

11-402. NC - NEIGHBORHOOD COMMERCIAL DISTRICT**A. Purpose and Intent**

These districts are designed to provide a limited variety of goods and services for the immediate residential neighborhood. It is not intended that these districts permit uses that generate large volumes of truck traffic. Adequate buffers and appropriate open spaces between commercial and residential areas are required to protect the integrity of residential neighborhoods.

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

INSTITUTIONAL - limited to -

- Parks, playgrounds and playfields
- Community centers
- Post Offices (excluding major mail processing centers)
- Police and fire stations

PUBLIC UTILITIES - limited to -

- Communication, 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

FOOD, DRUG, BEVERAGE - except for -

- Supermarkets
- Package liquor stores
- Beverage Stores

BOOKS, STATIONARY - limited to -

- Magazines
- Newspapers
- Greeting Cards
- Stationery

PERSONAL SERVICES - limited to -

- Laundry dry-cleaning pick-up station
- Self-service laundry
- Beauty Shop
- Pipe and tobacco shop
- Barber shop
- Pipe and tobacco shop
- Barber shop
- Shoe repair
- Tailoring & dressmaking
- Apparel repair and alteration

UNDEVELOPED AND VACANT - except for -

- Circuses, carnivals and similar transient enterprises
- Open water including ponds, lakes and reservoirs, streams and waterways (all man-made)

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
- Temporary non-profit festivals

PUBLIC UTILITIES - limited to -

- Reservoirs and water tanks
- Water production, treatment facility

FINANCE, INSURANCE, REAL ESTATE

All uses

UNDEVELOPED AND VACANT - limited to open water including ponds, lakes and reservoirs, streams and waterways (all man-made).

4. Prohibited Uses

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

C. Bulk Regulations

1. Maximum Area for a NC Zone

No NC District shall exceed one and one-half (1 1/2) acres in 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 twenty-five (25) 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 11-105 of this Ordinance.

2. Basic Provisions

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

a. Front Yards

In all NC Districts, front yards shall be a minimum of forty (40) feet on lots that do not have facilities for parking within the required front yard. On lots that provide parking within the required front yard, the front yard shall be a minimum of sixty (60) feet. On double frontage and corner lots, there shall be a front yard on each side facing a street.

b. Side Yards

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

c. Rear Yards

In all NC Districts, rear yards shall be a minimum of fifty (50) feet when the lot adjoins a residential district. For all other lots within the NC District, the minimum rear yard shall be twenty (20) feet.

E. Use of Required Yard Areas

The following uses may be made of yard areas in the NC 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 Brownsville 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 requirement 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 certification required of the owner and trustee of the mortgage in 11-405 (F) (1) (h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the 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.
4. 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. Outside Display
No outside display of merchandise shall be permitted beyond the front building line.
3. 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.