

§ 154.035 INTENT.

It is the intent of this subchapter that if any use or class of use is not specifically permitted in a district as set forth below, it shall be prohibited in that district. It is also the intent that all address numbering shall be approved by Haywood County E-911.

(Ord. 265, Ch. 1, passed 9-18-2001)

§ 154.036 R-1 LOW DENSITY RESIDENTIAL DISTRICT.

(A) *Intent.* The R-1 Low Density Residential District is established as a district in which the principal use of land is for low density single-family residential purposes. This district is further intended to protect existing single-family neighborhoods from incompatible land uses. It is also the intent of this district to allow for certain types of nonresidential community facilities that would not be detrimental to the residential character of the district.

(B) *Permitted uses.*

- (1) Single-family dwellings;
- (2) Only Class A manufactured homes;
- (3) Churches and their customary related uses;
- (4) Bona fide farms;
- (5) Garage apartments;
- (6) Greenhouses and truck gardens which are incidental to the residential use and conducted on a noncommercial basis only, provided that no greenhouse heating plant shall be located within 25 feet of any lot line;
- (7) Customary home occupations conducted by no person(s) other than the members of the family residing on the premises, for clearly incidental and subordinate use to its residential purposes. No change in the outside appearance of the premises, or other visible evidence of the conduct of the home occupation shall be made, except that 1 sign may be permitted (see Chapter 153).

(a) The following uses shall be allowed and restricted to as home occupations:

1. Dressmaking;
2. Drapery making;
3. Laundering and ironing;
4. Cooking and baking;
5. Hairdressing;
6. Music instruction limited to not more than 4 persons at any 1 time;
7. The renting of not more than 1 room with the boarding of not more than 2 boarders; and
8. Recognized professions of law, the writing of insurance, and accounting.

(b) No equipment or process shall be used in the home occupations which creates noise, vibration, fumes, odors, or electrical interference detectable to the normal senses off the premises in use.

(c) No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood.

(8) Public elementary and secondary schools and private schools having curricula approximately the same as ordinarily given in public schools; and

(9) Accessory building or structures provided such shall be permitted only in a rear yard and shall be not less than 10 feet from any property line, and further provided that in the case of corner lots the buildings or structures shall be set back at least 40 feet from any side street right-of-way line.

(C) *Special exceptions.*

(1) Hospitals, sanitariums, rest and convalescent homes, homes for the aged, and similar institutions, and dental offices and clinics not used primarily for the treatment of contagious diseases, alcoholism or drug addicts;

(2) Planned unit developments (must conform to § 154.110). The PUD shall be in keeping with the intent of this section. Residential uses shall be limited to single-family detached units;

(3) Public or private parks, playgrounds, community centers, libraries, tennis courts, golf courses, swimming pools, and similar recreation uses; and

(4) Public works and public utility facilities such as transformer stations, pumping stations, water towers, and telephone exchanges, provided that:

- (a) The facilities are essential to the service of the immediate area;

(b) No vehicles or materials shall be stored on the premises, and no offices shall be permitted;

(c) All structures shall be set back at least 30 feet from all property lines and enclosed by a woven wire fence at least 8 feet in height, and screened from public view. This requirement may be modified by the Board of Adjustment when it deems appropriate;

(d) The entire lot shall be properly landscaped to blend with the surrounding area.

(Ord. 265, Ch. 1, passed 9-18-2001) Penalty, see § 154.999

§ 154.037 R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

(A) *Intent.* The R-2 Medium Density Residential District is established as a district in which the principal use of land is for medium density single-family and multi-family residential purposes. This district is also intended to protect existing single-family residential areas from incompatible land uses. It is also the intent of this district to allow for certain types of nonresidential community facilities that would not be detrimental to the residential character of the district.

(B) *Permitted uses.*

(1) All uses permitted in the R-1 Low Density Residential District;

(2) Two-family dwellings;

(3) Multi-family dwellings;

(4) Manufactured homes, Class A and Class B only;

(5) Rooming or boarding houses; and

(6) Child-care arrangement or facility licensed by the state as a day-care center.

(C) *Special exceptions.* All uses permitted in R-1 Low Density Residential District as special exceptions.

(Ord. 265, Ch. 1, passed 9-18-2001) Penalty, see § 154.999

§ 154.038 R-3 HIGH DENSITY RESIDENTIAL DISTRICT.

(A) *Intent.* The R-3 High Density Residential District is established as a district in which the principal use of land is for higher density single- and multi-family residential purposes. This district thus allows for a variety of residential uses in areas where the traffic circulation pattern would accommodate higher density residential development. It is also the intent of this district to allow for certain types of nonresidential community facilities that would not be detrimental to the residential character of the district.

(B) *Permitted uses.* All uses permitted in the R-2 Medium Density Residential District.

(C) *Special exceptions.* All uses permitted in the R-2 Medium Density Residential District special exception.

(1) Hospitals, sanitariums, nursing homes, and dental offices and clinics not used primarily for the treatment of contagious diseases, alcoholism, or drug addicts;

(2) Planned unit developments (must conform to § 154.110); and

(3) Manufactured home parks, provided that:

(a) There shall be no more than 10 mobile homes per acre;

(b) No manufactured homes or other structures within a manufactured home park shall be closer to each other than 25 feet, except that storage or other auxiliary structure for the exclusive use of the mobile home may be closer to that mobile home than 25 feet;

(c) There shall be at least 2 off-street parking spaces for each manufactured home. These spaces shall be provided either on the same site as the manufactured home served or in a designated parking area serving several or all mobile homes within the manufactured home park;

(d) No manufactured home or other structure shall be located closer than 25 feet to the exterior boundary of the manufactured home park or a bounding street or highway right-of-way;

(e) A densely planted buffer strip, consisting of evergreen trees or shrubs shall be located along all sides of the manufactured home park. The buffer strip shall not be less than 4 feet in width and shall be composed of trees or shrubs of a type which at maturity shall be not less than 6 feet in height. This planting requirement may be modified by the Board of Adjustment where adequate buffering exists in the form of fencing, vegetation, and/or terrain;

(f) All manufactured home parks shall be served by a public water system. Any manufactured home park not served by a public sewerage system must be approved by the Haywood County Health Department;

(g) All manufactured home parks served by a public sewage collection and treatment system shall meet the requirements of Article D-8 of Appendix D of the North Carolina Plumbing Code. Any manufactured home park not served by a public sewage system must be approved by the Haywood County Health Department;

(h) Manufactured home park owner is responsible for containers, stands, and the collection of all garbage and trash if municipal service is not available;

(i) The manufactured home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home. The stand shall not heave, shift, or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration, wind, or other force activity on the structure;

(j) All manufactured homes shall be underpinned;

(k) All streets within a manufactured home park shall conform to town street standards and shall be maintained in such a manner as to be safe and passable at all times;

(l) Accessory buildings or structures, provided such shall be permitted only in a rear yard and shall be not less than 10 feet from any property line, and further provided that in the case of corner lots the buildings or structures shall be set back at least 20 feet from any side street right-of-way line; and

(m) Minimum 100 feet lot depth measured perpendicular to street right-of-way.

(Ord. 265, Ch. 1, passed 9-18-2001) Penalty, see § 154.999