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**Section 4.01 BT Business and Technology District** [Amended Ordinance #11-03]

Intent - The BT *Districts* are established to provide for the development of *office/warehouse*, *warehouse/distribution*, *wholesale* and *assembly* business establishments which are: clean, quiet, free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; and, operated entirely within enclosed structures. The BT *District* is also intended to function as a transitional *district* between the more intense industrial *districts* and other less intense commercial / mixed use *districts*. [Amended Ordinance #11-03, #11-08]\*

**A. Permitted Uses.**

1. *Primary Uses.*
  - a. Clothing Service: Dry Cleaning / Laundry Establishment; Shoe Repair Shop; Tailor and Pressing Shop. [Amended Ordinance #11-03]
  - b. Communication/Utilities: Electricity Relay Station; Public Utility Substation; Public Wells; Pumping Station; Telephone Exchange; Water Tower. [Amended Ordinance #11-03]
  - c. Educational Use: School – Commercial, Trade, Industrial or Business. [Amended Ordinance #11-03]
  - d. Food Sales and Service: Bakery – retail; Convenience Store; Dairy Bar – retail; Delicatessen; Ice Cream Store – retail; Restaurant – Drive In; Restaurant – Drive Through; Restaurant – Fast Food; Restaurant – Sit Down; Yogurt Store – retail. [Amended Ordinance #11-03]
  - e. Industrial Uses: Auction House; Distribution Center; Flex-space; Warehouse; Wholesale Business. [Amended Ordinance #11-03]
  - f. Office / Professional Services: Business Call Center; Contractor; *Office*; Printing Service; Studio. [Amended Ordinance #11-03, #11-08]\*
  - g. Personal Service: Barber Shop; Beauty Shop; Health Spa or Fitness Center; Tanning Salon. [Amended Ordinance #11-03]
  - h. Public Facilities: *Neighborhood Recycling Collection Point*. [Amended Ordinance #11-03]
  - i. Research and Technology: Data Center; Data Processing or Analysis; Information Technology Services; Laboratory; Research and Development Facility. [Amended Ordinance #11-03]
  - j. Retail: Apparel Shop; Arts and Craft Store; Camera Store; Card Shop; Computer Store; Convenience Store; Drug Store; Flower Shop; Gift Shop;

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Newsdealer; Shoe Store; Stationery and Book Store; Tobacco Store; Variety Store; Video Store. [Amended Ordinance #11-03]

2. *Special Exception Uses.*

- a. Automotive Sales & Service: Automobile quick oil change facility; *Automotive Repair – Minor*; *Automotive Repair – Major*; Gasoline Service Station without repair; *Truck – Rental Service*. [Amended Ordinance #18-03]\*
- b. Communications / Utilities: *Telecommunications Tower*; Non-municipal Sewage Treatment Plant; Non-municipal Utility Substation; Non-municipal Water Treatment Plant; Storage Tanks – Non-hazardous. [Amended Ordinance #05-01, #11-03, 15-10]
- c. Educational Use: *Child Care Center*. [Amended Ordinance #11-03]
- d. Governmental Use: Fire Station; Police Station; Post Office – (with or without parking of delivery vehicles). [Amended Ordinance #04-13, #11-03]
- e. Industrial Use: Assembly or Repair of previously manufactured parts, sub-assemblies or components; Light Manufacturing; Prototype Process and Production Plant; Self-storage (Mini-) Warehouse. [Amended Ordinance #11-03]
- f. Miscellaneous: Kennel (with outdoor runs); Veterinary Hospital. [Amended Ordinance #11-03]
- g. Office / Professional Services: Bank Machines – Walk-up; Bank Machines – Drive-Through; Bank Machines – Free-standing; Bank / Savings & Loan / Credit Union. [Amended Ordinance #11-03, #11-08]
- h. Public Facilities: Electric Transmission and Distribution; Electricity Relay Station. [Amended Ordinance #11-03]
- i. Recreation: Billiard Room; Dance Studio; Gymnastics Studio; Miniature Golf – Indoor; Skating Rink (ice and roller) – Indoor; Tennis / Racquet Club – Indoor. [Amended Ordinance #11-03]
- j. Accessory Uses: Those *accessory* uses listed in Section 4.01, A., 3., below, under the headings of Food Sales and Service, Personal Service or Retail may exceed the limitations set forth in Section 4.01, A., 3., a., below, and be approved by the grant of a *Special Exception* to occupy from twenty-five (25) percent to one-hundred (100) percent of the *net leasable area* of the ground floor of a *building*, provided that the limit of such uses to not exceed ten (10) percent of the *gross floor area* of all *buildings* combined shall apply.

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3. Accessory Uses – See Section 4.04, A. – Accessory Uses, Buildings and Structures.
- a. Notwithstanding any provisions of Section 4.04, A., 1., to the contrary, the following *uses* shall be permitted as *accessory uses* subject to the regulations that follow:
- (1) Food Sales and Service: Delicatessen; Restaurant – drive through; Restaurant – fast food; Restaurant – sit down. [Amended Ordinance #11-03]
  - (2) Personal Service: Barber Shop; Beauty Shop; Health Spa or Fitness Center. [Amended Ordinance #11-03]
  - (3) Retail: Apparel Shop; Art Gallery; Camera Store; Card Shop; Computer Store; Convenience Store; Drug Store; Flower Shop; Gift Shop; Jewelry Store; Newsdealer; Shoe Store; Stationery and Book Store; Variety Store. [Amended Ordinance #11-03]
- b. Provided, however, the *net leasable area* devoted to all *accessory uses* listed in this Section shall not exceed: [Corrected typographical error- Supplement #10]
- (1) *Integrated centers*:
    - (a) One *building* with multiple tenants – ten percent (10%) of the *gross floor area* of the *building*; or,
    - (b) Multiple *buildings* -
      - (i) ten percent (10%) of the *gross floor area* of all *buildings* combined; and,
      - (ii) twenty-five percent (25%) of the *gross floor area* of any one *building* in which such *accessory uses* are located, provided that any floor area devoted to *accessory uses* in excess of ten percent (10%) of the *gross floor area* of the *building* shall be located on the ground floor or below grade.
  - (2) *Single use sites* - up to ten percent (10%) of the *gross floor area* of the *building*.
- c. Any industrial *use* first listed as a *permitted use* in the RT *District* may be allowed as an *accessory use* in this BT *District* provided such use does not exceed twenty-five (25) percent of the *gross floor area* of the lesser of the tenant space or the *building* in which such *use* is located.

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4. *Temporary Uses* – See Section 4.04, B. – Temporary Uses, Buildings and Structures.

**B. Development Standards.**

1. Minimum *Lot Width* and *Frontage* - each *single use site, subdivision, or industrial park* shall have a minimum *frontage* on a *public street* of 75 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 *Minimum 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 – NC-540 / US 1:</i> [Amended Ordinance #14-07]*	100'
<i>Freeway – NC 55 Bypass:</i>	50'
<i>Thoroughfare:</i> [Amended Ordinance #14-07]*	50'
<i>Collector Street:</i>	30'
<i>Local Street / Cul-de-Sac Street:</i>	30'

Provided, however, any 50' minimum *front yard* and minimum *building setback* listed above for a *thoroughfare* may be reduced to 30', and any 30' minimum *front yard* and minimum *building setback* listed above for a *collector street, local street* or *cul-de-sac street* may be reduced to 20' by either: [Amended Ordinance #14-07]\*

- (1) increasing the *plant unit value* of required perimeter yard landscaping to, at a minimum, two (2) times greater than the minimum required *plant unit value* for the applicable *front yard*;  
or,
  - (2) designing the site so that no *parking areas* or *interior access drives* are located between the *front lot line* and the front line of any portion of the *building* served (*loading areas* are also prohibited by Section 4.05 – Architectural and Sign Design Requirements and Section 7.05 – Off-Street Loading Regulations).
- b. Minimum *Side Yard* and *Setback* - shall be provided from the *lot line* as follows:
    - (1) Minimum *Side Yard* - 10 feet
    - (2) Minimum *Side Bufferyard* - 25 feet
  - c. Minimum *Rear Yard* and *Setback* - shall be provided from the *lot line* as follows:

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- (1) Minimum *Rear Yard* - 10 feet
- (2) Minimum *Rear Bufferyard* - 25 feet

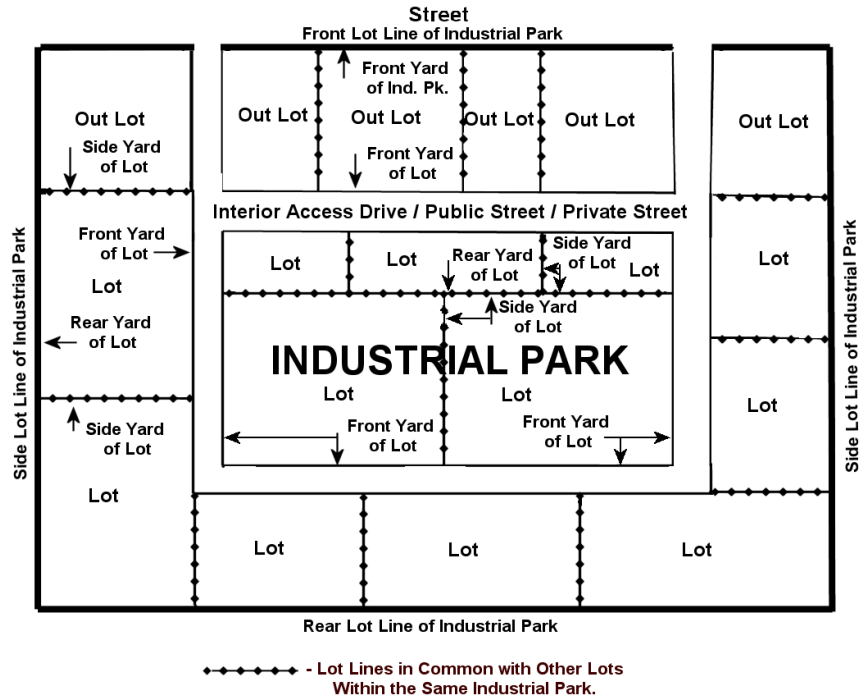
d. *Minimum Yards for Out Lots*- Within the *BT District*, all *lots* or *multi-tenant buildings* which are part of a *business park* or *industrial park* shall be considered *out lots*. *Out lots* within an *integrated center* shall provide a *minimum yard* of ten (10) feet along all *lot lines* in common with other *out lots*. 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. 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. [Added Ordinance #14-07]\*

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, parking areas* or *interior access drives* (provided that no portion of any *parking area, interior access driveway* or *interior access drive* may be located closer to the *right-of-way* than fifteen (15) feet), *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* connecting to adjoining *lots* 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 landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained as *open space* free from *buildings* or *structures*.

- e. *Minimum Yards for Lots Within the Same Industrial Park - along all lines in common with other lots or out lots located within the same industrial park:* [Amended Ordinance #14-07]\*



Minimum Yards for Lots Within the Same Industrial Park

- (1) Side Yards – That portion of a minimum *side yard*:
  - (a) located between the *front lot line* and minimum *front building setback line* may include: *driveways*; or, *interior access driveways* connecting to adjoining *lots*; and, [Amended Ordinance #14-07]\*
  - (b) located behind the minimum *front building setback line* may include: *parking areas*; *loading areas*; *interior access driveways*; *interior access drives*; *trash containers*; or, *outdoor storage*; and, [Amended Ordinance #14-07]\*
- (2) Rear Yards – Minimum rear yards may include *parking areas*, *loading areas*, *interior access driveways*, *interior access drives* or *outdoor storage*; provided, however, that the remainder of said *yards* shall be maintained as *open space* free from *buildings* or *structures*, and that: [Amended Ordinance #14-07]\*
  - (a) 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, [Added Ordinance #14-07]\*

- (b) 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. [Added Ordinance #14-07]\*

- 4. *Maximum Building Height* - forty-five (45) feet; provided, however, that:
  - a. no portion of any *building* located between twenty (20) feet and thirty (30) feet from a *front lot line* shall be in excess of thirty-five (35) feet; and,
  - b. the *setback* for that portion of any *building* or *structure* which is in excess of thirty-five (35) feet shall be increased by one (1) foot for each one (1) foot of the height of the *building* or *structure* above thirty-five (35) feet until the maximum height of the *building* or *structure* is allowed. [Amended Ordinance #07-04]
- 5. *Parking* – See Section 7.04 – Off-Street Parking Regulations.
- 6. *Loading* - See Section 7.05 – Off-Street Loading Regulations.
- 7. *Signs* - See Section 7.03 – Sign Regulations.
- 8. *Outdoor Storage* and Operations - All storage, servicing and operations, except for parking and loading, shall be conducted within completely enclosed *buildings*, except where expressly permitted below:
  - a. *Outdoor seating* for restaurants:
    - (1) shall not be located between a *building line* and a *bufferyard*;
    - (2) shall not be located in any required *yard* or any *street right-of-way*;
    - (3) shall be located adjacent to the business' tenant bay or storefront façade;



- (4) shall be included in the calculation of required *foundation landscaping area* and any applicable *building foundation landscaping area* and associated *plant unit value* shall be extended or relocated around the perimeter of the outdoor seating area;
- (5) shall not exceed 10% of the *gross floor area* of the restaurant; and,
- (6) shall not block the entrance to the business or *building*.

b. Storage

All storage of materials or products shall be either:

- (1) within completely enclosed *buildings*; or,
- (2) within a defined storage area in compliance with the following:
  - (a) Enclosed within a chain link, lattice, *ornamental fence*, solid walled, or similar type fenced area, including entry/exit gates made of materials compatible with the fence. [Amended Ordinance #19-03]\*
  - (b) The height above *grade* of said fence shall be at least six (6) feet and shall not exceed ten (10) feet.
  - (c) Materials or products stored within the fenced storage area shall not exceed the height of the fence.
  - (d) The fenced storage area shall be surrounded by landscaping installed in compliance with the requirements for a Type C landscape screening with a *plant unit value* of at least seventy-five (75).

c. Amount of *Outdoor Storage*

The total area devoted to *outdoor storage* shall not exceed fifteen (15) percent of total *lot area*.

e. Business Vehicles [Added Ordinance #11-03]

- (1) The total number of *business passenger vehicles* shall not exceed five (5) *passenger vehicles* per business with a GVWR  $\leq 8,500$  lbs. Additional *business passenger vehicles* and *non-passenger vehicles* may be stored on the same property in compliance with the *outdoor storage* requirements.

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(2) *Business passenger vehicles* must be parked on the same property as the business location.

f. *Truck – Rental Service* [Added Ordinance 18-03]

(1) No more than six (6) vehicles for rent shall be parked on site in association with the *Truck – Rental Service*.

(2) Vehicles and trailers associated with the *Truck – Rental Service* shall be parked as follows:

(a) Vehicles and trailers shall not be parked between a *front building line* and *front lot line*.

(b) Parking of vehicles and trailers shall not be permitted to be located along a façade which is parallel to or within ninety (90) degrees of being parallel to a *front lot line* or *bufferyard*. Parking of vehicles and/or trailers located along a façade which is located between ninety (90) and one-hundred and twenty (120) degrees of being parallel to a *front lot line* or *bufferyard* shall be effectively screened from such *front lot line* or *bufferyard* by either: a screening wall accompanied by *foundation landscaping*; or, screened with Type C landscape screening with a *plant unit value* of at least forty (40), for the full depth of the parking spaces.

g. *Outdoor playgrounds* provided that such outdoor *playground*:  
[Added Ordinance #19-03]\*

(1) is an *accessory use* to a *permitted use*; and

(2) shall be included in the calculation of required *foundation landscaping area* and any applicable *building foundation landscaping area* and associated *plant unit value* shall be extended or relocated around the perimeter of the outdoor *playground* area.

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

**C. Architectural and Site Design Review.**

All development within the BT *district* shall be subject to the architectural and site design requirements set forth in Section 4.05 – Architectural and Sign Design Requirements of this UDO. [Amended Ordinance 11-03]