DISTRICT (CIV)** provides a location for large educational, medical, and public uses in a campus like environment. Large developments in the Civic District are encouraged to provide a master plan to the City. Institutional uses in the Civic District are required to provide pedestrian connections on their campuses and, to the extent possible, develop an internal street system with structures fronting on the streets. Parking should not be the dominant visible element of the campuses developed for institutional uses.
- ❖ The **NC 56 COMMERCIAL DISTRICT (C 56)** is established to provide opportunities for compatible and sustainable development where the dominant mode of transportation is the automobile. The auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments. Allowed building/lot types are Highway Commercial, and Civic Building. Dominant uses in this district are retail and office. The NC 56 Commercial District is expected to serve Creedmoor residents as well as persons who travel from surrounding communities. The development pattern in this district acknowledges the role of the automobile, with parking and access provided to ensure safety for the motoring public. Development standards in the NC 56 Commercial District ensure the creation of a pleasant auto-oriented environment while enabling a compatible transition to uses in adjacent districts.
- ❖ The **US 15 COMMERCIAL DISTRICT (C 15)** is established to provide opportunities for compatible and sustainable development along the US 15 corridor where future Creedmoor neighborhoods will interconnect with this Bypass type roadway corridor without negatively dissecting the community. Development standards in the US 15 Commercial District acknowledge that the automobile is the primary mode of transportation. Development and design standards encourage pedestrian scale development along a secondary street network serving larger projects. Goals of the US 15 Commercial

District include providing a pleasant environment for motorists, a safe environment for pedestrians along the secondary network of streets and pedestrian facilities; ensuring the safety of motorists and pedestrians; and preserving the capacity of the Bypass to accommodate high traffic volumes at higher speeds. Uses in this district include services, employment, residential and industrial. Allowed building/lot types include Urban Workplace, Shop-front Commercial, and Civic Building.

- ❖ The **INDUSTRIAL DISTRICT (IND)** is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities. Allowed building and lot types are Highway Commercial and Civic Building.
- ❖ The **TRADITIONAL NEIGHBORHOOD DEVELOPMENT CONDITIONAL DISTRICT (TND-CD)** provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods. These neighborhoods are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. A TND-CD provides a mixture of housing types and prices, prominently sited civic or community building(s), stores/offices/workplaces, and churches to provide a balanced mix of activities. A TND-CD has a recognizable center and clearly defined edges. TND-CD development master plans should have a significant portion of land dedicated to open spaces, both improved for residents' use and forested areas designed to protect environmentally sensitive land features. A TND-CD shall be developed with a mandated mixture of commercial and residential uses, and in a manner that guarantees that the full commercial development acreage area infrastructure is completed prior to or concurrent with the completion of all other portions of the development. TND-CD districts are limited to areas inside Creedmoor's corporate limits along NC Highway 56 (east or west) or US Highway 15.
- ❖ The **MINI FARM OVERLAY DISTRICT (MFO)** permits buildings to be grouped on a site, parcel, or property in order to optimize the use of land and resources for both residential and agricultural purposes. By clustering development at a density no greater than one unit per developed acre, projects developed in accordance with these standards while preserving unique natural features for agricultural use. The Mini Farm Overlay District mandates the dedication of both agricultural land and open space. It is the intent of this district to be used for new development in undeveloped outlying areas of the City and its extraterritorial jurisdiction. Allowed building/lot type is Detached House.
- ❖ The **SCENIC CORRIDOR OVERLAY DISTRICT (SCO)** is established to protect the pastoral scenes and open spaces that provide a sense of arrival for residents and visitors traveling the major entrance roads and gateways to the City. The pastoral scenes and undeveloped property along the entrance roads and gateways contribute significantly to Creedmoor's community character and sense of place. The Scenic Corridor Overlay District provides development options for the owners of the property abutting the entrance roads and gateways. The goal of this district is to protect the scenic value of the corridors through a mix of incentives and development standards. These standards will preserve the rural character of the City by maintaining the sense of a rural corridor in an urban environment; provide an aesthetically appealing experience for those traveling the corridor; provide multi-modal transportation options for travel; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district.
- ❖ The **HAZARDOUS INDUSTRY OVERLAY DISTRICT (HIO)** is established to protect all environments from the negative impacts of certain activities and types of development. It is the intent of this section to provide and permit certain public and private heavy industrial uses and facilities that incorporate hazardous materials and/or scientific technology, including: wholesale, distribution, storage, processing, manufacturing and production. However, it is required that industries in this district take all necessary actions including but not limited to installation of apparatus and technological equipment available to prevent negative impacts on the environment and the community from the emissions of

smoke, dust, fumes, noise and vibrations and other activities and/or products resulting from such hazardous industrial activities in accordance with federal, state and local regulations.

- ❖ The **OPEN SPACE PRESERVATION DISTRICT (OSP)** is established to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands, undisturbed buffers, slopes in excess of 10%), or properties already under public or private ownership otherwise restricted by conservation easements. District is reserved for publicly held lands under permanent conservation easements or for privately held lands owned by one or more land trust(s) where recorded conservation easements restrict development potential. *[Amended December 6, 2016 per Ord. 2016-O-22]*

8.4 ZONING DISTRICT DEVELOPMENT STANDARDS

The following development standards are established for each of the following primary general use zoning districts to ensure the orderly development of the City of Creedmoor.

8.4-1 AGRICULTURE DISTRICT (AG)

- A. **INTENT.** The AGRICULTURE DISTRICT (AG) is established to protect lands used for agricultural production, agricultural based businesses and related activities. Farm land is a defining element of Creedmoor’s identity and the protection of these lands aids in preserving the character of the City. Permitted uses are limited, with an emphasis on uses that are agricultural in nature. Development density is very low to encourage preservation of agricultural lands. The Agriculture District can also be used to protect open spaces.
- B. **PERMITTED USES**
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. **PERMITTED BUILDING AND LOT TYPES**
 - Detached house
 - Civic Building
- D. **PERMITTED ACCESSORY USES**
 - Accessory Dwelling Units (subject to additional standards, see section 10.1)
 - Accessory Structures
 - Fences (see Article 2, section 2.13-2)
 - Home Occupations (subject to additional standards, see section 10.1)
- E. **PERMITTED DENSITY**
 - Residential Density: 0.20 units/acre.
- F. **GENERAL REQUIREMENTS**
 - 1. Building placement, building type, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building type permitted in the Agriculture District.
 - 2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Agriculture District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
5 acres	85’	60’	25’	25’	50’

- G. **OPEN SPACE.** The provision and design of open space shall comply with the requirements set forth in Article 21.
- H. **PARKING AND LANDSCAPING.** Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-2 SINGLE FAMILY RESIDENTIAL DISTRICT (SFR)

- A. INTENT. The SINGLE FAMILY RESIDENTIAL DISTRICT (SFR) provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods in a pattern that encourages the wise use of land. Allowed building/lot types in the Single Family District are Detached House and Civic Building. Permitted uses are restricted to single family homes and their accessory uses, a limited number of related uses that serve the residential neighborhoods, and civic uses. Neighborhoods in this district are the dominant land use in Creedmoor and are a major element in defining the character of the community. The Single Family Residential District permits the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Creedmoor prior to the effective date of these regulations.
- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. PERMITTED BUILDING AND LOT TYPES
 - Detached house
 - Civic Building
- D. PERMITTED ACCESSORY USES
 - Accessory Dwelling Units (subject to additional standards, see section 10.1)
 - Accessory Structures
 - Fences (see Article 2, section 2.13-2)
 - Home Occupations (subject to additional standards, see section 10.1)
- E. PERMITTED DENSITY
 - Residential Density: 4 units/acre
- F. GENERAL REQUIREMENTS
 1. Building placement, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Single Family Residential District.
 2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Single Family Residential District.

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
11,600 SF	72'	26'	10'	10'	18' or as required by buffering standards and/or building type

- G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.
- H. PARKING AND LANDSCAPING. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-3 RESIDENTIAL/MAIN STREET TRANSITIONAL DISTRICT (R/MST)

- A. INTENT. The RESIDENTIAL/MAIN STREET TRANSITIONAL DISTRICT (R/MST) provides for the completion of existing residential neighborhoods in the residential area(s) surrounding the Main Street and Main Street Periphery District through in-fill development. The intent of this district is to recognize that most of the area surrounding the core of the downtown developed prior to the adoption of standards such as zoning and subdivision regulations. The gradual transformation of existing development to high quality mixed density residential development is needed to support the central core of the City. Allowed building/lot types in these districts are the Detached House, Attached House, Multi-family Building, and Civic Building. Streets in the Residential/Main Street

Transitional District should be interconnected, with streets and sidewalks providing a connection from Creedmoor’s downtown to the Single Family Residential districts surrounding these neighborhoods. A range of housing types is encouraged.

B. PERMITTED USES

Uses permitted by right. See Table of Uses (Table 8.1)

Uses permitted with additional standards. See Table of Uses (Table 8.1)

Uses permitted with conditions. See Table of Uses (Table 8.1)

C. PERMITTED BUILDING AND LOT TYPES

Attached House

Multifamily Building

Detached House

Civic Building

D. PERMITTED ACCESSORY USES

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences (see Article 2, section 2.13-2)

Home Occupations (subject to additional standards, see section 10.1)

E. PERMITTED DENSITY

1. Residential Density: 8 units/acre

2. Multifamily Density: See 10.1-24 (B)(2)

F. GENERAL REQUIREMENTS

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Residential/Main Street Transitional District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Residential/Main Street Transitional District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
5000 SF	60’	18’	6’	6’	12’ or as required by buffering standards and/or building type

G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.

H. PARKING AND LANDSCAPING. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-4 [RESERVED]

8.4-5 MAIN STREET PERIPHERY DISTRICT (MSP)

A. INTENT. The MAIN STREET PERIPHERY DISTRICT (MSP) provides for the development and maintenance of a range of uses in areas adjacent to Creedmoor’s core downtown area. Allowed building/lot types in these districts are Multi-Family, Detached House, Attached House for both residential and/or non-residential permitted uses, and Civic Building. In this district, the development pattern integrates limited service, limited retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery District to the downtown and to surrounding neighborhoods. The Periphery District provides an area for the expansion of the Main Street District.

- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. PERMITTED BUILDING AND LOT TYPES *[Amended Jan. 19, 2016 per Ord. 2016-O-01, ZTA-2015-05]*
 - Multifamily Building
 - Urban Work-front
 - Shop Front
 - Attached House
 - Detached House
 - Civic Building
- D. PERMITTED ACCESSORY USES
 - Accessory Dwelling Units (subject to additional standards, see section 10.1)
 - Accessory Structures
 - Fences (see Article 2, section 2.13-2)
 - Home Occupations (subject to additional standards, see section 10.1)
- E. RESERVED.
- F. RESIDENTIAL DENSITY: 8 units/acre.
- G. GENERAL REQUIREMENTS
 1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Main Street Periphery District.
 2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Main Street Periphery District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
4000 SF	50'	12' off back of curb	6'	6'	12' off back of curb

- H. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.
- I. PARKING AND LANDSCAPING. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-6 [RESERVED]

8.4-7 MAIN STREET DISTRICT (MS)

- A. INTENT. The MAIN STREET DISTRICT (MS) provides for new development, revitalization, reuse, and infill development in Creedmoor’s core downtown. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House, Multi-family Building, Attached House, and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Main Street District shall be contiguous and not separated from the primary district area.
- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)

Uses permitted with additional standards. See Table of Uses (Table 8.1)

Uses permitted with conditions. See Table of Uses (Table 8.1)

C. PERMITTED BUILDING AND LOT TYPES

Urban Workplace

Shop-front

Multi-family Building

Attached House

Detached House

Civic Building

D. PERMITTED ACCESSORY USES

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences (see Article 2, section 2.13-2)

Home Occupations (subject to additional standards, see section 10.1)

E. PERMITTED DENSITY

Residential Density: 8 units/acre

F. GENERAL REQUIREMENTS

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Main Street District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Main Street District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
0 SF	0'	8' off back of curb	8'	0'	12' off back of curb

G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.

H. PARKING AND LANDSCAPING. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-8 [RESERVED]

8.4-9 CIVIC DISTRICT (CIV)

A. INTENT: The CIVIC DISTRICT (CIV) provides a location for large educational, medical, and public uses in a campus like environment. Large developments in the Civic District are encouraged to provide a master plan to the City. Institutional uses in the Civic District are required to provide pedestrian connections on their campuses and, to the extent possible, develop an internal street system with structures fronting on the streets. Parking should not be the dominant visible element of the campuses developed for institutional uses.

B. PERMITTED USES

Uses permitted by right. See Table of Uses (Table 8.1)

Uses permitted with additional standards. See Table of Uses (Table 8.1)

Uses permitted with conditions. See Table of Uses (Table 8.1)

C. PERMITTED BUILDING AND LOT TYPES

Urban Workplace

Detached House

Civic Building

D. PERMITTED ACCESSORY USES

Accessory Structures
Fences (see Article 2, section 2.13-2)

E. PERMITTED DENSITY

Residential Density: 1 unit/acre
(Unlimited as Dormitories permitted as part of approved master plan)

F. GENERAL REQUIREMENTS

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Civic District.
2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Civic District.

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
40,000 SF	100'	15'	15' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	10' or as required by buffering standards and/or building type

G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.

H. PARKING, LANDSCAPING AND BUFFERS. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-10 NC 56 COMMERCIAL DISTRICT (C 56)

A. INTENT: The NC 56 COMMERCIAL DISTRICT (C 56) is established to provide opportunities for compatible and sustainable development where the dominant mode of transportation is the automobile. The auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments. Allowed building/lot types are Highway Commercial, and Civic Building. Dominant uses in this district are retail and office. The NC 56 Commercial District is expected to serve Creedmoor residents as well as persons who travel from surrounding communities. The development pattern in this district acknowledges the role of the automobile, with parking and access provided to ensure safety for the motoring public. Development standards in the NC 56 Commercial District ensure the creation of a pleasant auto-oriented environment while enabling a compatible transition to uses in adjacent districts.

B. PERMITTED USES

Uses permitted by right. See Table of Uses (Table 8.1)
Uses permitted with additional requirements. See Table of Uses (Table 8.1)
Uses permitted with conditions. See Table of Uses (Table 8.1)

C. PERMITTED BUILDING AND LOT TYPES

Highway Commercial
Civic Building

D. PERMITTED ACCESSORY USES

Fences (see Article 2, section 2.13-2)

E. PERMITTED DENSITY

Residential Density: None

F. GENERAL REQUIREMENTS

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the NC 56 Commercial District.
2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the NC 56 Commercial District:

Minimum Lot Size	Minimum Lot Width	Minimum Setback from Highway	Build-to Line from any street other than the Highway	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
24,000 SF	360' on Highway, or 125' on any street other than the Highway	27'	12' or as required by buffering standards and/or building type	12' or as required by buffering standards and/or building type	0' or as required by buffering standards and/or building type	12' or as required by buffering standards and/or building type

- G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.
- H. PARKING, LANDSCAPING AND BUFFERS. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-11 US 15 COMMERCIAL DISTRICT (C 15)

- A. INTENT: The US 15 COMMERCIAL DISTRICT (C 15) is established to provide opportunities for compatible and sustainable development along the US 15 corridor where future Creedmoor neighborhoods will interconnect with this Bypass type roadway corridor without negatively dissecting the community. Development standards in the US 15 Commercial District acknowledge that the automobile is the primary mode of transportation. Development and design standards encourage pedestrian scale development along a secondary street network serving larger projects. Goals of the US 15 Commercial District include providing a pleasant environment for motorists, a safe environment for pedestrians along the secondary network of streets and pedestrian facilities; ensuring the safety of motorists and pedestrians; and preserving the capacity of the Bypass to accommodate high traffic volumes at higher speeds. Uses in this district include services, employment, and industrial. Allowed building/lot types include Urban Workplace, Shop-front Commercial, and Civic Building.
- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. PERMITTED BUILDING AND LOT TYPES
 - Urban Workplace
 - Shop-front Commercial
 - Civic Building
- D. PERMITTED ACCESSORY USES
 - Accessory Structures
 - Fences (see Article 2, section 2.13-2)
- E. PERMITTED DENSITY
 - Residential Density: None.

F. GENERAL REQUIREMENTS

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the US 15 Commercial District.
2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the US 15 Commercial District:

Minimum Lot Size	Minimum Lot Width	Minimum Setback from Highway	Build-to Line from any street other than the Highway	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
10,000 SF	360' on Highway, or 125' on any street other than the Highway	35'	10' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	10' or as required by buffering standards and/or building type

- G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.
- H. PARKING, LANDSCAPING AND BUFFERS. Parking shall comply with the requirements set forth in Article 12. Parking may be placed in between a building and the Highway/Bypass. However, parking shall not be in the required setback between a building and the Highway/Bypass. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.
- I. When a building is in between a secondary street and the Highway/Bypass, that building shall front the secondary street.

8.4-12 INDUSTRIAL DISTRICT (IND)

- A. INTENT: The INDUSTRIAL DISTRICT (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities. Allowed building and lot types are Highway Commercial and Civic Building.
- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. PERMITTED BUILDING AND LOT TYPES
 - Highway Commercial
 - Civic Building
- D. PERMITTED ACCESSORY USES
 - Accessory Structures
 - Fences (see Article 2, section 2.13-2)
- E. PERMITTED RESIDENTIAL DENSITY
 - None

F. GENERAL REQUIREMENTS

1. Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For projects without a curb and gutter street system, development shall not exceed thirty-six percent (36%) built-upon area on a project by project basis.
2. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Industrial District.
3. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Industrial District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
32,400 SF	180'	80'	16'	16'	80'

- G. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21.
- H. PARKING, LANDSCAPING AND BUFFERS. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-13 OPEN SPACE PRESERVATION (OSP) *[Amended December 6, 2016 per Ord. 2016-O-22]*

- A. INTENT: The Open Space Preservation (OSP) district is established to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands, undisturbed buffers, slopes in excess of 10%), or properties already under public or private ownership otherwise restricted by conservation easements.
- B. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- C. PERMITTED BUILDING AND LOT TYPES
 - None
- D. PERMITTED ACCESSORY USES
 - None
- E. PERMITTED RESIDENTIAL DENSITY
 - None
- F. MINIMUM LOT SIZE
 - 435,600 SF (10 acres)

8.4-14 TRADITIONAL NEIGHBORHOOD DEVELOPMENT CONDITIONAL DISTRICT (TND-CD)

- A. INTENT: The TRADITIONAL NEIGHBORHOOD DEVELOPMENT CONDITIONAL DISTRICT (TND-CD) provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods. TND-CD districts are limited to parcels of land located inside Creedmoor’s corporate limits along NC Highway 56 (east or west) or US Highway 15. TND-CD neighborhoods are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. A TND-CD provides a mixture of housing types and prices, prominently sited civic or community building(s), stores/offices/workplaces, and churches to provide a balanced mix of activities. A TND-CD has a recognizable center and clearly defined edges. TND-CD development master plans should have a significant portion of land dedicated to open spaces, both improved for residents’ use and forested areas designed to protect environmentally sensitive land features. A TND-CD master plan shall be designed in such a manner that the public infrastructure (buried utilities, stormwater devices, lighting, sidewalks, landscaping, etc.) and other site improvements for the total identified commercial

development area is completed prior to or concurrent with the completion of all other portions of the development.

B. PERMITTED USES

Uses permitted by right. See Table of Uses (Table 8.1)

Uses permitted with additional standards. See Table of Uses (Table 8.1)

Uses permitted with conditions. See Table of Uses (Table 8.1)

C. PERMITTED BUILDING AND LOT TYPES

Urban Workplace

Shop-front Commercial

Multi-family Building

Detached House

Attached House

Civic Building

D. PERMITTED ACCESSORY USES

Accessory Structures

Fences (see Article 2, section 2.13-2)

E. PERMITTED DENSITY

Single Family Residential Density: 7 units/acre

Multifamily Density: See Article 10.24-1

F. GENERAL REQUIREMENTS

1. This district is a “conditional zoning district” and is subject to the approval of the Board of Commissioners according to the procedures outlined in CDO Section 5.4.
2. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Traditional Neighborhood Development District and by the standards set forth in section 8.5-1.(G) below.
3. Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
 - a. New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
 - b. New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume.
4. On new streets, allowable building and lot types will establish the development pattern.
5. A master plan in compliance with TND-CD standards shall be provided with the zoning map amendment, noting that this district is a “conditional zoning district” and is subject to the approval procedures outlined in CDO Article 5, Section 5.4. The master plan shall include a topographic survey and shall show the location and hierarchy of streets and public open spaces, location of residential, commercial, and civic building lots, street sections and/or plans, a master sign program, an outline of any additional regulatory intentions, phasing, and any other information, including building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges. A subdivision preliminary plat, prepared in accordance with applicable articles of the Creedmoor Development Ordinance, for residential portions of the proposed master plan may be submitted by the applicant for staff review concurrently with the request for rezoning and overall master plan approval.
6. Minimum Development Size: 20 acres.
7. Maximum Development Size: 150 acres.
8. Tracts larger than 150 acres shall be developed as multiple TND-CD projects, each individually subject to all provisions
9. Percentage of Gross Land Area Required by Use:

Residential (Single Family, Townhouse, or Multifamily) – 40% minimum

Commercial, Institutional, or Office – for sites 20 – 50 acres, a minimum of 10% of the site; sites 50 - 150 acres, 5 acre minimum

10. TND-CD shall be located in areas with frontage along NC Highway 56 (east or west) or US Highway 15.

G. TND-CD DESIGN PROVISION

1. NEIGHBORHOOD FORM

- a. The descriptions of Traditional Neighborhood Building and Lot types in Article 9 will determine the general arrangement and distribution of elements in a TND-CD master plan.
- b. The area of the TND-CD shall be divided into blocks, streets, lots, and open space.
- c. Similar land uses shall generally front across each street. Dissimilar categories shall generally abut at rear lot lines. Corner lots which front on streets of dissimilar use shall generally observe the setback established on each fronting street.

2. STREETS, ALLEYS AND BLOCKS

- a. Public streets shall provide access to all tracts and lots via connection of proposed streets to either NC Highway 56 or US Highway 15. Rights of way for connection of proposed city streets to NC Highway 56 or US Highway 15 may be required to exceed 60' feet in width where additional travel lanes are dictated by use and site design layout. The impact of traffic created and trips generated by the proposed development shall be taken into consideration when travel lane widths, sight triangles, turning lanes, etc., are being proposed.
- b. Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development. Cul-de-sacs shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround, and are permitted only where topography makes a street connection impracticable. Vehicular turnarounds of various configurations are acceptable so long as emergency access is adequately provided. Pedestrian connections should be provided as extensions of terminating streets where not precluded by topography or other physical constraints.
- c. The average perimeter of all blocks within the TND-CD shall not exceed 1,350 linear feet. No block face should have a length greater than 500 feet without a dedicated alley or pathway providing through access.
- d. Rear alleys shall provide vehicular access (including parking) to all lots 50 feet or less in width.
- e. Utilities may run along alleys provided that a permanent access and utility easement is recorded for the full length of alley being used for utilities or public services such as garbage collection.
- f. TND-CD streets shall be organized according to a hierarchy based on function, size, capacity, and design speed; streets and rights-of-way are therefore expected to differ in dimension. The proposed hierarchy of streets shall be indicated on the submitted site plan. Each street type in a TND-CD shall be separately detailed. Street types as described in the City of Creedmoor Standards and Specifications Manual identify the street types permitted in a TND-CD. An array of elements that are combined to meet the purposes of TND neighborhood streets: building placement line, optional utility allocation, sidewalk, planting strip, curb and gutter, optional parallel parking, and travel lane(s). Alternative methods of assembling the required street elements will be considered to allow neighborhood street designs that are most appropriate to setting and use.
- g. To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of

visual enclosure, long uninterrupted segments of straight streets should be avoided. Methods to achieve this interruption include: (1) a street can be interrupted by intersections designed to calm the speed and disperse the flow of traffic (see City of Creedmoor Technical Standards and Specifications Manual) and terminate vistas with a significant feature (building, park, natural feature); (2) a street can be terminated with a public monument, specifically designed building facade, or a gateway to the ensuing space; (3) perceived street length can be reduced by a noticeable street curve where the outside edge of the curve is bounded by a building or other vertical elements that hug the curve and deflect the view; (4) other traffic calming configurations are acceptable so long as emergency access is adequately provided.

3. BUILDINGS AND LOTS

- a. All lots shall share a frontage line with a street or square; lots fronting a square shall be provided rear alley access.
- b. Consistent build-to lines shall be established along all streets and public space frontages; build-to lines determine the width and ratio of enclosure for each public street or space. A minimum percentage build-out at the build-to line shall be established on the plan along all streets and public square frontages.
- c. Building and lot types shall comply with the descriptions provided in Article 9.
- d. Large-scale, single use facilities (conference spaces, theaters, athletic facilities, etc.) shall generally occur behind or above smaller scale uses of pedestrian orientation. Such facilities may exceed maximum first floor area standards if so sited.
- e. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the TND-CD:

Use	Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
Townhouse	3,000 sf	Zero lot line	n/a	n/a	n/a	n/a
Small-Lot Single Family Detached	6,000 sf	60'	18'	10'	10'	10'
Multifamily Attached	3 acres	60'	18'	10'	10'	10'

- 4. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21. A neighborhood park with community building and active recreation opportunities designed for use by residents of the master planned development is required in this district. Multi-use greenways/bikeways required as a feature of the proposed street design.
- 5. PARKING AND LANDSCAPING. Parking spaces inside garages count toward individual parking per housing unit. Spillover parking for visitors shall be addressed in a separate parking lot created for visitors, or by means of additional spaces included alongside resident parking. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11; a Type C Buffer between Commercial and Residential portions of the master plan is required.

8.5 OVERLAY DISTRICTS *[Amended May 27, 2014 per Ord. 2014-O-03]*

The following Overlay Districts supersede the underlying primary general use zoning districts where permitted uses and/or requirements and/or standards and/or conditions are established by the Overlay District. All other provisions shall apply where no superseding provisions are established.

8.5-1 RESERVED.

8.5-2 MINI FARM OVERLAY (MFO)

- A. INTENT. The MINI FARM OVERLAY DISTRICT (MFO) permits buildings to be clustered or grouped on a site, parcel, or property in order to optimize the use of land and resources for both residential and agricultural purposes. The Mini Farm Overlay District mandates the dedication of both agricultural land and open space. It is the intent of this district to be used for new development in undeveloped areas of the City. Allowed building/lot type is Detached House.
- B. APPLICABILITY. The provisions set forth below may be applied, upon designation of the property as a Mini Farm Overlay District, to properties with a minimum size of 66 acres in the Agricultural zoning district. The provisions of this section shall not be applicable in platted and recorded residential subdivisions.
- C. PERMITTED USES
 - Uses permitted by right. See Table of Uses (Table 8.1)
 - Uses permitted with additional standards. See Table of Uses (Table 8.1)
 - Uses permitted with conditions. See Table of Uses (Table 8.1)
- D. PERMITTED BUILDING AND LOT TYPES
 - Detached House
- E. PERMITTED ACCESSORY USES
 - Accessory Dwelling Units (subject to additional standards, see section 10.1)
 - Accessory Structures
 - Agricultural Based Business(s)
 - Fences (see Article 2, section 2.13-2)
 - Home Occupations (subject to additional standards, see section 10.1)
- F. DEVELOPMENT STANDARDS. The following development standards shall apply to developments approved in accordance with the provisions of this section:
 - 1. The maximum residential density is established by the underlying general use zoning districts as defined in Section 8.4.
 - 2. There shall be a minimum separation of 12 feet between all enclosed structures.
 - 3. Parking shall comply with the requirements set forth in Article 12.
- G. RESERVED
- H. RESERVED
- I. AGRICULTURAL AND OPEN SPACE. Not less than 60% of the site shall be conveyed as Common Agricultural and Open Space. The provision and design of agricultural and open space shall comply with the requirements set forth below.
 - 1. Common agricultural and open space provided by a development shall be conveyed as follows:
 - a. To the City of Creedmoor and accepted by it for park, open space, agricultural, or other specified use or uses, provided that the conveyance is approved by the City Council; or
 - b. To a nonprofit organization whose principal purpose is the conservation of open space, to a corporation or trust owned or to be owned by the owners of lots or dwelling units within the development, or to owners of shares within a cooperative development. If such a corporation or trust is used, ownership shall pass with the conveyances of the lots or dwelling units. Such corporation or trust shall maintain the property in use for agricultural purposes and/or as open space.

2. Where the common agricultural and open space in a development is conveyed pursuant to subparagraph 1.b above, a deed restriction enforceable by the City of Creedmoor shall be recorded that provides that the common agricultural and open space shall:
 - a. be maintained in the authorized conditions(s); and
 - b. not be developed for principal uses, accessory uses (e.g., parking), or roadways, with the exception that gazebos, tool sheds, barns, shelters, or similar accessory uses and structures may be constructed within the agricultural and common open space upon approval of the Planning, Zoning and Subdivision Administrator.

J. General Standards.

1. The following shall apply in the Mini Farm Overlay District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
50,000 S.F.	85'	60'	25'	25'	50'

8.5-3 SCENIC CORRIDOR OVERLAY (SCO)

- A. INTENT. The SCENIC CORRIDOR OVERLAY DISTRICT (SCO) is established to protect the pastoral scenes and open spaces that provide a sense of arrival for residents and visitors traveling the major entrance roads and gateways to the City. The pastoral scenes and undeveloped property along the entrance roads and gateways contribute significantly to Creedmoor’s community character and sense of place. The Scenic Corridor Overlay District provides development options for the owners of the property abutting the entrance roads and gateways. The goal of this district is to protect the scenic value of the corridors through development standards. These standards will preserve the rural character of the City by maintaining the sense of a rural corridor in an urban environment; provide an aesthetically appealing experience for those traveling the corridor; provide multi-modal transportation options for travel; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district.
- B. TYPES. Three (3) types of scenic corridors are hereby created:
 1. RURAL SCENIC CORRIDOR. A corridor along which development is limited, consisting largely of fields, pastures, and scattered residential uses. The rural scenic corridor evokes a sense of traveling through an undeveloped area, with pastoral scenes and a sense of being removed from the urban environment.
 2. GATEWAY SCENIC CORRIDOR. A corridor that serves as an entrance way to a place that is unique and different from other communities in the area. The gateway corridor provides a sense of arrival to a place that is special and different from the typical places. The gateway scenic corridor may be more developed than the rural scenic corridor, but the character of the development is such that those using the corridor are aware they are in a special place.
 3. BYPASS SCENIC CORRIDOR. A corridor providing for buffering of the bypass to protect the traffic carrying capacity of the road and to provide for a pleasant experience for motorists using the bypass. The bypass scenic corridor requires an undeveloped setback from the bypass, ensuring that the bypass through Creedmoor is unique and portrays the character of the community while enhancing the safety of motorists using the road.
- C. GENERAL REQUIREMENTS
 1. DEVELOPMENT PATTERN. Building placement, parking placement, building type, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Scenic Corridor Overlay District.
 2. ACTIVITIES PERMITTED IN THE SCENIC CORRIDOR. In order to preserve the aesthetic quality of the scenic corridors, uses and activities within the designated scenic corridors shall be limited

to the following:

- a. The scenic corridor easement may be used for passive recreation, agricultural uses, and equestrian uses. No other use shall be permitted within the scenic corridor easement.
 - b. No building construction, parking, land disturbing activity, signs, tree removal, lighting (other than street lighting provided by the City of Creedmoor and driveway or private road lighting provided that said lighting is provided by full cutoff fixtures), or other development activity shall occur within the scenic corridor easement except as follows:
 - i. A bikeway, greenway, and/or other pedestrian/bicycle facility may be located within the scenic corridor easement.
 - ii. Underground utilities and easements for underground utilities may be located within the scenic easement, provided that no above ground transmission or other equipment is located within the scenic easement.
 - iii. Buildings used primarily for agricultural and/or equestrian related activities may be built in the scenic corridor easement upon approval by the City Board of Commissioners as a Conditional Use. Parking shall be located behind the building, shall not be located within the scenic easement, and shall be buffered from the scenic corridor. The City Board of Commissioners shall consider the following items in making the decision to allow aforesaid buildings in the scenic easement:
 1. The building's visual impact on the scenic corridor;
 2. The building's size;
 3. The compatibility of the building's architecture with community character and the purposes of the scenic corridor overlay district.
3. SCENIC CORRIDOR DIMENSIONS. The designated scenic corridors shall meet the following dimensional standards:
 - a. The width of the scenic easement within the rural scenic corridor shall be 10% of the lot depth but no more than 100 feet from the edge of the public right-of-way.
 - b. The width of the scenic easement within the gateway scenic corridor shall be 10% of the lot depth but no more than 50 feet from the edge of the highway right-of-way.
 - c. The width of the scenic easement within the bypass scenic corridor shall be 10% of the lot depth but no more than 75 feet from the edge of the public right-of-way.
 4. SCENIC CORRIDOR PROVISIONS. The following provisions shall govern development within a designated scenic corridor:
 - a. The area within the scenic easement may be dedicated to the City as a conservation easement, provided it meets the standards for such an easement as established by applicable state and federal standards.
 - b. The maximum residential density is established by the underlying general use zoning districts as defined in Section 8.4.
 - c. Development may be clustered on the portion of the property located outside the scenic easement.
 5. CURB CUTS. There shall be a minimum separation of 500' between curb cuts in the rural scenic corridors. This separation requirement may be waived by the *Planning, Zoning and Subdivision Administrator* if the width of the property frontage would preclude a second curb cut meeting this spacing requirement.
 6. LOT REQUIREMENTS. The lot type standards and building type standard permitted in the underlying district, as set forth in section 8.4 and further described in Article 9, shall apply in the Scenic Corridor Overlay District.
- D. OPEN SPACE. The provision and design of open space shall comply with the requirements set forth in Article 21. Land within the scenic easement may count for up to 100% of the open space required by Article 21 of this Ordinance.
 - E. PARKING AND LANDSCAPING. Parking shall comply with the requirements set forth in Article 12.

Landscaping shall comply with the requirements set forth in Article 11.

8.5-4 HAZARDOUS INDUSTRY OVERLAY (HIO)

- A. INTENT. The HAZARDOUS INDUSTRY OVERLAY (HIO) DISTRICT is established in accordance with NCGS Reference: 130A-293 *Local ordinances prohibiting hazardous waste facilities* to protect all environments from the negative impacts of certain activities and types of development. It is the intent of this section to restrict and regulate certain public and private heavy industrial uses and facilities that incorporate hazardous materials and/or scientific technology, including: wholesale, distribution, storage, processing, manufacturing and production which could impact public health, safety, and welfare. However, it is required that industries in this overlay district take all necessary actions including but not limited to installation of apparatus and technological equipment available to prevent negative impacts on the environment and the community from the emissions of smoke, dust, fumes, noise and vibrations and other activities and/or products resulting from such hazardous industrial activities in accordance with federal, state and local regulations. It is further intended that this section will:
1. Provide standards that will ensure that such development will be designed, arranged and constructed to protect the Lake Rogers and Falls Lake reservoirs and the lands of the City of Creedmoor and it's extraterritorial jurisdiction;
 2. Provide standards that will ensure that such development will have a minimum impact on the public schools within the City's jurisdiction and public health safety, and welfare; and
 3. Through the zoning map amendment process provide for careful consideration in the location of such uses that, because of their inherent nature, extent, and external effects, require special care in control of their design and methods of operation in order to ensure protection of the public safety and welfare.
- B. Property shall be within an Industrial (IND) Zoning District to be eligible for consideration for the Hazardous Industry Overlay (HIO) District.
- C. EXEMPT USES. For the purpose of this section, the following uses are exempt from the provisions of this section:
Medical Clinics having no-certificate-of need for in-patient care;
Medical Facilities having no-certificate-of need for in-patient care;
Doctor's Offices;
Medical Labs;
Dental Offices;
Outpatient Facilities having no certificate-of-need for in-patient care; and
Healthcare Facilities having no certificate-of-need for in-patient care.
- D. Conditional Use Permits for All Hazardous Industries Required. The following uses may be established only after issuance of a Conditional Use Permit in accord with the procedures and conditions specified in Section 7.8:
Hazardous Industry
Foundries producing iron and steel products
Industrial equipment machinery repair and servicing
Meat-packing plants
Oil, Natural Gas and Fuel distributors
Textile manufacturing processes including weaving, dyeing and finishing
Wholesale storage of gasoline or bulk terminal plants for any highly explosive or inflammable gases or liquids, with exception of expansion of facilities already located, which is a permitted use
Auto wrecking yards, building material salvage yards, general salvage yards, and scrap metal processing yards
- E. MINIMUM LOT DIMENSIONS. The minimum lot size shall be of sufficient size to facilitate a hazardous industry facility which meets all requirements of this section, the Creedmoor Technical

Standards and Specifications Manual, and all buffer requirements for new development.

- F. MINIMUM BUILDING/PARKING LOT/STORAGE AREA SETBACKS. The minimum building/parking/storage area setbacks shall be as follows:
1. From any arterial or collector street right-of-way – 500 feet
 2. From any local street right-of-way – 500 feet
 3. From an interior lot line adjacent to a non-residential zoning district – 250 feet
 4. From an interior lot line adjacent to a school or day care facility – 500 feet
 5. From an interior lot line adjacent to a residential zoning district – 500 feet
- G. BUILDING HEIGHT REQUIREMENTS
1. The maximum building height for a structure adjacent to a residential or commercial zoning district shall be no greater than 40 feet.
 2. The maximum building height for a structure adjacent to an industrial zoning district – no height restrictions.
- H. USE REQUIREMENTS
1. Any such hazardous industry facility shall be located consistent with the Future Land Use Patterns as set out in the *City Plan 2030 – Land Use & Comprehensive Master Plan* as may be amended from time to time.
 2. Any such hazardous industry facility shall be located on an arterial highway as defined in the Creedmoor Technical Standards and Specifications Manual.
 3. Any such hazardous industry facility shall be serviced by a public water and wastewater system.
 4. Any such hazardous industry facility shall be enclosed with a security fence of adequate height and structure that would reasonable prohibit access to the site by the general public. All security gates and/or gate houses shall be set back a minimum of 50 feet from the public right-of-way line.
 5. All structures housing the storage of bulk liquid and/or hazardous or toxic materials shall be set back from any property line a minimum of 550 feet.
 6. There shall be no industry created noise in excess of 50 decibels as measured at the property line and no objectionable noise due to extreme frequency, beat frequency, intermittence or shrillness.
 7. There shall be no industry created ground vibration measurable at any lot line of an industrial unit.
 8. There shall be no industry created air pollution including:
 - a. No noxious odors; no noxious, toxic or corrosive gases or fumes.
 - b. No smoke of a density in excess of #1 on the Ringelmann Chart. In cases of smoke other than black in color, and approved density scale equivalent to the Ringelmann Chart shall be used.
 - c. No dust or other particulate matter emitted in excess of 0.85 pounds per 1,000 pounds of gases adjusted to 12% carbon dioxide.
 - d. There shall be no surface or subsurface discharge or disposal of any wastes, either liquid or in any form without prior approval of the Board of Commissioners.
 - e. There shall be no unusual fire or explosion hazards. Based on the National Board of fire insurance rates which classifies industrial units as Class I, Class II, and Class III, the following shall apply:
 - i. No special controls on a manufacturing unit determined to be Class I other than under [3] below.
 - ii. Class II and Class III manufacturing units shall be contained in a building designed and constructed in accordance with its class and according to provisions of the building code published by the Building Officials and Code Administrators, International [BOCA], 1313 East 60th Street, Chicago, Illinois, 60637.

- iii. Machinery or equipment shall be treated as necessary to eliminate hazards.
- iv. Uses which are customarily incidental and accessory to the principal use shall be permitted including, but not limited to: dwelling quarters for watchmen and caretakers employed on the premises, recreation areas and facilities for persons employed by industries within the same district's boundaries, restaurants, warehouses and commercial uses that are permitted in the NC 56 and/or US 15 Commercial District.
- f. Businesses that produce, store or use hazardous materials, as defined by the Environmental Protection Agency's (EPA) Hazardous Substances or Prior Pollutants lists shall be allowed only when the items listed in Section 154.111 are met.
- g. Miscellaneous Prohibitions:
 - i. Any interference with any other process, equipment, appliance or devices and any mechanical, electrical or other equipment which could create such interference shall have all necessary shielding or other protection.
 - ii. In any industrial unit or accessory all operations and storage, other than for passenger vehicles of visitors and employees, trucks and over the road vehicles, shall be within an entirely enclosed building or structure. Exemption: Outside storage of bulk or large raw materials which are fireproof if enclosed by a security fence with provisions for visual inspection and where screened from public view in its entirety from adjacent properties and public streets/roadways.
- I. Conformance with *Creedmoor Technical Standards and Specifications Manual*. All development shall comply with the requirements of the *Creedmoor Technical Standards and Specifications Manual*.
- J. Operations and Closure Plans Required. An emergency operations plan shall be developed and be on file at the City of Creedmoor and Granville County Emergency Management Offices.
 - 1. An operations plan shall be submitted to include:
 - a. The date of commencement of operations and their expected duration;
 - b. Proposed hours and days of operation;
 - c. A complete description of operation, including source of materials, method of compaction, type of sealing proposed to be used, types and number of equipment to be used;
 - d. Any phasing schedule of operations and relationship among phases;
 - e. Operating practices to be followed to ensure compliance with regulations of this ordinance, and;
 - f. Complete assessment by the Creedmoor Fire Department in conjunction with local emergency management agencies that all necessary equipment, training, and personnel are available at the emergency response level to adequately handle all emergency scenarios.
 - 2. A closure plan shall be prepared and submitted in accordance with United States Environmental Protection Agency (USEPA) guidelines as part of the application for a zoning map amendment to establish the HIO district.
- K. Hazardous Chemical Notification and Inventory Reporting. EPCRA Section 311-312 applies to any facility at which a hazardous chemical, as defined by the Occupational Safety and Health Act, is present in an amount exceeding a specified threshold. These facilities must submit -- to the SERC, LEPC, and local fire department -- material safety data sheets (MSDSs) or lists of MSDSs and hazardous chemical inventory forms (also known as Tier I and II forms). This information helps the local government respond in the event of a spill or release of the chemical.
- L. Emergency Notification and Agriculture. EPCRA requires businesses that store threshold amounts of chemicals that are subject to OSHA's Hazardous Communication Standard to submit information -- including facility point of contact and the Material Safety Data Sheets (or a list

of those chemicals) -- to state and local authorities in order to facilitate emergency planning and response. Annual reporting to state and local authorities is required for all covered facilities that have those chemicals in amounts above threshold. Hazardous chemicals used in routine agricultural operations and fertilizers held for resale by retailers is excluded.

- M. Toxic Chemical Release Inventory Reporting. EPCRA Section 313 requires manufacturing facilities included in SIC codes 20 through 39 to submit an annual toxic chemical release report if they have 10 or more employees and if they manufacture, process, or use specified chemicals in amounts greater than threshold quantities. This report, commonly known as Form R, covers releases and transfers of toxic chemicals to various facilities and environmental media, and allows EPA to compile the national Toxic Release Inventory (TRI) database.