

ARTICLE 2. ZONING DISTRICTS

ARTICLE 2. DIVISION 1.

ZONING DISTRICTS, MAP, AND USES

Section 18-16: Districts established

To regulate the height and size of buildings, the intensity of land usage, areas for open space, the location of land uses; provide for an improved environment; and promote the health, safety, and general welfare of its citizens, the city of Wilmington is hereby divided into the zoning districts described in this article.

Section 18-17: Conformity required

- A. No land, building, or structure shall be used or occupied, and no building or structure, in whole or part, shall be constructed, erected, altered, or moved unless in conformity with all the regulations for the district within which it is located, except as otherwise specified in this chapter.
- B. A use or building expressly permitted by right, with use-specific standards, or by special use permit shall be allowed in a zoning district.
- C. Those uses identified as prohibited in reasonably expressed terms provide notice that those uses shall not be allowed unless such use is permitted in accordance with article 7, division 4 of this chapter.
- D. An unidentified use not addressed in this chapter where an owner is not on notice that a particular use is prohibited or otherwise regulated shall be liberally construed in favor of the landowner.

Section 18-18: Official zoning map

A. Boundaries

The boundaries of the zoning districts established herein are shown on the official zoning map of the city that is incorporated by reference into this chapter. The official zoning map shall be maintained by the city clerk in digital and printed records and shall be available for viewing on the city of Wilmington website.

B. Amendments

If, in accordance with the provisions of this chapter, changes are made in district boundaries or other references on the official zoning map, such changes shall be entered on the official zoning map within seven working days after the amendment has been approved by the city council. No changes of any nature shall be made on the official zoning map except in conformity with the procedures set forth in Article 7, Administrative Provisions.

C. Rules for Interpretation of District Boundaries

The zoning administrator shall determine the exact location of any zoning district boundary lines whenever uncertainty exists about the boundary lines shown on the official zoning map. Such determination shall be subject to appeal to the board of adjustment. The determination of the exact location of a zoning district boundary shall be based upon the following standards:

1. The zoning of a lot shall extend to the centerline of all streets to which that lot abuts. On corner lots, the zoning shall extend to the center point of the intersection.
2. For boundaries indicated as approximately following or within a street, alley, or railroad right-of-way, or utilities (electrical, gas, water main, etc.) easement, the boundary shall be construed to be in the center of such right-of-way or easement.

3. Boundaries indicated as following shorelines or mean high water lines shall be construed to follow such shorelines or the mean high water lines, and in the event of change in the shorelines, shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, rivers, creeks, or other bodies of water shall be construed as following such centerlines.
4. Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines
5. Boundaries indicated as approximately following city limits shall be construed as following city limits.
6. Boundaries indicated as parallel to or extension of features indicated in subsections 1-5 above shall be so construed.

Section 18-19: Uses

A. Organization

Each of the categories of zoning districts in this article includes a use table keyed to the districts in that specific division. In the various use tables, land uses and activities are classified into general use classes of residential, civic and institutional, commercial, and industrial. The use tables in each of the zoning categories generally indicate uses permitted in the applicable zoning districts and are not exhaustive lists of uses. A full use table, inclusive of all principal uses permitted in the city, is located in Table 18-9.2: Universal use table.

B. Use-Specific Standards

In addition to allocating uses to zoning districts, the use tables also identify when additional standards are applicable to the use. No person shall change or commence principal use of any building or land, except the use of land for agricultural purposes, until a zoning permit has been issued by the city manager stating that the proposed

use complies with the provisions of this chapter. Compliance with applicable standards will be determined through the appropriate compliance review.

C. Explanation of Table Abbreviations

1. Uses permitted by right
A “P” in a cell indicates the use is permitted by right in the district. Permitted uses are subject to all other applicable standards of this chapter.
2. Uses permitted by prescribed conditions
A “C” in a cell indicates the use is allowed only if it complies with applicable standards of this chapter, including use-specific standards in Article 3.
3. Uses permitted by special use permit
An “S” in a cell indicates the use is allowed only if reviewed and approved as a special use in accordance with the procedures of Section 18-589: Special use permits. Special uses are subject to all other applicable standards of this code, including Article 3.

4. Prohibited Uses

A blank cell indicates that the use is prohibited in the district.

D. Zoning Permit Required

1. New uses and changes of use
All new uses and changes of use shall require the issuance of a zoning permit. If a use complies with the applicable standards for that use, that use shall be approved. No other uses may be substituted without a new review and approval process.

2. Change of Use

- a. The following shall be considered a change of use, for which a new zoning permit is required and for which conformance with the applicable standards of this chapter shall be required:
 - i. Any new use that increases the prescribed site development requirements, e.g., landscaping, transitional buffers, parking lot landscaping, etc.;
 - ii. Discontinuance or abandonment of a use for more than 180 days; and
 - iii. From one use to another use, if it is the sole use of the premises.
- b. The following shall not be considered a change of use and no new zoning permit shall be required:
 - i. Commercial use to a group home; and
 - ii. Any permitted use as a part of a strip mall or multi-tenant commercial development.

E. Uses permitted in multiple districts with different standards

On a lot that has multiple zoning districts, uses shall comply with the standards for the zoning district in which they are located.

F. Use of dwelling units

Where residential uses are permitted, they shall be within a dwelling unit or mobile home, as defined in this chapter and permitted within the applicable zoning district. Any group living uses, as defined in this chapter, and nonresidential uses permitted within dwelling units shall be distinguished as uses by the definitions found in Article 8. Measurements and definitions and shall be regulated by the applicable standards.

G. Use Interpretations

The purpose of the use interpretation procedures is to provide a process for an applicant to request documentation regarding the meaning of the language in this article, the boundaries of the official zoning map, or conditions of an approval.

1. Interpretation types
 - a. Formal interpretations shall be in writing and prepared in accordance with this section. Only formal interpretations are subject to appeal as an administrative decision.
 - b. Any oral or written interpretations that do not meet the requirements of this section are considered advisory interpretations, which shall not have any binding effect and are not considered administrative decisions subject to appeal.
 - c. Uses shall not be interpreted to be within more than one use category.
 - d. Where the zoning administrator determines more than one use could apply, the owner shall select the applicable use category to be applied
2. Interpretation procedure

The interpretation procedure is illustrated in Table 18-19.1. Interpretation procedure.
3. Interpretation standards
 - a. Interpretation of official zoning map boundaries shall be in accordance with the interpretation procedure in Table 18-19.1: Interpretation procedure.
 - b. Unlisted uses: Interpretation of whether an unlisted use is categorized with a use identified in Table 18-19.2 Universal use table shall be based on the following standards:

Figure 18-19.1: Use Interpretation procedure

- i. Whether the unlisted use is the same or substantially similar to an existing listed use, thereby rendering the same listed use;
- ii. Interpretation of existing case law;
- iii. The function, product, or physical characteristics of the proposed use;
- iv. The impact created by the proposed use on adjacent uses;
- v. The type, scale, and nature of the buildings and structures associated with the proposed use;
- vi. The type of sale (retail, wholesale), if any, and the size and type of items sold and displayed on the premises;
- vii. The types of items stored (e.g., vehicles, chemicals, construction materials, scrap, raw materials, etc.), if any, on the premises;
- viii. The volume and type of vehicle traffic generated by the proposed use, including deliveries and parking demands;
- ix. Any processing associated with the proposed use, including assembly, manufacturing, warehousing, shipping, distribution, and whether it occurs indoors or outdoors;
- x. Any dangerous, hazardous, toxic, or explosive materials associated with the proposed use.
- xi. The amount and nature of any nuisances generated by the proposed use, including, but not limited, to noise, odors, smoke, glare, vibration, radiation, and fumes; and
- xii. Any prior applicable interpretations made or decisions made by the board of adjustment.

Step 1

FILE APPLICATION

- File application with zoning administrator
- Incomplete applications shall be rejected
- Pay applicable fee

Step 2

STAFF REVIEW AND DECISION

- The zoning administrator shall conduct necessary research
- The zoning administrator may consult with other staff, including the city attorney
- The zoning administrator shall render a decision

Step 3

NOTIFICATION OF DECISION

- Formal interpretations shall be issued in writing
- Delivered via mail, electronic mail, or collected in person by applicant

- c. If a term in this chapter is undefined or the meaning is unclear, the zoning administrator shall interpret the term based upon appropriate definitions in any of the following sources:
 - i. North Carolina General Statutes;
 - ii. Applicable case law and changes thereto;
 - iii. North Carolina Administrative Code;
 - iv. North Carolina State Building Code , or its successor, as approved by the state of North Carolina;
 - v. *Black's Law Dictionary*;
 - vi. *The Oxford Dictionary of Construction, Surveying, and Civil Engineering*;
 - vii. Planning-related definitions in publications prepared or offered by the American Planning Association or the Urban Land Institute; and
 - viii. Other professionally accepted sources.
 - d. In cases where the zoning administrator determines the use category or use type in which the unlisted use is best classified, the unlisted use shall be subject to all applicable requirements of that category or use type for the zoning district in which the use is proposed.
- is later determined to have been made in error, or the text of the ordinance is amended.
- b. The zoning administrator shall maintain a written record of interpretations that shall be available for public inspection, on reasonable request, during normal business hours.
 - c. Approval of Unlisted Use
 - i. After making a determination that a use is unlisted, the zoning administrator shall interpret the use to be allowed. The zoning administrator shall determine if the unlisted use is likely to be a common use or recur frequently, and, if so, shall initiate a code amendment, pursuant to the requirements found in Sec. 18-587: Land development code amendment. Until final action is taken on the code amendment, the zoning administrator's interpretation shall be binding.
 - ii. If the zoning administrator determines that the unlisted use is of an unusual or transitory nature, and unlikely to recur frequently, the determination shall be binding without further action or amendment of this chapter. This shall not be construed to prohibit the zoning administrator, the city council, or another applicant from submitting a code amendment application relative to the use in question after the initial use interpretation has been made.

H. Uses prohibited everywhere

The following uses are not listed in Table 18-19.2. Universal use table, and are prohibited throughout the city:

- 1. Agricultural uses
 - a. Concentrated animal feeding operation (CAFO)
 - b. Slaughterhouses

4. Effect of Use Interpretation

a. General

An interpretation shall be binding on subsequent decisions by the zoning administrator in applying the same provision of this chapter or the official zoning map in the same circumstance, unless the interpretation is modified as the result of a zoning map or code amendment, the interpretation

2. Commercial uses
 - a. Outdoor shooting ranges
 - b. Portable storage containers as permanent storage facilities
 - c. The use of a travel trailer or recreational vehicle for business or office purposes
3. Industrial uses
 - a. Fracking
 - b. Junkyard or salvage yard
 - c. Landfill
 - d. Ordnance manufacturing
 - e. Pulp and paper products manufacturing
 - f. Processing or storage of radioactive or infectious waste
 - g. Solid waste transfer facility
 - h. Power generating plants
4. Residential uses
 - a. Use of a boat, houseboat, or other floating structure as temporary or permanent residence or short-term lodging (this shall not prevent the overnight occupancy of a vessel temporarily moored while in transit on navigable waters)
 - b. Use of a travel trailer, recreational vehicle, or other such vehicle as a permanent or temporary residence, except as permitted by article 3, division 4 of this chapter.

I. Universal use table

Table 18-19.2: Universal use table, lists all uses permitted in each zoning district within the city. In the event of a conflict between the use tables within each of the zoning district groups and Table 18-19.2, Table 18-19.2 shall prevail.

Table 18-19.2: Universal use table												
Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited												
Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Civic and institutional												
Assembly	Section 18-126											
Civic club or lodge, private										P		P
Community center												
Building footprint up to 5,000 sq. ft.		S	S	S	S	S	S	S	S	C		P
Building footprint greater than 5,000 sq. ft.							S	S		C		P
With outdoor facilities		S	S	S	S	S	S	S	S	C		P
Entertainment and trade										C		P
Religious		C	C	C	C	C	C	C	C	C		P
Chemical dependency treatment facility										P		
Community garden	Section 18-134	C	C	C	C	C	C	C	C	C	C	C
Correctional facility	Section 18-137											
Daycare, adult or child	Section 18-138	C	C	C	C	C	C	C	C	C		C
Domestic violence shelter	Section 18-139	C	C	C	C	C	C	C	C	P	P	P
Dormitory, fraternity, or sorority house	Section 18-140						S	S		S		C
Government facilities excluding of rights-of-way	Section 18-148	C	C	C	C	C	C	C	C	P		P
Hospital	Section 18-153											

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LJ	IND	CEM
Civic and institutional											
Assembly	Section 18-126										
Civic club or lodge, private			S	S	P	P	P	P			
Community center					P	P	P	P			
Building footprint up to 5,000 sq. ft.		S	S	S							
Building footprint greater than 5,000 sq. ft.											
With outdoor facilities		S	S	S							
Entertainment and trade			C	S	P	P	P	P			
Religious		C	C	C	P	P	P	P	C		
Chemical dependency treatment facility					P			P			
Community garden	Section 18-134	C	C	C							
Correctional facility	Section 18-137									C	
Daycare, adult or child	Section 18-138		S	S	C	C	C	C	C		
Domestic violence shelter	Section 18-139	C	C	C	P	P	P	P			
Dormitory, fraternity, or sorority house	Section 18-140		S					C			
Government facilities excluding of rights-of-way	Section 18-148		C	C	P	P	P	P	P	P	P
Hospital	Section 18-153							C			

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Civic and institutional												
Library	Section 18-155	C	C	C	C	C	C	C	C	C		P
Nursing home												P
Public parks, playgrounds, boat ramps		P	P	P	P	P	P	P	P	P		P
Rehabilitation facility										P		
School	Section 18-167											
College or university										P		P
Primary and secondary		C	C	C	C	C	C	C		P		P
Trade, business, technical, and vocational										C		P
Commercial												
Alternative financial services	Section 18-123									S		C
Animal hospital, veterinary clinic												
No outdoor pens or runs										P		P
With outdoor pens or runs	Section 18-124											
Art gallery										P	P	P
Artisan food and beverage production	Section 18-125									C		C

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Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LJ	IND	CEM
Civic and institutional											
Library	Section 18-155		C	S	P	P	P	P			
Nursing home					P			P			
Public parks, playgrounds, boat ramps		P	P	P	P	P	P	P			
Rehabilitation facility					P			P			
School	Section 18-167										
College or university			C	S				P			
Primary and secondary		C	C	C	C	C		C			
Trade, business, technical, and vocational			C	C		P	P	P	P	P	
Commercial											
Alternative financial services	Section 18-123		S	S		C	C	C			
Animal hospital, veterinary clinic											
No outdoor pens or runs					P	P	P	P	P	P	
With outdoor pens or runs	Section 18-124				C	C	C	C	C	C	
Art gallery			P	P	P	P	P	P			
Artisan food and beverage production	Section 18-125		C	C	C	C	C	C		P	

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Commercial												
Auction house	Section 18-128											P
Banks and financial institutions										P		P
Cemetery												
Commercial parking	Section 18-132	S	S	S	S	S	S	S				C
Commercial recreation, indoor												
Drop-in childcare										P		P
Electronic gaming establishment	Section 18-142											C
General, large: building footprint greater than 2,000 sq. ft.										P		P
General, small: building footprint up to and including 2,000 sq. ft.										P		P
Commercial recreation, outdoor	Section 18-133											
General, large: building footprint greater than 5,000 sq. ft.												
General, small: building footprint up to and including 5,000 sq. ft.										P		P

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Commercial											
Auction house	Section 18-128					C	C		P		
Banks and financial institutions			P	P	P	P	P	P			
Cemetery											P
Commercial parking	Section 18-132				C	C	C	C	C	C	
Commercial recreation, indoor											
Drop-in childcare					P	P	P	P	P		
Electronic gaming establishment	Section 18-142				C	C	C		P		
General, large: building footprint greater than 2,000 sq. ft.			P	P		P	P		P		
General, small: building footprint up to and including 2,000 sq. ft.			P	P	P	P	P		P		
Commercial recreation, outdoor	Section 18-133										
General, large: building footprint greater than 5,000 sq. ft.					P	P			P		
General, small: building footprint up to and including 5,000 sq. ft.					P	P			P		

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Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Commercial												
Commercial recreation, outdoor												
Golf course												
Golf driving range												
Zoo												
Crematory										P		P
Equipment repair	Section 18-143									P		C
Exterminating services										P		
Farmers' market	Section 18-145									C		P
Food catering services										P		P
Funeral home and mortuary										P		
General business services	Section 18-146									C	C	P
General personal services										P	P	P

Table 18-19.2: Universal use table

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Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Commercial											
Commercial recreation, outdoor											
Golf course						C					
Golf driving range						C	C				
Zoo						S	S				
Crematory			P	P	P	P	P	P	P	P	P
Equipment repair	Section 18-143		C	C	P	P	P		C	P	
Exterminating services						P	P		P	P	
Farmers' market	Section 18-145				C	C	C				
Food catering services					P	P	P		P		
Funeral home and mortuary			P	P	P	P	P	P			P
General business services	Section 18-146		C	C	C	C	C	C	C	P	
General personal services			P	P	P	P	P	P			

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	IMH	UMX	RO	CBD
Commercial												
General retail	Section 18-147											
Large: building footprint 40,001 sq. ft. or larger												P
Medium: building footprint 5,001 sq. ft. - 40,000 sq. ft.										P		P
Small: building footprint up to 5,000 sq. ft.										P	C	P
Heavy equipment sales, rentals, services												
Home maintenance services	Section 18-152									C		
Kennel, commercial	Section 18-154											
Laboratory												
Laundry service										P		P
Lodging	Section 18-157											
Bed and breakfast		C	C	C	C	C	C	C		C		C
Campground									C			

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Commercial											
General retail	Section 18-147										
Large: building footprint 40,001 sq. ft. or larger					C	C	C				
Medium: building footprint 5,001 sq. ft. - 40,000 sq. ft.					P	P	P				
Small: building footprint up to 5,000 sq. ft.			P		P	P	P		P		
Heavy equipment sales, rentals, services						P	P		P	P	
Home maintenance services	Section 18-152		C	C	P	P	P		P		
Kennel, commercial	Section 18-154				C	C	C		P		
Laboratory						P	P		P	P	
Laundry service					P	P	P				
Lodging	Section 18-157										
Bed and breakfast		C	C	C							
Campground											

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Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	IH	UMX	RO	CBD
Commercial												
Lodging	Section 18-157											
Homestay		C	C	C	C	C	C	C		C	C	C
Hotel/motel										P		P
Whole house		C	C	C	C	C	C	C		C		C
Marina	Section 18-157									S		P
Movie theater												P
Nightclub	Section 18-161									C		P
Offices										P	P	P
Recreation facility, neighborhood		P	P	P	P	P	P	P	P	P		P
Recreation facility, private	Section 18-165	S	S	S	S	S	S	S	S	P		P
Restaurant	Section 18-166									P		P
Sexually oriented business	Section 18-169											
Spas and health clubs	Section 18-171									P		P
Studio, performing art, fine art, dance, martial arts										P	P	P

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LJ	IND	CEM
Commercial											
Lodging	Section 18-157										
Homestay		C	C	C	C	C	C	C			
Hotel/motel					P	P	P	P			
Whole house		C	C	C	C	C	C	C			
Marina	Section 18-158				P	P	P	P	P	P	
Movie theater						P	P				
Nightclub	Section 18-161				C	P	P	P	C		
Offices		P	P	P	P	P	P	P	P	P	
Recreation facility, neighborhood											
Recreation facility, private	Section 18-165				P	P	P	P			
Restaurant	Section 18-166		C	C	P	P	P	P	C		
Sexually oriented business	Section 18-169								C	C	
Spas and health clubs	Section 18-171		S	S	P	P	P	P			
Studio, performing art, fine art, dance, martial arts			P	P	P	P	P	P			

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Commercial												
Truck stop	Section 18-172											
Urban farm	Section 18-174	S	S	S	S	S				C		
Vehicle renting	Section 18-175									C		C
Vehicle repair and service	Section 18-176											
Major												
Minor												
Vehicle sales/leasing	Section 18-177									C		C
Vehicle towing	Section 18-178											C
Vehicle wash	Section 18-179											C
Water transportation												P
Industrial												
Airport	Section 18-122											
Boat building and repair												
Brewery or distillery	Section 18-129											
Micro										C		C
Small/regional										C		C
Manufacturing												
Building materials or product sales												

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Commercial											
Truck stop	Section 18-172					C	C		C	C	
Urban farm	Section 18-174				C	C	C		C		
Vehicle renting	Section 18-175					C	P		C		
Vehicle repair and service	Section 18-176										
Major						C	C				
Minor					C	C	C		P		
Vehicle sales/leasing	Section 18-177					C	C		C		
Vehicle towing	Section 18-178								C	C	
Vehicle wash	Section 18-179					C	C		C		
Water transportation					P	P	P	P	P	P	
Industrial											
Airport	Section 18-122								C	C	
Boat building and repair									P	P	
Brewery or distillery	Section 18-129										
Micro					C	C	C		P	P	
Small/regional						C	C		P	P	
Manufacturing							C		P	P	
Building materials or product sales						P	P		P	P	

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Industrial												
Bus and taxi services										P		P
Contractor storage yard	Section 18-136											
Distribution facilities												
Dry cleaning												
Express and parcel delivery services												P
Freight and intermodal terminals												
Fuel storage facility												
Heavy manufacturing, general												
Heliports/helipads	Section 18-151											
Laundry services, industrial												
Light manufacturing, general	Section 18-156									C		
Manufactured homes sales												
Metal coating, engraving and allied services												
Mills, sawing or planing												
Motion picture production and distribution	Section 18-159									C		

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Industrial											
Bus and taxi services						P	P		P	P	
Contractor storage yard	Section 18-136					C	C		C	P	
Distribution facilities									P	P	
Dry cleaning									P	P	
Express and parcel delivery services									P	P	
Freight and intermodal terminals									P	P	
Fuel storage facility										P	
Heavy manufacturing, general										P	
Heliports/helpads	Section 18-151								C	C	
Laundry services, industrial							P		P	P	
Light manufacturing, general	Section 18-156								P	P	
Manufactured homes sales									P	P	
Metal coating, engraving and allied services									P	P	
Mills, sawing or planing									P	P	
Motion picture production and distribution	Section 18-159						C		P	P	

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Industrial												
Moving company	Section 18-160											
Nurseries and greenhouses	Section 18-162											
Including retail sales												
Not including retail sales												
Outdoor storage	Section 18-163											
Petroleum and natural gas related industries												
Railroad facilities	Section 18-164											
Freight												
Passenger												C
Self-storage facilities	Section 18-168											
Indoor												
Outdoor												
Shipping container storage and sales												
Solar farm	Section 18-170											

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Industrial											
Moving company	Section 18-160					C	P		P	P	
Nurseries and greenhouses	Section 18-162										
Including retail sales					C	P	P		P		
Not including retail sales							P		P	P	
Outdoor storage	Section 18-163						C		C	P	
Petroleum and natural gas related industries										P	
Railroad facilities	Section 18-164										
Freight									P	P	
Passenger							C		P	P	
Self-storage facilities	Section 18-168				C	C	C	C	P	P	
Indoor											
Outdoor							C		C	C	
Shipping container storage and sales							C		C	C	
Solar farm	Section 18-170								P	P	
									C	C	

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Industrial												
Utility and public facility	Section 18-173											
Major										S	S	C
Minor		C	C	C	C	C	C	C	C	C	P	C
Warehouses and distribution centers	Section 18-180									C		
Welding repair												
Wholesale business	Section 18-181											
Wind energy conversion system, commercial	Section 18-182											
Wireless telecommunication facility	Section 18-183	C	C	C	C	C	C	C	C	C	C	S
Residential												
Assisted living residence	Section 18-127	C	C	C	C	C	C	C	C	S	S	P
Continuum of care community	Section 18-135				C	C	C	C		P		
Dwelling unit	Section 18-141											
Attached: duplex				P	P	P	C	C		P	P	
Attached: multiple							P	P		P		P
Attached: townhouse					C	C	P	P		P		P

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Industrial											
Utility and public facility	Section 18-173										
Major			S	S		C	P	C	P	P	
Minor		C	C	C	P	P	P	C	P	P	
Warehouses and distribution centers	Section 18-180						C		P	P	
Welding repair									P	P	
Wholesale business	Section 18-181						C		P	P	
Wind energy conversion system, commercial	Section 18-182						S		S	S	
Wireless telecommunication facility	Section 18-183	C	C	C	C	C	C	C	C	C	
Residential											
Assisted living residence	Section 18-127		S	S				C			
Continuum of care community	Section 18-135				C			C			
Dwelling unit	Section 18-141										
Attached: duplex		P	P	P							
Attached: multiple		S	C	C							
Attached: townhouse		S	C	C							

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	UMX	RO	CBD
Residential												
Dwelling unit	Section 18-141											
Attached: triplex, quadrplex				C	C	C	P	P		P	P	P
Commercial district mixed use	Section 18-131											
Detached: single		P	P	P	P	P	C	C		P	P	
Manufactured home									P			
Family care home	Section 18-144	C	C	C	C	C	C	C	C	C	C	C
Group home residential	Section 18-149				S	S	S	S		S	S	S
Group home supportive	Section 18-150											
Large							C	C		C	C	C
Medium		C	C	C	C	C	C	C	C	C	C	C
Small		C	C	C	C	C	C	C	C	C	C	C

Table 18-19.2: Universal use table

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	HDR	HDMU	HD	CB	RB	CS	O&I	LI	IND	CEM
Residential											
Dwelling unit	Section 18-141										
Attached: triplex, quadrplex		C	C	C							
Commercial district mixed use	Section 18-131				C	C		C			
Detached: single		P	P	P							
Manufactured home											
Family care home	Section 18-144	C	C	C				C			
Group home residential	Section 18-149	S	S	S	S	S	S	S			
Group home supportive	Section 18-150										
Large			S	S	C			C			
Medium		C	C	C	C			C			
Small		C	C	C	C			C			

(Ord. No. 0-2022-41, §1, 6-7-2022)

ARTICLE 2. DIVISION 2.

RESIDENTIAL DISTRICTS

Section 18-26: Purpose statements

A. R-15, Moderate-density single-dwelling district

The R-15 district is intended to accommodate existing single-dwelling neighborhoods on moderate sized lots, yielding a gross density of less than three units per acre. Use of the R-15 district should be limited to infill sites in already developed locations.

B. R-10, Medium-density single-dwelling district

The R-10 district is intended to accommodate single-dwelling development at a gross density of about four units per acre. To retain the character of existing neighborhoods and ensure their continued viability, this district permits a variety of residential types at a scale compatible with the established residential surroundings. R-10 frequently serves as a transition between nonresidential or higher-density neighborhoods and lower-density single-dwelling neighborhoods.

C. R-7, Medium-density single-dwelling district

The R-7 district is intended to accommodate compact, walkable neighborhoods proximate and connected to urban services and compatible uses. Relatively small-lot single-dwelling development is permitted in this district at a gross density of about six units per acre. This district permits a variety of residential types at a scale compatible with established surroundings. This district may be used within or as an edge around nonresidential and mixed-use developments.

D. R-5, Medium-density mixed residential district

The R-5 district is intended to accommodate compact, walkable neighborhoods proximate and connected to urban services and compatible uses. This district permits a variety of residential types at a scale compatible with established surroundings. The intent of the district is to allow infill units to be seamlessly integrated within the predominant neighborhood fabric. The district is well suited for infill and mixed-density residential developments. This district should be applied where compatible with the existing urban character, near nodes offering daily services, and either close to transit lines or in conjunction with cohesive mixed-use areas.

E. R-3, Medium-high-density mixed residential district

The R-3 district is intended to accommodate small-lot single dwelling residential uses in or adjoining a mix of residential types, mixed-use, and commercial developments in which compact walkable patterns are desired. This district supports the continued viability of neighborhoods within the 1945 Corporate Limits, where there exists a historic development pattern of small lots with limited setbacks, limited off-street parking, and a vibrant architectural character. This district is created to support reinvestment in mature parts of the city by allowing a variety of compatible housing forms in a dense development pattern consistent with the established character.

F. MD-10, Medium-density multiple-dwelling residential district

The MD-10 district is intended to provide moderate multiple dwelling density living environments near services, as well as transitional residential development between lower-intensity residential neighborhoods and nonresidential activity areas. The district can be used for mid-rise buildings compatible with their surroundings with direct connectivity to nearby services.

G. MD-17, High-density multiple-dwelling residential district

The MD-17 district is intended to be applied within the urban core of the city and other areas with a full range of amenities and commercial services. MD-17 zoning is intended to provide a mix of densities and housing forms in a compact urban environment through redevelopment, infill on relatively small sites, and within mixed-use areas. Higher development intensity at appropriate locations is encouraged to support transit use, minimize traffic congestion, and provide a range of housing types.

H. MH, Manufactured housing district

The MH district is intended to provide for planned communities of manufactured housing units, either on individual lots or within a mobile home park. A limited range of support services are also permitted in these areas to ensure a convenient living environment.

Section 18-27: Residential use table

The following uses are permitted as principal uses in the residential districts if required applicable conditions and approvals are met.

Uses not listed in this table are prohibited in these districts, pursuant to Section 18-19: Uses. For permitted accessory uses and temporary uses, refer to article 3 of this chapter.

Table 18-27: Use table for residential districts										
Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited										
Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH	
Civic and institutional										
Assembly	Section 18-126									
Community center										
Building footprint up to 5,000 sq. ft.		S	S	S	S	S	S	S	S	S
Building footprint greater than 5,000 sq. ft.							S	S		
With outdoor facilities		S	S	S	S	S	S	S	S	S
Religious		C	C	C	C	C	C	C	C	C
Community garden	Section 18-134	C	C	C	C	C	C	C	C	C
Daycare, adult or child	Section 18-138	C	C	C	C	C	C	C	C	C
Domestic violence shelter	Section 18-139	C	C	C	C	C	C	C	C	C
Dormitory, fraternity, or sorority house	Section 18-140						S	S		
Government facility excluding of rights-of-way	Section 18-148	C	C	C	C	C	C	C	C	C
Library	Section 18-155	C	C	C	C	C	C	C	C	C
Public parks, playgrounds, boat ramps		P	P	P	P	P	P	P	P	P
School	Section 18-167									
Primary and secondary		C	C	C	C	C	C	C	C	C

Table 18-27: Use table for residential districts

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use		Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH
Commercial										
Commercial parking		Section 18-132	S	S	S	S	S	S	S	
Lodging		Section 18-157								
Bed and breakfast			C	C	C	C	C	C	C	
Campground										C
Homestay			C	C	C	C	C	C	C	
Whole-house			C	C	C	C	C	C	C	
Recreation facility, neighborhood			P	P	P	P	P	P	P	P
Recreation facility, private		Section 18-165	S	S	S	S	S	S	S	S
Urban farm		Section 18-174	S	S	S	S	S			
Industrial										
Utility and public facility		Section 18-173								
Minor			C	C	C	C	C	C	C	C
Wireless telecommunication facility		Section 18-183	C	C	C	C	C	C	C	C

Table 18-27: Use table for residential districts

Key: P = Permitted, C = Permitted with conditions, S = Special use permit required, Blank = Prohibited

Principal use	Additional standards	R-15	R-10	R-7	R-5	R-3	MD-10	MD-17	MH
Residential									
Assisted living residence	Section 18-127	C	C	C	C	C	C	C	
Continuum of care community	Section 18-135				C	C	C	C	
Dwelling unit	Section 18-141								
Attached: duplex				P	P	P	P	P	
Attached: multiple							P	P	
Attached: townhouse					C	C	P	P	
Attached: triplex, quadraplex				C	C	C	P	P	
Detached: single			P	P	P	P	C	C	
Manufactured home									P
Family care home	Section 18-144	C	C	C	C	C	C	C	C
Group home residential	Section 18-149				S	S	S	S	
Group home supportive	Section 18-150								
Large							C	C	
Medium		C	C	C	C	C	C	C	C
Small		C	C	C	C	C	C	C	C

(Ord. No. O-2022-41, §2, 6-7-2022)

Section 18-28: Dimensional standards

All lots and buildings, including new lots, shall meet the requirements of Table 18-28.1: Single-dwelling dimensional standards, Table 18-28.2: Multiple-dwelling dimensional standards, or Table 18-28.3: Manufactured housing dimensional standards, as applicable.

Table 18-28.1: Single-dwelling dimensional standards

	R-15	R-10	R-7	R-5	R-3
Lot requirements					
Minimum lot area (square feet)					
Detached	15,000	10,000	7,000	5,000	None
Duplex (total lot area)			9,800	7,000	4,000
Triplex, quadraplex (per unit)			3,500	3,500	2,000
Townhouse (per unit)				3,500	2,000
Minimum lot width (feet)	80	70	50	50	33
Minimum open space (percent of parent lot area for development of 5 or more lots)	10	10	10	10	10
Minimum setbacks(feet)					
Front	20	15	10	10	10
Side street	15	15	10	10	5
Side interior	10	10	8½	7	5
Rear	25	25	20	15	15
Building size					
Maximum height (feet)	35	35	35	35	35
Maximum building footprint (percent of total lot area)	50	50	50	None	None

Figure 18-28.1: Single-dwelling residential dimensions

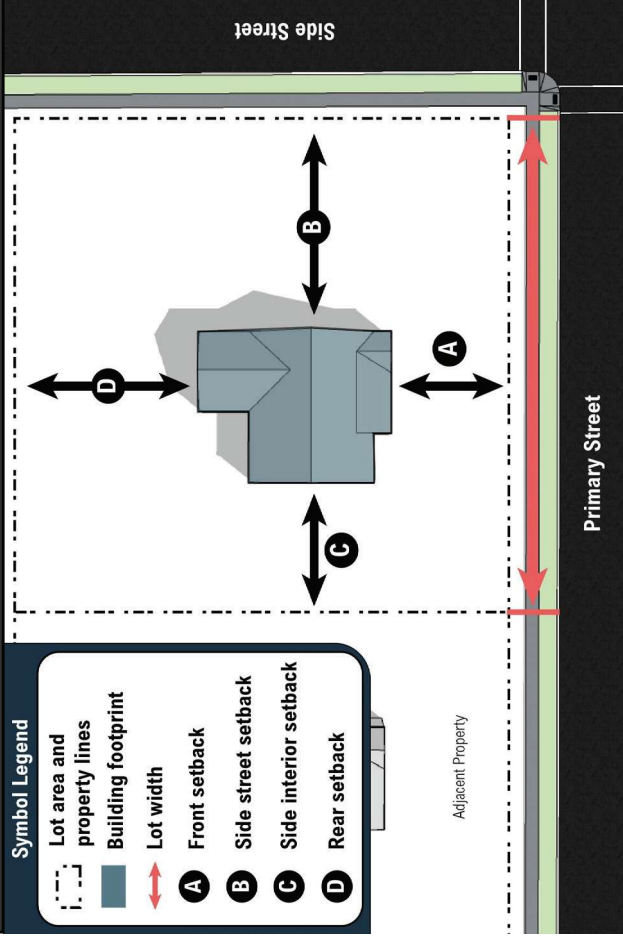
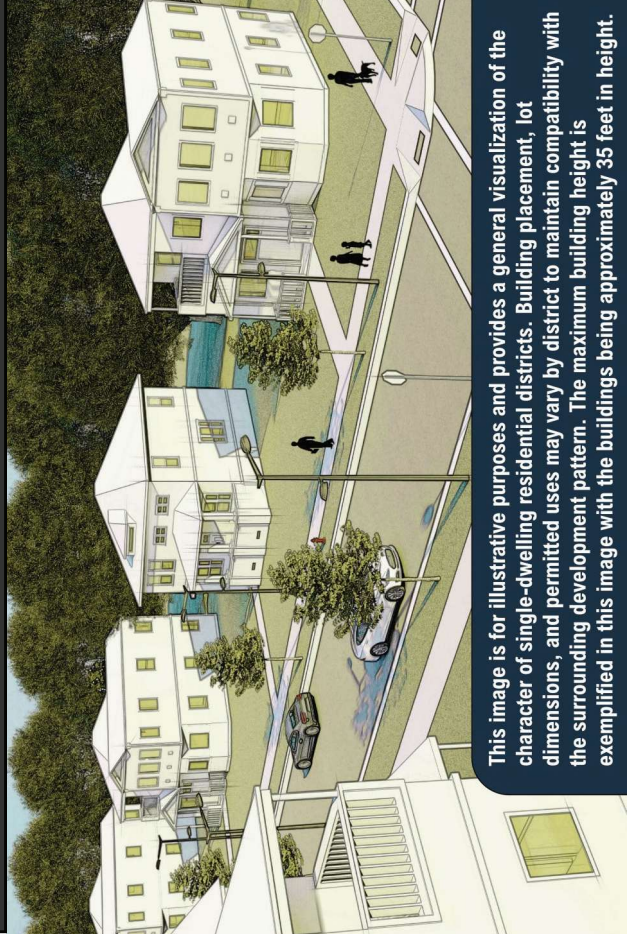


Figure 18-28.2: Single-dwelling residential example



This image is for illustrative purposes and provides a general visualization of the character of single-dwelling residential districts. Building placement, lot dimensions, and permitted uses may vary by district to maintain compatibility with the surrounding development pattern. The maximum building height is exemplified in this image with the buildings being approximately 35 feet in height.

A. Single-dwelling residential

The following dimensional standards apply to new development, new lots, and conversion of existing buildings in single-dwelling residential districts. Applicable district-specific standards shall also apply (see figures 18-28.1: Single-dwelling residential dimensional and 18-28.2 Single-dwelling residential dimensions).

1. In the R-7, R-5, and R-3 districts, where duplex, triplex, quadruplex, or townhouse uses are permitted, the minimum lot width may be measured from the parent lot lines (see Figure 18-28.3: Minimum lot width for attached units). Setbacks for such attached units shall be applied to the overall building and not to each individual unit (see Figure 18-28.4: Setbacks for attached units).
2. In the R-5 and R-3 districts, the front and rear setbacks shall be those established in Table 18-28.1: Single-dwelling dimensional standards, or they may be reduced to within five feet of the average established setback on the same block face.
3. The maximum allowable height for piling-supported buildings located in the coastal high hazard areas, V-zones, and ocean hazard areas, as defined by the North Carolina Coastal Resources Commission, shall be 44 feet.
4. Alternative lot layouts may be approved subject to the provisions of Article 5, Division 8, Site Development Requirements.
5. For properties that are located within the city's 1945 corporate limits, the minimum side yard setbacks shall be equal to ten (10) percent of the average width of the lot, or the otherwise noted minimum interior side yard required, whichever is less.

