

11-403. MPO - MEDICAL-PROFESSIONAL OFFICE DISTRICT

A. Purpose and Intent

These districts are designed to provide adequate space in appropriate locations suitable for accommodating medical, dental or similar personal services; and to provide for professional and business offices. In addition, certain commercial trade and service uses are permitted if necessary to serve the frequent and recurring needs of persons working in this district. Bulk limitations are designed to maximize compatibility with less intensive land use in adjacent residential districts.

B. Uses and Structures

1. Principal Permitted Uses and Structures

INSTITUTIONAL - limited to -

- Place of worship
- Health Clinic
- Hospital
- Nursing Home
- Observation - rehabilitation center
- Parks, playgrounds and playfields
- Community centers
- Rest homes and homes for the aged
- 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

FINANCE, INSURANCE, REAL ESTATE

All uses

PROFESSIONAL SERVICES - except for -

- Veterinarians
- Hospital services and supplies

BUSINESS OFFICES

All Uses

BUSINESS SERVICES - limited to -

- Employment agencies
- Consulting services
- Detective and protective
- Clerical services

UNDEVELOPED AND VACANT - except for -

- Yard areas, greenbelt and open spaces, wildlife habitat refuge, hiking, nature and bike trails and related uses
- Erosion and sedimentation control measures, facilities and districts
- Flood proofing and flood hazard reduction structures
- Agriculture and forestry

2. Permitted Accessory Uses and Structures

- a. Accessory off-street parking and loading facilities as required in Chapter 7 of this ordinance.
- b. Accessory facilities and buildings customarily to a permitted use.

3. Conditional Uses

INSTITUTIONAL - limited to -

Day Care Centers
 Group day care homes
 Family day care homes
 Country club
 All golf courses
 Temporary non-profit festivals

PUBLIC UTILITIES - limited to -

Reservoirs and water tanks
 Water production, treatment facility

FOOD, DRUG, BEVERAGE - except for -

Bakery
 Candy, Confectionery
 Delicatessen
 Drugs and Pharmaceuticals

APPAREL AND ACCESSORIES - except for -

Shoe stores
 Children's shop

ART - ANTIQUE - JEWELRY - except for -

Antique store

BOOKS AND STATIONARY - except for -

Stationery

EATING AND DRINKING PLACES - limited to -

Restaurants, cafes, cafeterias

HOBBY - TOY - PET - limited to -

Camera shop

PERSONAL SERVICES - limited to -

Photographic Services
 Beauty Shop
 Pipe and tobacco shop
 Barber shop
 Shoe repair

BUSINESS SERVICES - limited to -

Duplicating, mailing, stenographic

EDUCATIONAL SERVICES - limited to -

Correspondence Schools
 Other Special Training and Schooling

UNDEVELOPED AND VACANT - limited to -

Open water including ponds, lakes and reservoirs, streams and waterways (all man-made).

PROFESSIONAL SERVICES - limited to -

Small animal clinics as defined by this Ordinance.

4. Prohibited Uses

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

5. Restriction on the Amount of Space Devoted to Conditional Uses

In order to maintain the office and professional character of the MPO districts, at least seventy-five (75) percent of the gross floor area of any structure on a lot in an MPO district shall be occupied by uses permitted by right (i.e. Principal Permitted Uses and Structures).

C. Bulk Regulations

1. Minimum Required Lot Area

With the MPO Districts, 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 line shall be seventy-five (75) feet above the finished grade. However, this limitation shall not apply to those uses spelled out in 11-104 (D), Exception on Height Limitations.

D. Yard Requirements

1. General Provisions

General provisions applicable to all commercial districts concerning visibility at intersections, permitted obstructions in required yards, obstructions prohibited at street intersections, exceptions to these provisions, and other regulations are contained in Section 11-205 of this Ordinance.

2. Basic Provisions

The basic yard regulations appearing below apply to all zone lots located within MPO Districts.

a. Front Yards

In all MPO Districts, front yards shall be a minimum of forty (40) feet. On double frontage lots and corner lots, there shall be a front yard on each street.

b. Side Yards

In all MPO Districts, side yards shall be a minimum of fifty (50) feet when the lot adjoins a residential district. For all other lots within the MPO Districts, the minimum side yard shall be ten (10) feet.

c. Rear Yards

In all MPO Districts, rear yards shall be a minimum of fifty (50) feet when the lot adjoins a residential district. For all other lots within the MPO District, the minimum rear yard shall be thirty (30) feet.

E. Use of Required Yard Areas

The following uses may be made of yard areas in the MPO Districts:

1. Landscaping

The first ten (10) feet of any required yard adjacent to a street shall be devoted to landscaping (as defined in Section 11-202). All other required yard areas not occupied by sidewalks and driveways shall also be devoted to landscaping.

2. Driveways and Accessory Off-Street Parking

No driveway or parking area shall occupy more than half of any required yard.

3. Sidewalks

F. 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;

-Landscaping and planting screens;

-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 and make a recommendation 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 11-403 (F)(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.

G. Other Requirement

1. Enclosed 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.

2. Exterior Storage

Exterior storage of goods or materials of any kind is prohibited. The placement of waste disposal facilities is permitted in rear yards only, and such facilities shall be appropriately screened and maintained using the same materials from which the principal use is constructed.