
Section 3.06 GB General Business District

Intent – GB *Districts* are established to provide a location for those retail sales and service functions whose operations are typically characterized by: *outdoor display* or sales of merchandise; major repair of motor vehicles; commercial amusement and recreational activities; or, activities or operations conducted in *structures* which are not completely enclosed. The types of uses found in the GB *District* are often brightly lighted and noisy. *Permitted uses* contained in this *district* are such that this *district* may be used to form a grouping of similar uses along certain portions of major commercial *thoroughfares*. This *district* should not be located adjacent to any residential *district* or village *district* of this UDO.

A. Permitted Uses.

1. *Primary Uses.*
 - a. Automotive Sales & Service: Automobile – sales and service; Automobile – rental service; *Automotive Repair – Minor*; Automobile Parts Sales (new); *Quick Oil Change Facility*; Boat – sales and service; Car Wash (automatic or self); Gasoline Service Station with minor repair (not to exceed two (2) accessory indoor service bays); Gasoline Service Station without repair; Motor Cycle/Scooter Sales, Muffler Shop; RV and Camper – sales and service; Truck and Bus – sales and service; Truck and Bus – rental service. [Amended Ordinance #08-13; #10-11]
 - b. Communication / Utilities: Non-municipal Utility Substation; Electricity Relay Station; Public Wells; Non-municipal Pumping Station; Water Towers. [Amended Ordinance #05-01; #10-11, 15-10]*
 - c. Educational Uses: School – Commercial, Trade or Business. [Amended Ordinance #10-11]
 - d. Food Sales and Service: Farmers Market. [Amended Ordinance #10-11]
 - e. Miscellaneous: Agriculture Seed Sales; *Artificial Lake*; Farm Equipment – sales and service; Kennel (with indoor runs); Kennel (with outdoor runs); *Manufactured Home Sales*; *Sign Painting*; Radio / Television Stations (without transmission towers); Radio / Television Stations (with transmission towers); Roadside Food Sales; Tool and Equipment Rental; Veterinary Hospital (without boarding); Veterinary Hospital (including boarding). [Amended Ordinance #10-11]
 - f. Office / Professional Services: Construction Companies (any type); Contractors (any type); Home Remodeling Companies (any type). [Amended Ordinance #10-11; 11-08]

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- g. Public Facilities: *Neighborhood Recycling Collection Point; Recycling Facility*. [Amended Ordinance #10-11]
 - h. Recreation: Amusement Park; Miniature Golf – indoor; Miniature Golf – outdoor; Skating Rink (ice or roller) – indoor; Skating Rink (ice or roller) – outdoor; Tennis / Racquet Club – indoor; Tennis / Racquet Club – outdoor; Theater – indoor; Theater – outdoor. [Amended Ordinance #10-11]
 - i. Retail: Garden Supply; Home Improvement Store; Lumber Yard; Satellite Dish Sales and Service (indoor display); Satellite Dish Sales and Service (outdoor display). [Amended Ordinance #10-11]
2. *Special Exception Uses.*
- a. Automotive Sales & Service: *Automotive repair – Major*. [Amended Ordinance #08-13; Amended Ordinance #10-11]
 - b. Communication/Utilities: *Telecommunications Tower* [Added Ordinance #15-10]*
 - c. Food Sales and Service: *Nightclub*. [Amended Ordinance #10-11]
 - d. Government Use: Penal or Correctional Institution, fire Station; Post Office; Municipal/ State Road Maintenance Facility; Police Station; Post Office – with or without outdoor parking of delivery vehicles. [Amended Ordinance #04-13; Amended Ordinance #10-11]
3. *Accessory Uses – See Section 3.07, A. – Accessory Uses, Buildings and Structures.*
4. *Temporary Uses – See Section 3.07, B. – Temporary Uses, Buildings and Structures.*

B. Development Standards.

- 1. Minimum *Lot Width* and *Frontage* - each *single use site, subdivision, or integrated center, business park or industrial park* shall have a minimum *frontage* on a *public street* of 100 feet.

Each *lot* or *out lot* shall have sufficient *frontage* and *access* as set forth in Section 7.06, B., 1. Lot Arrangement of this UDO. [Amended Ordinance #13-09]

- 2. *Minimum Yards* and *Building Setbacks*

- a. Front - a minimum *front yard* and minimum *building setback* measured from the greater of the *proposed right-of-way* or *existing right-of-way* shall be provided as follows:

<i>Freeway</i> - NC-540 / US 1: [Amended Ordinance #14-07]*	100'
<i>Freeway</i> - NC 55 Bypass:	50'
<i>Thoroughfare</i> :	50'
<i>Collector Street</i> :	50'
<i>Local Street / Cul-de-Sac Street</i> :	50'

Provided, however, any 50' minimum *front yard* and minimum *building setback* listed above for a *thoroughfare, collector street, local street or cul-de-sac street* may be reduced to 30' by utilizing a minimum of two (2) of the following design features: [Amended Ordinance #13-09]

- (1) in addition to the landscaping required for *front yards* or *front bufferyards* (see Section 7.01, D.) and for *parking area* screening (see Section 7.01, H.), an undulating berm shall be installed across the front of any *parking area* located between a *front lot line* and front line of a *primary building* (see Section 7.01, J., for berm requirements); [Section Reference Modified Ordinance #14-07]*
- (2) provide *parking area* landscaping which is, at a minimum, two (2) times greater in area than the minimum in required area and which also contains two (2) times the minimum required *plant unit value* for *parking area* landscaping;
- (3) provide *foundation landscaping* which is, at a minimum, two (2) times greater than the minimum in required *foundation landscaping area* and which also contains, at a minimum, two (2) times the minimum required *plant unit value* for the *foundation landscaping area*; or,

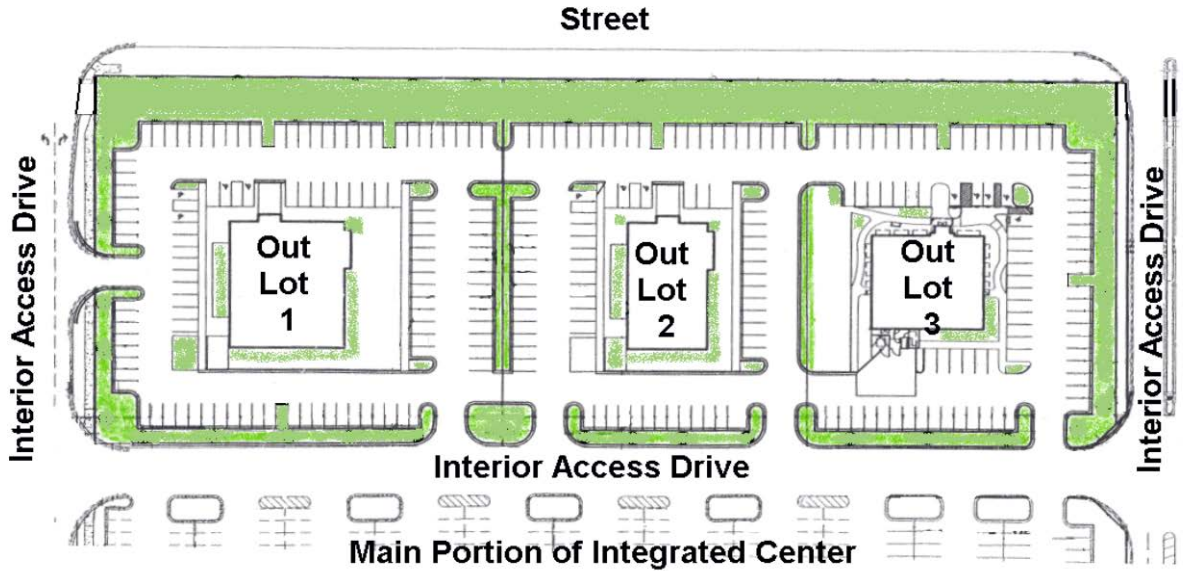
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- (4) no *parking areas* or *interior access drives* are located between the *front lot line* and front line of the *primary building*.
- b. Minimum *Side Yard* and *Setback* - shall be provided from the *lot line* as follows:
 - (1) Minimum *Side Yard* - ten (10) feet
 - (2) Minimum *Side Bufferyard* - fifty (50) feet
- c. Minimum *Rear Yard* and *Setback* - shall be provided from the *lot line* as follows:
 - (1) Minimum *Rear Yard* - ten (10) feet
 - (2) Minimum *Rear Bufferyard* - fifty (50) feet
- d. *Minimum Yards for Out Lots* - *Out lots* or *multi-tenant buildings* within an *integrated center* shall provide a *minimum yard* of five (5) feet along all *lot lines* in common with other *out lots* and a *minimum yard* of ten (10) feet along all *lot lines* in common with the main portion of the *integrated center*. If any portion of an *out lot* abuts the perimeter of the *integrated center*, that portion of the *out lot* shall be required to comply with the applicable minimum *front, side* or *rear yard* requirements set forth above. The main portion of the *integrated center* shall not be required to provide a *minimum yard* along the *lot line* in common with an *out lot*. If an *out lot* is for an *individual tenant space* within a *multi-tenant building*, there shall be a *minimum side yard* of zero (0) feet. [Amended Ordinance #13-09]*

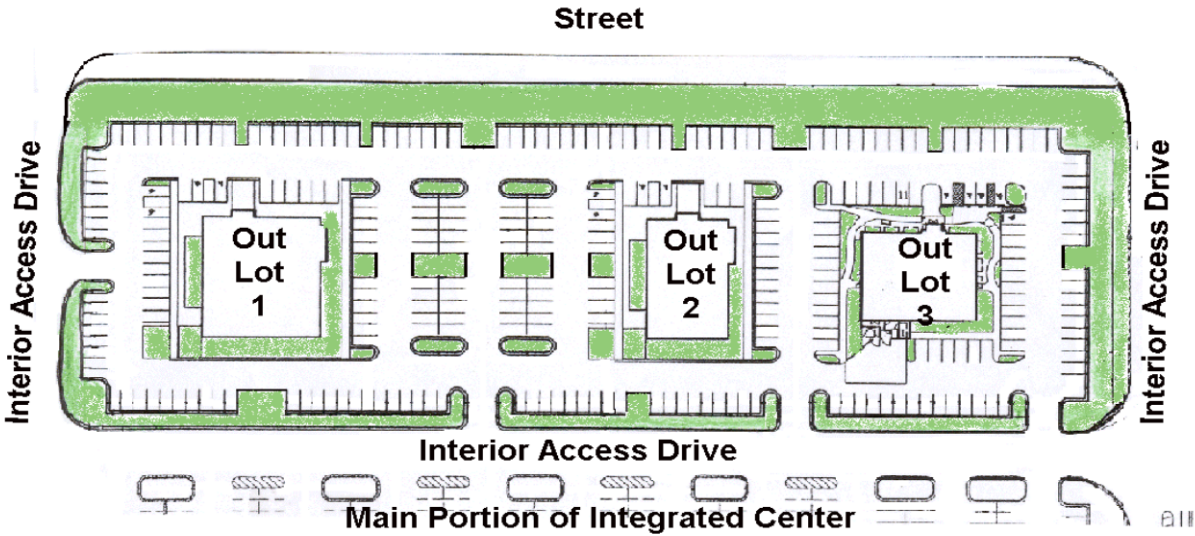
Provided, however, the *minimum yards* for *out lots* along all *lot lines* in common with other *out lots* may be used for *parking areas, loading areas, interior drives* or *interior access drives* provided that:

- (1) the area of each such *minimum yard* that would have been devoted to landscaping and the amount of landscape material that would have been required to be installed in each such *minimum yard*, if not complying with the special provisions of this sub-Section, are provided elsewhere on each of the affected *out lots* as either additional *foundation landscaping area* or additional interior *parking area* landscaping; and,
- (2) documentary assurances are provided on the *final plat* or by other legally binding instrument which binds the adjoining *lots* to be developed in compliance with the special provisions of this sub-Section allowing such *minimum yards* to be used for *parking areas,*

loading areas, interior drives or interior access drives subject to the provision of such additional *foundation landscaping area* or additional interior *parking area* landscaping.



Example of Out Lot Development with Required Landscaping Between Out Lots



Example of Out Lot Development Using Option to Relocate Landscaping From Between Out Lots to Parking Areas and Foundation Areas

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3. Use of *Minimum Yards* and *Bufferyards*

Use of *Minimum Yards* and *Bufferyards* - all *minimum yards* and *bufferyards* shall be landscaped in compliance with the requirements for perimeter *yard* landscaping as set forth in Section 7.01 – Landscape Regulations of this UDO and shall remain free from *structures* except where expressly permitted below:

- a. Minimum *Front Yards* - may include: *driveways*; or, *signs* as regulated by Section 7.03 – Sign Regulations of this UDO, and shall otherwise be maintained as *open space* free from *buildings* or *structures*;
- b. Minimum *Front Bufferyards* - may include: *driveways*; or, *signs* as regulated by Section 7.03 – Sign Regulations of this UDO, and shall otherwise be maintained as *open space* free from *buildings* or *structures*;
- c. Minimum *Side* and *Rear Yards* - minimum *side* and *rear yards* may include: *interior access driveways*; *walkways*; or, pedestrian ways, connecting to adjoining *lots* or developments provided that the remainder of said *yards* shall be maintained as *open space* free from *buildings* or *structures*;
- d. Minimum *Side* and *Rear Bufferyards* - shall be maintained as *open space* free from *buildings* or *structures*.

4. *Maximum Building Height* – fifty-five (55) feet; provided, however, that: [Amended Ordinance #07-03]

- a. no portion of any *building* located between thirty (30) feet and fifty (50) feet from a *front lot line* shall be in excess of forty-five (45) feet; and,
- b. the *setback* for that portion of any *building* or *structure* which is in excess of forty-five (45) feet shall be increased by one (1) foot for each one (1) foot of the height of the *building* or *structure* above forty-five (45) feet until the maximum height of the *building* or *structure* is allowed.

5. *Parking and Loading* - See Section 7.04 – Off-Street Parking Regulations and Section 7.05 – Off-Street Loading Regulations.

6. *Signs* - See Section 7.03 – Sign Regulations.

7. *Outdoor Operations* – shall be permitted subject to the following regulations:

- a. *Vending machines*:
 - (1) shall abut the exterior wall of the *building*; [Amended Ordinance 14-07]*

- (2) shall not be located in a required *yard* or required *bufferyard*; and, [Amended Ordinance 14-07]*
 - (3) no individual machine shall exceed twenty-four (24) cubic square feet. [Added Ordinance 14-07]*
- b. Outdoor Display or Sales of Merchandise:
- (1) shall not be located in a *required yard* or *required bufferyard*;
 - (2) shall only be those areas designated as *outdoor display*, or sales/rentals on an approved site specific *development plan*; shall not apply to any previously approved site specific *development plans*; [Added Ordinance #08-12]
 - (3) shall be designed and located so as to provide for the safe and efficient maneuvering of motor vehicles and pedestrians and shall maintain five (5) feet of sidewalk clear for pedestrian flow on or around sidewalks, pedestrian ways; required *parking areas*, *loading areas*, *driveways*, *interior access drives*, *interior access driveways*; [Amended Ordinance #08-12]
 - (4) shall not be located in any *foundation landscaping area* or interior *parking area* landscaping; and,
 - (5) shall be considered *parking areas* for the purpose of determining and providing interior *parking area* landscaping when such outdoor display is used for the sale or rental of automobiles, trucks, busses, recreational vehicles, equipment and the like.
- c. Gasoline Pumps - provided that no outdoor operations other than the dispensing or installation of gasoline, oil, antifreeze and other similar products and the performance of minor services for customers as related to said dispensing or installation are conducted on the site.
- d. Outdoor Storage – Storage of materials not for sale but associated with the *primary use*. [Added Ordinance # 08-12]
- (1) shall be *accessory* to the *primary use*;
 - (2) shall only be located along the rear façade of the *building* or those area(s) designated as *outdoor storage* on an approved site specific *development plan*;

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- (3) shall not exceed the lesser of: five (5) percent of the *gross floor area*; or, 10,000 square feet, for each non-related and separately operated *use*;
- (4) shall not be located in a *required yard* or *required bufferyard*;
- (5) shall be enclosed within a chain link, lattice, ornamental, solid walled, or similar type fenced area, including entry/exit gates made of materials compatible with the fence, if a solid wall is constructed, the primary masonry *building material* of the *primary building* shall be used;
- (6) The height above *grade* of said fence shall be at least six (6) feet and shall not exceed the lesser of twenty (20) feet or the height of the roofline; and
- (7) Materials or products stored within the fenced storage area shall not exceed the height of the fence.

- e. Walk-up or drive through customer service windows or Automated Teller Machines (ATM's), provided that such facilities shall be located so as to not interfere or conflict with sidewalks, pedestrian ways, *parking areas*, *loading areas*, *driveways*, *interior access drives*, *interior access driveways*, perimeter landscape *yards* or foundation plantings.

8. Landscape Requirements - See Section 7.01 – Landscape Regulations.

C. Architectural and Site Design Review.

All development located within the GB *district* shall be subject to the architectural and site design requirements set forth in Section 3.08 – Architectural and Site Design Requirements of this UDO.