

405 Table of Use Regulations

AGRICULTURAL USES

(1) Agricultural

<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
N	N	N	N	P	P	N

RESIDENTIAL USES

<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>

(2) Single-Family Dwelling. In PD subject to review and approved by the Historic Review Board.

P	P	P	P	P	P	N
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(2A) Single-Family Modular Dwelling. In PD subject to review and approval by the Historic Review Board.

SE	P	P	P	P	P	N
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(3) Single Family Dwelling - Double Wide" Dwelling

N	SE	SE	SE	SE	P	N
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(4) Two-Family Detached Dwelling - ("Duplex") Dwelling

N	SE	SE	N	SE	P	N
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(5) Single-Family Attached Dwelling - ("Townhouse") Dwelling

N	SE	SE	N	SE	P	N
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(6) Mobile Home

N	N	N	N	N	P	N
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(7) Conversion of Home to Two Dwelling Unit - Conversion of a single-family dwelling or other building into not more than two dwelling units, provided that the resulting dwelling complies with the lot area per dwelling unit and the yard, building and other requirements applicable to two-family detached dwellings, including parking, as provided by the Ordinance, and further provided that the conversion requires no structural alteration of the building's exterior, or fundamental modifications of its appearance, unless the same shall be approved by the Zoning Administrator.

(8) Multi-Family ("Apartment") - Provided that:

N	SE	SE	N	SE	P	N
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(a) Building Orientation: Minimum horizontal distance between facing walls of any two buildings on one lot shall be 50 feet; and

RESIDENTIAL USES (continued)**PD TR SR C AR R SW**

(b) Development Access: Multi-family dwellings shall be located on and have direct access to a major collector or minor collector street as designed in the Town's Comprehensive Development Plan; and

(c) Off Street Parking Design Requirements:

(i) All off street parking lots and their access drives shall be at least ten (10) feet from any principal building; and

(ii) No one area for off-street parking of motor vehicles shall exceed twenty (20) automobiles in capacity. Separate parking areas on a lot shall be physically separated from one another except for access drives or streets by eight-foot (8') planting strips. This provision does not apply to Senior Multi-Family Housing or Senior Center.

(9) Dwelling Unit in combination with commercial use

N SE SE P SE P N

(10) Rooming, Boarding or Lodging House

N SE SE P SE P N

(11) Transient Rental Housing

SE SE SE SE SE SE N

(12) Group Homes

P P P P P P N

(a) A group home meeting the requirements of this Section shall house a maximum of 8 unrelated persons, in addition to any staff-person necessary to assist and supervise such persons.

(b) A minimum of 1 off-street parking space shall be provided for each employee on-site during peak periods. Plus 1 additional space for each resident having a registered vehicle.

(c) A copy of any relevant Federal, State or County license or certification shall be provided to the Zoning Administrator. The Zoning Administrator shall be notified in writing 7 days by the Zoning Administrator shall be notified in writing within 7 days by the operator if the use of license or certification is suspended, expired or withdrawn, or if there is a significant expired license or withdrawn, or if there is a significant change in the type of residents housed.

(d) The group home shall apply for and obtain a Zoning Permit. The permit application shall state the maximum number of residents, general type of treatment/care, level of staffing, any sponsoring agency and a phone number and address of a responsible supervisor of the use.

RESIDENTIAL USES (continued)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(e) Any medical or counseling services on-site within a residential district shall be limited to a maximum of 3 persons who do not live on-site.							
(f) If a group home is within a residential district:							
(i) it shall be maintained and/or constructed with a clearly residential appearance; and							
(ii) no exterior signs shall identify the use.							
(g) If a group home is within PD it shall be constructed and manufactured so as to be compatible with other dwellings in the area. This determination shall be made by the Mountain Lake Park Historic Review Board.							
(12A) Senior Multi-Family Housing	N	P	SE	P	SE	SE	N
(12B) Senior Center	N	P	SE	P	SE	SE	N

INSTITUTION, RECREATIONAL AND EDUCATIONAL USES

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(13) Commercial or Public Campground and/or camping sites wheter or not offered for rent.	N	N	N	N	N	P	N
(14) Churches and other places of worship	SE	SE	SE	SE	SE	P	N
(15) Cemeteries	N	N	N	N	N	P	N
(16) Schools, including religious and non-sectarian, denominational, or private	N	SE	SE	P	SE	P	N
(a) A lot area of not less than one acre shall be required; and							
(b) No part of any building shall be located less than 50 feet from any adjoining lot line in separate ownership.							
(17) Day nursery, nursery school or other agency giving day care to children, provided that:	SE	SE	SE	SE	SE	P	N
(a) The use shall be conducted in a building designed for day care occupancy; and							
(b) Any outdoor play areas shall be sufficiently secured and fenced in to ensure the safety of all children.							

INSTITUTION, RECREATIONAL AND EDUCATIONAL USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
located in an area approved by the Zoning Administrator.							
(18) Trade, professional, music or dancing school	N	N	N	SE	N	P	N
(19) Library or museum	N	N	N	SE	N	P	N
(20) Community center, adult education center, religious camp meetings or similar facility operated by an educational, philanthropic or religious institution, provided no outdoor active recreation shall be located nearer to any lot line than the required yard depth.	N	N	SE	SE	N	P	N
(21) Recreation facility, provided that:	SE	SE	SE	SE	N	P	N
(a) If the facility includes a swimming pool, the pool, including the apron, filtering and pumping equipment and any related buildings, shall be at least 50 feet from any lot line; and							
(b) Outdoor recreation areas, including pools, shall be sufficiently screened and sound-insulated so as to protect the neighborhood from glare, noise and other disturbances.							
(c) Any non-commercial greenhouse, tool shed, private garage, swimming pool or similar accessory structure and other structures shall be permitted in a recreation area that existed prior to the effective date of this ordinance.							
(22) Private club or lodge	N	N	N	P	N	P	N
(23) Golf course, provided all buildings and golf greens and tees shall be located not less than seventy-five feet from any lot line.	N	N	N	P	N	P	N
(24) Golf driving range, provided that:	N	N	N	P	N	P	N
(a) A lot area of not less than fifteen acres shall be required; and							
(b) All buildings and tees shall be located not less than 75 feet from any lot line; and							
(c) All lighting and activity areas shall be sufficiently screened so as to protect the neighborhood from glare, noise and other disturbance.							

<u>INSTITUTION, RECREATIONAL AND EDUCATIONAL USES (cont.)</u>		<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(25) Orphanage, licensed hospital, nursing home or other licensed establishment for the care of sick, aged, crippled or convalescent persons; charitable organizations or philanthropic institutions, provided that:		N	N	N	P	N	P	N
(a) Hospital:								
(i) A lot area of not less than two acres shall be required; and								
(ii) All buildings shall be located not less than 50 feet from any lot line								
(b) Nursing home where not more than 10 persons are cared for:								
(i) A lot area of not more than 1/2 acre shall be required; and								
(ii) All buildings shall be located not less than 25 feet from any lot line								
(c) Nursing home where (eleven) 11 or more persons are cared for:								
(i) A lot area of not less than 1/2 acre plus 1,000 square feet for each person above 11 persons shall be required; and								
(ii) All buildings shall be located not less than 25 feet from any lot line								
(26) Public building owned or operated by the Town of Mountain Lake Park. In PD subject to review and approval by the Historic Review Board		SE	SE	SE	P	SE	P	N
(27) Fire station		N	N	N	P	N	P	N
(28) Rescue Squad		N	N	N	P	N	P	N
(28A) Senior Center		N	P	SE	P	SE	SE	N
<u>RETAIL, COMMERCIAL, AND INDUSTRIAL SERVICE USES</u>		<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(29) Office or clinic for medical or dental examination or treatment of a person as out-patients, including laboratories accessory thereto.		N	N	N	P	N	P	N
(30) Physical therapy, tanning salons, beauty shops, and nail salons.		N	N	N	P	N	P	N

RETAIL, COMMERCIAL, AND INDUSTRIAL SERVICE USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(30A) Tattoo parlors and licensed massage studios.	N	N	N	N	N	P	N
(31) Business, professional or governmental office	N	N	N	P	N	P	N
(32) Retail shop and store	SE	SE	N	P	N	P	N
(32A) Shops and stores specializing in electronic cigarettes and vaping products.	N	N	N	N	N	P	N
(32B) Medical marijuana (growing/processing/dispensing)	N	N	N	P	N	P	N
(33) Service business	N	N	N	P	N	P	N
(34) Bank, savings and loan association	N	N	N	P	N	P	N
(35) Eating place for food and beverages shall be located on and have direct access to an arterial road direct access to an arterial road as designated in the Mountain Lake Park Comprehensive Development Plan	SE	SE	N	P	N	P	N
(36) Newspaper printing establishment	N	N	N	P	N	P	N
(37) Motel, hotel	N	N	N	P	N	P	N
(38) Entertainment and recreation facilities operated as a gainful business within a building	N	N	N	P	N	P	N
(39) Veterinary office or animal hospital, provided that: (a) A lot area of not less than two acres shall be required; and (b) No building or structure used for boarding or exercising animals shall be within 200 feet of any lot line; and (c) The use shall be sufficiently screened so as to protect the neighborhood from excessive noise and other disturbance.	N	N	N	P	N	P	N

RETAIL, COMMERCIAL, AND INDUSTRIAL SERVICE USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(40) Funeral home or mortuary	N	N	N	P	N	P	N
(41) Residential parking garage or parking area, provided that:	N	N	N	P	N	P	N
(a) Such uses shall be permitted only when necessary to provide off-street parking for the vehicles of residents in nearby dwellings; and							
(b) Such use shall meet all design standards of Article 6.							
(42) Automotive service station, provided that:	N	N	N	P	N	P	N
(a) All activities, except those to be performed at the fuel pumps, shall be performed within a completely enclosed building; and							
(b) Fuel pumps shall be at least 20 feet from any street rights-of-way; and							
(c) All automobile parts, dismantled vehicles and similar articles shall be stored within a building: out of sight, and							
(d) Full body paint spraying or body and fender work shall not be permitted							
(43) Automobile self-service or mini-service gas station-subject to the requirement that fuel pumps shall be at least 20 feet from any street right-of-way	N	N	N	P	N	P	N
(44) Sale or rental of automobiles and other motor vehicles	N	N	N	P	N	P	N
(45) Sale of automotive accessories, parts, tires, batteries and other supplies	N	N	N	P	N	P	N
(46) Repair garage, including paint spraying and body and fender work or car washing facilities, provided that all repair and paint work is performed within an enclosed building	N	N	N	P	N	P	N
(47) Car washing facilities	N	N	N	P	N	P	N
(48) Adult Uses	N	N	N	N	N	R	N
(49) Racing or recreational facility for any type of motorized vehicle or watercraft	N	N	N	N	N	N	N

RETAIL, COMMERCIAL, AND INDUSTRIAL SERVICE USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(50) Animal racing facility	N	N	N	N	N	N	N
(51) Rifle, shotgun, pistol, archery, or paint gun, shooting facilities	N	N	N	N	N	P	N
(52) Wholesale business and storage, provided that storage of all new or used items, including dismantled vehicles, parts, equipment and what is generally referred to as "junk", shall be maintained in a structure with roof or screened from view from the street and adjoining property.	N	N	N	P	N	P	N
(53) Contractor offices and shops such as building, cement, electrical, heating, masonry, painting and roofing	N	N	N	P	N	P	N
(54) Junkyards	N	N	N	N	N	N	N
(55) Light industrial uses, including, but not limited to, the following, provided such uses shall be conducted in enclosed buildings that outdoor storage areas shall be effectively screened by a solid wall, fence or dense evergreen planting:	N	N	N	N	N	P	N
(a) Manufacture and assembly of electrical appliances, electronics and communication equipment, professional, scientific and controlling instruments and photographic or optical products;							
(b) Manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as bone, cloth, fur, cork, fiber, canvas, leather, cellophane, paper, glass, plastic, horn, stone, shells, tobacco, wax, textiles, yarn, wood and metals, including light steel or other light metals, light metal mesh, pipe, rods, shapes, strips, wire or other similar componet parts.							
(c) Manufacturing, compounding, processing, packing or treatment of cosmetics, pharmaceuticals and food products, except fish and meat products, sauerkraut, vinegar, yeast and the rendering rendering or refining of fats and oils;							
(d) Manufacture of musical instruments, novelties and molded rubber products, including tire manufacture, recapping and treading.							
(e) Manufacture of pottery or other similar ceramic products using only previously pulverized clay; and kilns fired only by electricity or gas. Laboratories, chemical, physical and biological;							

RETAIL, COMMERCIAL, AND INDUSTRIAL SERVICE USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(g) Clothing and shoe manufacture;							
(h) Truck terminals and/or truck service centers;							
(i) Research and development facilities;							
(j) Carpet and rug cleaning plants;							
(k) Petroleum products storage underground;							
(l) Blacksmith, welding machine and similar shops.							
(56) Industrial uses, including, but not limited to, the following types:	N	N	N	N	N	P	N
(a) Concrete and ceramic products manufacture, including ready-mixed concrete plants;							
(b) Contractor's equipment and storage yards:							
(c) Petroleum products storage tanks above ground, provided all State and Federal laws, as well as National Fire Underwriters Codes, are complied with; and							
(d) Sawmills.							

UTILITIES; COMMUNICATIONS; TRANSPORTATION USES

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(57) Transformer stations, structures housing switching equipment and regulators, pumping stations, power transmission line rights-of-way. In Residential Districts, the proposed use at the location selected if necessary for public convenience and service, that no public business office nor any storage yard or storage building is operated in connection with it, and whenever practicable, buildings and structures shall have the exterior appearance of residential buildings.	N	SE	SE	P	SE	P	N
(57A) Renewable Energy Source - Solar power plant	N	N	N	SE	SE	SE	N
(a) <u>Height</u> : Solar energy system panel structures shall not exceed the height of 15 feet as measured from the grade at the base of the structure to the apex of the structure. Necessary accessory structures (e.g., lightning rods) are subject to approval. This criterion does not apply to roof mounted systems.							
(b) <u>Glare</u> : No solar energy system shall produce glare that would constitute a nuisance to occupants of neighboring parcels or persons traveling neighboring roads.							
(c) <u>Fencing</u> : A secure chain link fence at least (6) feet in height shall enclose the entire solar energy system to restrict unauthorized access.							

UTILITIES: COMMUNICATIONS; TRANSPORTATION USES (cont.)

	<u>PD</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>AR</u>	<u>R</u>	<u>SW</u>
(d) Decommissioning: The solar energy system shall be completely decommissioned by the facility owner within twelve (12) months after the end of the energy producing abandonment or termination of such facility. Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, roads, foundations, pilings, and any other associated facilities. To the extent that any agricultural ground upon which the facility was located is again tillable and suitable for agriculture uses. Any component of the solar energy system buried greater than three (3) may remain to avoid unnecessary topsoil disturbance. Disturbed earth shall be graded and re-seeded unless the the landowner requests in writing that the access road or other land surface areas not be restored. The owner of the facility shall secure the cost of decommissioning by appropriate bond, letter of credit, or escrow agreement satisfactory to the county and shall include mechanism for calculating increased removal costs shall be submitted by the owner and subject to approval by the town prior to insurance of any permits required							
(b) <u>Signs</u> : A sign, not to exceed one (1) square foot, shall be posted at each entrance to the solar system identifying the property owner, the solar system owner, and 24-hour number and the installer's identification and 24-hour emergency phone number. Information on the sign shall be kept current. The sign shall be posted at the sight in a clearly visible manner.							
(c) <u>FAA</u> : Must demonstrate compliance with Federal Aviation Administration (FAA) regulations pertaining to hazards to air navigation.							
(c) In addition to these design standards, all Renewable Energy Source systems shall meet all applicable state regulations and permit requirements.							
(58) Towers, radio and/or television transmitter towers or stations, excluding commercial studios, provided that any such tower shall be located a distance equal to its height plus 50 feet from all lot lines.	N	N	N	P	N	P	N
(59) Bus station	N	N	N	P	N	P	N
(60) Water storage or treatment facility	N	SE	SE	SE	SE	SE	SE
(61) Sewage treatment facilities, lagoons, settling basins, holding facility and the like	N	N	N	N	SE	P	N

ACCESSORY USES

- (62) Home professional office, provided that:
- (a) There shall be no use of show windows or display or advertising visible outside the premises other than announcement signs as permitted;
 - (b) There shall be no exterior storage or materials unless completely screened from view from the street and adjoining property; and
 - (c) The use shall be carried on only by members of the immediate family residing on the premises plus not more than one additional employee.
 - (d) The floor area devoted to a home professional office shall not be more than 25% of the ground floor area of the principal residential structure; however, the use can be on any floor.
 - (e) In PD home professional offices are subject to the review and approval of the Historic Review Board.
 - (f) This use is limited to traditional, professional office use only. No retail or service businesses are permitted.
- (63) Non-commercial greenhouse, tool shed, private garage, swimming pool, or similar accessory structure and other structures customarily incidental to a permitted use and not conducted as an independent principal use.
- (63A) Accessory building located on a lot which does not contain a principal building, but is compatible with the surrounding area and such accessory building will not exceed 15 feet wide, 30 feet long, and 12 feet high.
- (64) Trailer and boat storage as accessory uses, provided that:
- (a) The trailer or boat shall not be occupied or used for dwelling purposes; and
 - (b) In a residential district, the use shall not be located in the required front or side yard.
 - (c) No trailer or boat may be stored on a lot(s) which does not contain an occupied residence.
 - (d) In PD trailer and boat storage are subject to the review and approval of the Historic Review Board.

PD TR SR C AR R SW

SE SE SE SE SE SE P N

SE P P P P P P N

SE SE SE SE SE SE SE N

SE P P P P P P N

