



**TOWN OF CEDAR POINT
PLANNING BOARD MEETING
6:30 P.M. - TUESDAY, NOVEMBER 2, 2021
CEDAR POINT TOWN HALL**

1. Call to Order
2. Roll Call
3. October 5, 2021 Meeting Minutes
4. Old Business
 1. **Multi-Family Dwellings** discussion and possible recommendation of proposed amendments to the UDO.
5. Public Comments
6. Comments from Board Members
7. Adjourn

The next regularly scheduled meeting will be Tuesday, November 2, 2021 at 6:30 PM

Tab 3 October 5, 2021 Minutes



Town of Cedar Point
Planning Board Meeting
October 5, 2021

The Town of Cedar Point Planning Board held their regularly scheduled monthly meeting on Tuesday, October 5, 2021 at 6:30 PM. Chairman Josh Reilly determined a quorum to be present and opened the meeting.

PRESENT: Chairman Reilly, Vice Chairman Williams, Members Castellano, Pittner, Marelo and Riggs, Town Manager Rief, Town Clerk Calhoun and public

The Minutes from the September 14, 2021 meeting were presented for Board consideration and approval. Member Castellano made a **Motion** to approve the September 14, 2021 Minutes. Member Marelo seconded. The Motion carried unanimously.

Under New Business, Mr. Rief presented a rezone request (RZ-2021-03). The request is to rezone two parcels located at 421 and 425 Cedar Point Boulevard from B1 Business to B2 Marine Business. The applicant, Justin Cleve, Crystal Coast Marine Contracting, was present. Mr. Rief provided a brief presentation of the application. Mr. Cleve then spoke, illustrating his desire to have a central location for staging materials for docks, bulkheads and boat lifts. This parcel would not be a contractor yard, rather, materials for jobs already contracted would be stationed here to load on their barges. He also stated that he would be landscaping appropriately and providing a vegetative buffer between the adjacent properties on either side. A small area would be used to display some of the products they offer for construction. There is an need for the business to utilize this space due to HOA, CAMA and other constraints trying to access the water via the customer's property.

Since there is no language in the UDO speaking to this type of Marine business, a text amendment would be necessary. This would occur after the rezone is approved by the Board of Commissioners.

Board discussion included the new business being a positive for the Town, due to the dilapidated condition of the existing building (which the applicants stated they would tear down).

Vice Chairman Williams made a **Motion** to recommend the rezone request RZ-2021-03 be reviewed by the Board of Commissioners. The Motion was seconded by Member Riggs. Member Castellano voted Nay. The Motion carried 4-1.

The Board returned to their discussion concerning Multi Family Dwellings, primarily development incentives. Some of the standards included in these incentives were recreation activities such as a pool, basketball court, playing fields, community center, playground or fishing pond. Also, inter-connectivity was included in the discussion, with the use of sidewalks, greenways or walking paths. These changes would be incorporated and presented to the Board at their next meeting.

Mr. Rief read a recommendation from Commissioner Nash regarding the shielding of businesses. This shielding would include a vegetative or other buffer and would be targeting those businesses opening in an existing building or store front via a Change of Use permit. Commissioner Nash recommends that a Change of Use should trigger buffering requirements just as a new commercial building would. Mr. Rief advised the Board that this proposed text change would be presented to them at their next regular meeting.

There being no further business, the meeting was adjourned. Member Castellano made a **Motion** to adjourn the meeting, Vice Chairman Williams seconded.

The meeting was adjourned at 8:03 PM.

Josh Reilly, Chairman

Jayne Calhoun, Town Clerk

Tab 4 Multi Family Dwellings Text Amendment

All entities, including non-profits, residing in the Human Services Campus District are subject to a Municipal Service Fee to be determined by the Town. The fee's amount shall be calculated by building square footage and usage of public safety services, garbage, water, and sewer.

3. DIMENSIONAL REQUIREMENTS

Unless otherwise specified, the following dimensional requirements shall apply:

- (a) Minimum District Area: Sixty (60) acres.
- (b) Minimum District Width: None.
- (c) Minimum Front Setback: Twenty (20) feet.
- (d) Minimum Side Yard Setback: Ten (10) feet.
- (e) Minimum Rear Yard Setback: Twenty (20) feet.
- (f) Maximum Allowable Height: Forty-five (45) feet
- (g) Minimum Required Open Space: Thirty-five (35) percent of total district area
- (h) Maximum Impervious Surface Area: Sixty-five (65) percent of total district area
- (i) Minimum Single Family ~~and~~, Duplex, ~~and Triplex~~ Space Requirements: Each parcel designated for either single family, ~~or duplex, or triplex~~ use shall adhere to the following dimensional and setback requirements from each identified parcel line:
 - i. Area:
 - Single Family: Twenty thousand (20,000) square feet.
 - Duplex: Thirty thousand (30,000) square feet.
 - ~~Triplex: Forty Thousand (40,000) square feet.~~
 - ii. Setbacks: These setbacks shall be observed from the individual single family, ~~or duplex, or triplex~~ lots designated for the use.
 - Minimum Front Yard Setback: Twenty (20) feet.
 - Minimum Side Yard Setback: Ten (10) feet.
 - Minimum Rear Yard Setback: Twenty (20) feet.
 - Minimum Parcel Width: Eighty (80) feet.
- (j) Minimum Space Requirements for other developments: All other developments within the district shall observe the following area and setback requirements from identified parcel lines:
 - Minimum Parcel Area: Fifty thousand (50,000) square feet.
 - Minimum Front Yard Setback: Thirty (30) feet.
 - Minimum Side Yard Setback: Ten (10) feet.
 - Minimum Rear Yard Setback: Thirty (30) feet.
 - Minimum Parcel Width: One hundred (100) feet.
- (k) A TIA shall be required for residential developments proposed within Town of Cedar Point that have an estimated trip generation of 2,000 vehicles per day or greater during an average weekday based on a five-day national average as defined in the Institute of Transportation Engineers (ITE) Trip Generation Manual. The TIA shall be developed in accordance with "Appendix A" of this Ordinance.

5.8 MIXED - USE BASE ZONING DISTRICTS

improvements related to uses other than residential and twenty (20) percent of the project's common space/open space has been fully constructed and is accessible, then the developer's failure to provide the nonresidential component for phased projects, within the applicable time periods set forth in the schedules above shall not preclude the issuance of certificates of compliance or occupancy for the residential portions of the project, provided all other conditions for obtaining the certificates have been met.

- (j) For zoning parcels of less than five acres, the mixed use development must contain residential uses, but may contain only one other non-residential use category. Other than this provision e, all other provisions of this Section apply to zoning parcels of less than five acres zoned MXD.

4. PERMITTED USES

- (a) **PRINCIPAL USES.** All uses in this list shall be considered permitted uses in a MXD. The uses are arranged in categories to provide an appropriate mix of uses. Uses are placed in categories based on similar impacts and to ensure diversity of uses. The categories are not intended to follow standard classification of uses. The list of uses for the MXD is independent from the permitted uses for other zoning districts. At least residential along with two (2) other categories out of the five (5) listed below must be represented in the mixed-use project.

- i. Residential category:
 - a. Dwellings, single-family.
 - b. Duplex, ~~triplex, quad~~.
 - c. Family care homes.
 - d. Group home supportive, medium, under prescribed conditions.
 - e. Group home supportive, large, under prescribed conditions.
 - f. Condominiums, Apartments, Multifamily and ~~T~~ownhouses.
- ii. Office category:
 - a. Banking services.
 - b. Offices, medical.
 - c. Offices (without outdoor operations or storage).
 - d. Offices with limited wholesale distribution (no assembly and storage permitted).
 - e. Radio and television broadcasting studios.
- iii. Commercial category:
 - a. Convenience food stores without gasoline sales.
 - b. Lawn and garden stores.
 - c. Spas and health clubs.
 - d. Personal service establishments:
 - (1) Beauty salons.
 - (2) Barber shops.
 - (3) Licensed professional therapists.
 - (4) Clothing alterations.
 - (5) Shoe repair shops.
 - e. Photography studios.
 - f. Restaurants without drive-up windows

6.1.1 TABLE OF PERMITTED USES														
Use	RA	R-20	R-15	R-15M	R-10	B-3	B-2	B-1	MC	LIW	IW	HS	MX	Additional Standards
Cabinet and Woodworking Shop								S		P	P			6.2.C
Campground/Camp, Seasonal									P					
Cemeteries	S											P		6.2.D
Clinic and Medical Laboratory						S	S	S					S	
Clothing Manufacturing										P				
Colleges and Related Facilities								S					P	6.2.E
Commercial Marine Facility							S							6.2.F
Commercial Displays						P	P	P		P	P			
Commercial Printing and Publishing						P								
Community Shopping Center						P		P					P	6.2.G
Condominium	S	S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		S				S		<u>6.2.L</u>
Contractor's Plant or Storage Yard										P	P			
Convenience Food Stores without gasoline sales						P	P	P					P	
Convenience Food Stores with gasoline sales						P	P	P					S	6.2.Q
Day Care, Adult								S				P	P	6.2.H
Day Care, Child	S	S						S					P	6.2.I
Dock, Private	P	P	P	P	P				P				P	
Docks and Piers, Commercial						P	P	P	P	P	P		S	
Drystack Boat Storage facility							S						S	6.2.J
Dwelling, Duplex	S	S	S	S	S							S	P	6.2.L
Dwelling, Efficiency Unit	S	S	S	S	S							S	P	6.2.K
Dwelling, Live Work					S	S	S	S					S	6.2.M
Dwelling, Manufactured				P					P					6.2.N
Dwelling, Multiplex	S	S	S	S	S	-	-	-	-	-	-	S	P	6.2.L
Dwelling, Recreation Vehicle									P					
Dwelling, Single Family	P	P	P	P	P							P	P	
Dwelling, Townhouse, Rowhome	S	S	S	S	S	<u>S</u>						S	P	6.2.L

6.1.1 TABLE OF PERMITTED USES															
Use	RA	R-20	R-15	R-15M	R-10	B-3	B-2	B-1	MC	LIW	IW	HS	MXD	Additional Standards	
Dwelling, Triplex, Quad	S	S	S	S	S	-	-	-	-	-	-	P	P	6.2.L	
Electrical Repair Shop							P			P					
Electronic Machines, Equip. and Supp.										P	P				
Exterminating Services											S				
Fabricating Shops										S	S				
Family Care Home	S							S					P	6.2.O	
Farm Stand	P				P										
Fiberglass Manufacturing										S					
Fish Camps									P						
Fishing Pier							P						P		
Fishing Ranch							P								
Funeral Home, Mortuary, Crematorium	S							S		S	S			6.2.P	
Furniture Manufacturing Plants										S	P				
General Business and Retail Sales						P	P	P					P		
General Warehousing										P	P				
General Wholesaling										P	P				
Golf Course								S						6.2.R	
Government Uses											S				
Grocery Stores						S	S	S					P		
Group Care Facility	S							S					P	6.2.S	
Group Retirement Facility												P	P		
Home Center						P							P	6.2.T	
Home Occupations	S	S	S	S	S								S	6.2.U	
Hospitals						S	S	S					P		
Hotel and Motel						S	S	S					S	6.2.V	
Industrial Assembly, Sales and Repair										P	P				
Junk Yard															
Kennels	S							S						6.2.W	
Lab: Research, Med., Dental, Optical						S	S	S		S			S		

to protecting the privacy of adjacent property owners and to maintaining the character of a residential neighborhood.

- (d) Pick-up and drop-off areas shall be separate from the drive-aisle. The pick-up and drop-off areas shall be designed so that no child is required to cross the parking lot or any other traffic areas.

J. DRYSTACK BOAT STORAGE

1. STANDARDS OF EVALUATION

The following specific standards shall be used to evaluate an application for approval of this use:

- (a) All principal and accessory buildings shall be no closer than thirty (30) feet from any property line. In cases where a property line is bordered by water, the applicable CAMA setback shall apply.
- (b) All proposed uses and required parking areas shall be buffered and screened in accordance with the buffering requirements of this ordinance.

K. DWELLING, EFFICIENCY UNIT

1. STANDARDS OF EVALUATION

An efficiency apartment must be located within a principal single-family dwelling, and must meet the following criteria:

- (a) The efficiency apartment must be architecturally integrated with the principal structure. Connection by breezeway, walkway, or other artificial means does not satisfy this requirement.
- (b) The lot fronts on a public street;
- (c) One of the units is occupied by the property owner;
- (d) The efficiency apartment shall contain no more than twenty-five (25) percent of the gross floor area of the total dwelling; and
- (e) The efficiency apartment must be inaccessible, or able to be made inaccessible from the principal dwelling unit.
- (f) Other situations with more than one dwelling unit within a single structure are considered attached dwellings under this ordinance.

L. DWELLING, MULTIFAMILY

1. CATEGORIES OF ATTACHED DWELLINGS ~~AND UNITS~~

This Ordinance hereby establishes the following attached dwelling use types:

- (a) Duplex
- (b) ~~Condominium~~ ~~Multiplex~~
- (c) Townhome ~~use~~ ~~Rowhome~~
- (d) ~~Apartment~~ ~~Triplex~~ ~~Quad~~

2. STANDARDS OF EVALUATION

The following specific standards shall be used to evaluate an application for approval of this use:

- (a) Site plans show compliance with the dimensional requirements for the applicable Zoning District in which the attached dwelling unit is being developed.

i. Density Limitations:

- a. For individual lots or parcels less than 1 acre in size, a duplex may be constructed provided the lot is at least 50% larger than the minimum lot size for the zoning district where the lot is located.

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b. For individual lots or parcels at least 1 acre in size but less than 2 acres, density may not exceed 4 dwelling units per acre.

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c. For individual lots or parcels at least 2 acres in size but less than 5 acres, density may not exceed 4 dwelling units per acre unless a density increase is allowed under subsection XX below.

d. For individual lots or parcels at least 5 acres in size, density may not exceed 6 units per acre unless a density increase is allowed under subsection XX below.

e. For purposes of determining allowable density, the parcel or lot size prior to development will be used.

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i. ~~All proposed duplexes, triplexes, and quads shall be required to have an additional four thousand five hundred (4,500) square feet of required lot area to be developed.~~

ii. ~~For multiplex developments, each proposed independent dwelling unit over five (5) units shall have an additional ten thousand (10,000) square feet of lot area to support each additional proposed dwelling unit.~~

(b) Density Increase

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For proposed developments where a density increase may be granted, a density increase of 1 unit per acre will be allowed if at least two of the additional standards listed herein are complied with, and a density increase of 2 units per acre will be allowed if four or more of the additional standards listed herein are complied with. The list of additional standards are as follows:

i. The stacking of residential units vertically. To meet this standard, at least 30% of the residential units must be located above another residential unit or a commercial unit.

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ii. Provision of substantial on-site recreational activities. To meet this standard, applicant must provide at least one of the following recreational facilities for each 5 full acres of development. For projects, less than 5 acres, a minimum of one facility is required:

a. In-ground swimming pool adequately sized for the development

b. Children/youth playground incorporating multiple play stations and structures

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c. Clubhouse with gathering space and indoor recreation options.

d. Athletic field, appropriately sized for soccer, football, baseball, volleyball, and/or lacrosse

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e. Basketball Court

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f. Pond (other than stormwater pond), stocked for fishing or for use by equipment such as kayaks, canoes, paddle boards, and paddle boats.

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iii. Provision for off-site sewer/septic. To meet this standard, any area designated for sewage treatment or septic systems must be removed from the project area and is not used to determine density.

iv. Provision for double fronting units. To meet this standard, site design should arrange buildings such that either:

a. A porch, portico, or other similar entrance is designed to be accessed from a public/community sidewalk in close proximity to

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the front entrance and where resident parking and building access for residents is provided for behind the buildings; or,

b. Resident and guest parking is provided in the front of the buildings and the rear of each building incorporates an entryway and sidewalk that leads to a community/public walking trail or sidewalk. On the other side of the walking trail or sidewalk is a minimum of 150' of open space. This layout applies to buildings laid out to create quadrangles with a center courtyard or to buildings where vehicle access is not provided for between the rear of the buildings and property boundaries.

v. Site accessibility from at two different public roads.

vi. Increased buffer of at least 100' depth adjoining residentially zoned parcels and at least 50' depth for all other parcels.

vii. Landscaping within the site and around the perimeter far exceeding the Town's requirements. To comply with this standard, the applicant must specifically state their intent to seek approval under this standard and must present a landscape plan showing both the Town's minimum required landscaping as well as the additional landscaping provided. Whether this standard is met is within the sole discretion of the Planning Board.

viii. Provision of public water access. To meet this standard, the development must provide the general public access to the water through the installation of a boat ramp, kayak launch facility, fishing pier, or other similar type access, including public parking for such use.

~~(b)~~(c) For developments consisting of five (5) or more dwelling units, vehicular ingress and egress and exits for the development are directly off a public road(s), which is either a collector or arterial street, and meet the driveway standards in *Section 7.10, DRIVEWAY CONNECTIONS*.

~~(e)~~(d) Up to four (4) dwelling units are permissible on any public street.

~~(d)~~(e) The interior roads and parking areas shall meet the required specifications included in *Section 7.15, STREETS AND ROADS*.

~~(e)~~(f) The project is served or is proposed to be served by public water and sewer systems. The proposed distribution systems have been sized to meet the demands of the project, including fire protection.

~~(f)~~(g) The Fire Marshal has reviewed and approved in writing the fire protection plan, including the location of fire hydrants.

~~(e)~~(h) The utility plan has been reviewed and approved by the Town Manager and the State has approved the extension of the Town's systems. All utilities, including electrical, telephone, and cable television, are to be installed underground.

~~(h)~~(i) The lighting plan meets or exceeds the specification of this Ordinance.

~~(i)~~(j) The grading, storm drainage, and soil erosion and sedimentation control plans have been reviewed and approved by the Town Manager, or consulting Engineer, as applicable.

~~(k)~~ The pedestrian circulation minimizes the conflicts between pedestrians and motor vehicles, and it provides convenient access to all common areas and

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facilities and to public streets.

~~(l)~~ Site design shall incorporate interconnectivity to off-site commercial or recreation facilities such as walking trails or public parks. To meet this standard, the site must incorporate pedestrian and bicycle access to all existing or Town proposed trails, paths, sidewalks or walkways, and to any existing and or proposed commercial developments or public parks/recreational facilities.

~~(m)~~ The proposed trash container and recycling system meets the requirements of this Ordinance and the policies of the Town of Cedar Point.

~~(n)~~ The site plan shows the phasing, if any, of the development, including any phases to be developed later. If a development is to be built in phases, and complete plans for the succeeding phases are not available, then the requirements in this section shall apply to each phase as if it were a separate and discrete development. Further, when a development is built in phases and includes improvements that are designed to relate to, benefit, or be used by the entire development, (such as swimming pools or tennis courts), the developer shall submit a schedule for completion of these improvements. All common implements necessary to comply with the requirements of this Ordinance for each phase, including any additional standards adopted in order to increase density, for each phase must be completed before occupancy of a subsequent phase may commence.

~~(o)~~ An improvement must be scheduled and completed before the final phase of the development is begun. The permit-issuing authority may, in special cases (exclusive of financial hardship) authorize the applicant to commence the intended use of the property or to occupy any building before these improvements are installed provided that a performance ~~guarantee~~ in accordance with 160D-804.1 is furnished.

~~(p)~~ Additional standards for Townhouse developments

~~i.~~ In determining applicable setback requirements for townhouse developments, setbacks will be based on the exterior boundaries of the project site or phase thereof and shall not be applied to determine separation between individual units.

~~ii.~~ In developments where individual Townhouse parcels extend beyond the footprint of the Townhouse unit to provide for individually owned yards, such yards shall not be fenced in unless all such yards are fenced in at the same time and such fencing remains uniform in appearance, design, and construction.

~~(m)iii.~~ Individual lots for Townhouses shall not be narrower than 16 feet in width.

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M. DWELLING, LIVE WORK

1. STANDARDS FOR EVALUATION

The following specific standards shall be used to evaluate an application for approval of this use:

- (a) The residence and the business shall be attached either by a common wall or a breeze way or located in one (1) central building.
- (b) Parking for the residence must be separate from the business use

Museums and Art Galleries	1 space per 300 square feet of gross floor area
Nursing Homes, Rest Homes, Homes for the Aged	1 space for 4 patient beds, plus 1 space per each 2 employees on the shift of greatest employment
Offices	1 space for each 200 square feet of net floor area
Post Office	1 space per 150 square feet of public service area, plus 2 spaces per 3 employees on shift of greatest employment
Public Library	1 space for each 300 square feet of net floor area
Public or Private Clubs	1 space for each 200 square feet of net floor area
Public Utility Buildings	1 space for each employee on shift of greatest employment
Public/Private Swimming Pools excluding single-family water and deck area and multi-family residential pools	1 space per 100 square feet
Radio and TV Stations	2 spaces per 3 employees on shift of greatest employment
Recreation uses such as Golf Driving Ranges, and/or Tennis, Billiards, Pool Centers or other similar uses	1 space per tee, green, or court
Recreational Clubs	1 space per 250 square feet of net floor area.
Residential Housing designed for and used by the elderly	1 space per 4 dwelling units
Residential ^{lee} , Multi-Family	1.5 spaces for units 549 sq. ft. or less; 1.75 spaces for units 550-699 sq. ft.; 2 spaces for units 700-1,249 sq. ft.; 2.25 spaces for units over 1,250 sq. ft.
Residential ^{lee} , Single-Family	2 spaces per dwelling unit

Residential Boarding House	1 space per room or boarder whichever is greater, in addition to the normal requirement for the dwelling unit
Residential Duplex or Triplex	2 spaces per dwelling unit
Residential Efficiency Unit	1.5 spaces for units 549 sq. ft. or less; 1.75 spaces for units 550-699 sq. ft.; 2 spaces for units 700-899 sq. ft.; 2.5 spaces for units greater than 900 sq. ft.
Restaurants; Diners and Night Clubs	10 spaces minimum plus 1 space For every 3 seats
Retail Business	1 space per 200 sq. ft. of gross floor area
Schools, Elementary and Junior High, including public and private	1 space for each classroom and administrative office employee and maintenance employee, plus 5 visitor parking spaces, plus 1 school bus space for each 50 students, when necessary.
Schools, Senior High, Trade and Vocational; and Colleges and Universities	5 spaces per each room used for administrative offices or class Instruction, or 1 space for each 5 seats in auditoriums and other places of assembly or facilities available to the public, whichever is greater, plus 1 school bus space for each 50 students, when necessary
Wholesaling with related retail	2 spaces per 3 employees on the business shift of greatest employment, plus additional spaces per square foot of gross floor area devoted to retail sales applicable from “Retail Business” schedule.

F. OFF-STREET LOADING

One (1) or more loading spaces shall be provided for standing, loading, and unloading operations either inside or outside a building and on the same premises with every building or structure erected after the enactment of this ordinance. For uses that exceed 10,000 square feet, a standard loading dock shall be provided.

G. PARKING LOT LANDSCAPING AND BUFFERING REQUIREMENTS

Subject to other standards outlined within this Ordinance, including Section 7.3 BUFFERS, all required parking areas shall be required to adhere to the following additional interior buffering requirements:

units that are connected by a common structural or load-bearing wall.

Dwelling, Efficiency Unit. An additional dwelling unit within a single-family dwelling that shall be allowed in all residential zones if the following criteria are met:

- (a) The efficiency unit contains no more than 25% of the gross heating and/or cooled floor area of the total dwelling;
- (b) The lot meets the minimum lot size requirements of the zoning district in which it is located.

Dwelling, Live Work. One structure consisting of both a residence and business activity. The residence must be physically attached to the business.

Dwelling, Manufactured. A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. Any Manufactured Home older than ten (10) years in age shall be required to submit a completed home inspection report, sealed by a State Licensed inspector, certifying the structural soundness of the home prior to making application for a setup permit and shall submit a completed home inspection report, sealed by a State Licensed inspector, certifying the structural soundness of the home prior to receiving any certificate of occupation. A manufactured home is also known as mobile home. The terms “manufactured home and “mobile home” do not include a “recreational vehicle” or apply to a transportable structure constructed under the North Carolina Residential Code for One- and Two-family Dwellings, commonly referred to as a Modular Home.

Dwelling, Multi-Family. A term used to describe any structure containing two or more attached more than four dwelling units. This term includes structures such as duplexes, townhouses, condominiums, or apartments.

~~**Dwelling, Multiplex.** A building designed, constructed, reconstructed, and used for more than four dwelling units. Multiplexes are designed to fit within a neighborhood scale.~~

Dwelling, Single-family detached. A structure other than a mobile home containing only one ~~(1) a single dwellinghousing unit only.~~

~~**Dwelling, Townhome, Row Home.** A type of single family attached dwellings, in which three (3) or more individual dwelling units are located on individual lots but attached by one or more common party walls which are shared by one or more units for more than 50 percent of their total linear distance along the lot line.~~

~~**Dwelling, Townhouse.** A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.~~

~~**Dwelling, Triplex.** A building designed, constructed, reconstructed, and used for three (3) dwelling units.~~

~~**Dwelling, Quad.** A building designed, constructed, reconstructed, and used for four (4) dwelling units.~~

Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

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~~**Dwelling Unit.** A room or group of rooms, including mobile homes and modular units, forming a single independent habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating by one family. A unit otherwise meeting this definition but occupied by transients on a rental or lease basis for periods of less than one week shall be construed to be lodging units.~~

Easement. A grant of rights by a property owner to another entity to make limited use of a portion of real property for a specified purpose.

Electrical Repair Shop. A facility that repairs various types of electrical devices.

Electrical Transmission Tower. An electrical transmission structure used to support high voltage overhead power lines. The term shall not include any Utility Pole.

Electronic Machine, Equipment and Supplies. Establishments primarily engaged in manufacturing electrical machinery, equipment, and supplies.

Enforcement Officer. The word Enforcement Officer shall mean the Town Manager or his/her designee and, when applicable, the Building Inspector.

Equipment Compound. An area surrounding or near the base of a Wireless Support Structure within which are located Wireless Facilities.

Erect. To build, construct, attach, hang, place, suspend, or affix a sign.

Evergreen. Those plants that retain foliage throughout the year.

Evidentiary Hearing. A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this Ordinance.

Existing Structure. A Wireless Support Structure, erected prior to the application for collocation or substantial modification under Section 7.13 of this ordinance that is capable of supporting the attachment of Wireless Facilities, including, but not limited to, Electrical Transmission Towers, buildings and Water Towers. The term shall not include any Utility Pole.

Exterminating Services. Business establishments that specialize in the elimination of vermin, insects, etc.

Fabricating Shops. A facility in which items are fabricated from raw or semi-finished materials instead of being assembled from ready-made components or parts.

Face of Sign. The area of a sign on which the copy is placed.

Fall Zone. The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.

Familial. For purposes of addressing a conflict of interest, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term also includes the step, half, and in-law relationships.

Family. An individual, or two or more persons related by blood, marriage or adoption living together as a single housekeeping unit; or a group of not more than six persons, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit.

Family Care Home (Adult Care Home). A home with support and supervisory personnel that