

## **11-405. CB - CENTRAL BUSINESS DISTRICT**

### **A. Purpose and Intent**

This district is designed to provide for a wide range of retail, office, amusement and service uses normally found in a central business district. High intensity of use is permitted in this district, and increased building bulk is provided as a means of encouraging such development. This district is intended to be designed in a manner conducive to and safe for a high volume of pedestrian traffic.

### **B. Uses and Structures**

#### **1. Principal Permitted Uses and Structures**

##### **OTHER HOUSING**

All uses

##### **INSTITUTIONAL - limited to -**

Place of worship

Lodge, club

Parks, playgrounds and playfields

Community centers

Public, parochial and private non-profit museums, art galleries, libraries and observatories

Non-profit private, public and utility administrative offices

Post Offices (excluding major mail processing centers)

Police and fire stations

##### **PUBLIC UTILITIES - limited to -**

Communications equipment, installations or exchanges

Electric or gas substations

Electric, communication and telephone distribution lines, poles, transformers and splice boxes (but not including electric transmission lines)

Water, storm drainage and sewer lines, and gas distribution lines with incidental appurtenances (but not including major fuel transmission lines)

Private Streets

Rights-of-way to all modes of transportation

Small landscaped, scenically significant open areas, natural reserves

##### **LUMBER, HARDWARE, BUILDING MATERIALS - except for -**

Building materials

Heating and plumbing equipment

Paint, glass and wallpaper

Hardware

Electrical supplies

Welding supplies

Lawnmower sales

##### **GENERAL MERCHANDISE**

All uses

##### **FOOD, DRUG, BEVERAGE**

All uses

##### **AUTO DEALER AND SERVICE STATIONS - limited to -**

Auto parts (new)

##### **APPAREL AND ACCESSORIES**

All uses

##### **FURNITURE, HOME FURNISHING, APPLIANCES**

All uses

##### **EATING AND DRINKING PLACES - except for -**

Taverns, bars, Nightclubs

##### **ART, ANTIQUE, JEWELRY**

All uses

## BOOKS, STATIONERY

All uses

## HOBBY, TOY, PET

All uses

## MISCELLANEOUS RETAIL

All uses

## FINANCE, INSURANCE, REAL ESTATE

All uses

## PERSONAL SERVICES - except for -

Funeral services

## PROFESSIONAL SERVICES - except for -

Veterinarians

Medical Clinic - outpatient

## BUSINESS OFFICES

All Uses

## RECREATION AND ENTERTAINMENT - limited to -

Motion picture Theater

Roller skating

Bowling

Health Spa

## BUSINESS SERVICES - limited to -

Duplicating, mailing and stenographic

Employment agencies

Consulting services

Detective and protective

Trading stamps

Equipment rental and leasing

Clerical services

Custom painting, excluding the printing of books other than pamphlets and small reports

Window cleaning

## REPAIR SERVICES - except for -

Auto repair, garages

Electrical repair, small APPLIANCES

Watch, clock and jewelry repair

Furniture and large household appliance repair

## EDUCATIONAL SERVICES

All uses

## UNDEVELOPED AND VACANT - except for -

Circuses, carnivals and similar transient enterprises

Open water including ponds, lakes and reservoirs, streams and water ways (all man made)

2. Permitted Accessory Uses and Structures

(a) Accessory off-street parking and loading facilities

(b) Accessory facilities and buildings customarily incidental to a permitted use

3. Conditional Uses

INSTITUTIONAL - limited to -

Temporary non-profit festivals

PUBLIC UTILITIES - limited to -

Railroad, bus, and transit terminals

Reservoirs and water tanks

Water production, treatment facility

LUMBER, HARDWARE, BUILDING MATERIALS - except for -  
Greenhouse and nursery products

AUTO DEALERS AND SERVICE STATIONS - limited to -  
Service stations  
Used car sales  
Auto dealerships

PERSONAL SERVICES - limited to  
Funeral Services

RECREATION AND ENTERTAINMENT - limited to -  
Electronic amusement devices, arcade  
Billiard parlors

BUSINESS SERVICES -  
Disinfecting and exterminating

REPAIR SERVICES - limited to  
Reupholstery

UNDEVELOPED AND VACANT - limited to -  
Circuses, carnivals and similar transient enterprises  
Open water including ponds, lakes and reservoirs, streams and waterways (all man-made).

4. Prohibited Uses

Any use not allowed by right, by accessory use or by conditional use is prohibited in the Central Business District.

C. Bulk Regulations

1. Minimum Required Lot Area

Within the CB District, there is no minimum lot size.

2. Maximum Height

The maximum height of a front wall or other portion of a building or other structure at the street level shall be seventy-five (75) feet above the finished grade. However, this shall not apply to those uses spelled out in 11-104 (D), Exception on Height Limitations.

D. Yard Requirements

Within the CB District, no yards, as such, are required. However, if an open area extending along a side lot line is provided, it shall be at least ten (10) feet wide, and it shall be unobstructed from the ground to the sky.

E. Use of Open Space

The following uses may be made of any open space in the CB District:

1. Landscaping

All open areas not occupied by driveways, sidewalks, and parking or loading areas, shall be devoted to landscaping as defined in Section 11-202.

2. Driveways

3. Off-Street Parking

4. Sidewalks

F. Access

All buildings in the CB District shall be readily accessible from the rear in order to provide for off-street loading or delivery, where feasible.

G. Site Plan Review

1. Prior to issuance of a building permit, a Site Plan for the use and development of the entire tract shall be submitted to the Planning Commission. The Site Plan shall conform to the following requirements:

a. Be drawn on a scale of 1" = 100';

- b. Include the following:
    - All existing and proposed roads and drainage ways;
    - Curb cuts, drives and parking areas;
    - Building lines enclosing the portion of the tract within which the buildings are to be erected;
    - The proposed use of the land and buildings;
    - The existing zoning.
  - c. Show the building elevations for the front, rear and sides of all buildings and any proposed signs.
  - d. Include a vicinity map showing the relationship of the proposed development to Brownsville.
  - e. Show the relation of the proposed development to:
    - The street system;
    - The surrounding use district, and
    - Surrounding properties
  - f. Bear a certificate by a licensed surveyor, architect, contractor or civil engineer certifying that the plan as shown is true and correct;
  - g. Bear a form for certificate of approval by the Secretary of the Planning Commission
  - h. Provide a form for certification by the owner and trustee of the mortgage, if any, that they adopt the plan, and dedicate the streets as shown on the plan and agree to make any required improvements of adjacent streets as shown on the plan.
2. The Planning Commission shall review the Site Plan within thirty (30) days. Where conditions have been required of the applicant, such changes, as required by the Planning Commission, shall have been made.
  3. The Planning Commission shall approve the Site Plan as submitted or reject the Site Plan as submitted. The reasons for rejection of the Site Plan shall be certified to the applicant in writing. The Planning Commission shall have the authority to give conditional approval to a Site Plan, subject to minor revisions being required of the applicant.
  4. The certification required of the owner and trustee of the mortgage in 11-405 (G)(1)(h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the approved Site Plan. Upon such certification by the owner, the approved Site plan shall be recorded by the owner with the Haywood County Register's Office and shall regulate the development of the subject parcel. If, during the process of construction, the Building Inspector notes variations from the approved site plan, he shall promptly notify the owner in writing of these variations and shall direct that the variations be corrected within a specified period. If, after proper notice by the Building Inspector, the owner has not complied with the provisions of the approved Site Plan, the Building Inspector shall have the authority to cite the owner to Municipal Court for violation of this ordinance.
  5. The Building Inspector shall have the authority to authorize minor revisions to the approved Site Plan during the process of construction, if, in his opinion, the revisions do not substantially alter the nature of the approved Site Plan, with the written concurrence of the Chairman of the Planning Commission.
- H. Other Requirement
1. Exterior Storage  
Exterior storage of goods and materials of any kind is prohibited.  
The placement of waste disposal facilities shall be in the rear of buildings only.
  2. Enclosure Requirements  
All uses shall be conducted within completely enclosed buildings except for parking, loading and other accessory uses that by their nature must exist outside a building.
  3. Outside Display  
No outside display of merchandise shall be permitted.