

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION  
OF THE CITY OF GOLDSBORO, NORTH CAROLINA  
TO CONSIDER CHANGES AND AMENDMENTS TO  
THE UNIFIED DEVELOPMENT ORDINANCE  
OF THE CITY OF GOLDSBORO CODE OF ORDINANCES**

Notice is hereby given that a public hearing will be held before the City Council and the Planning Commission of the City of Goldsboro on **Monday, June 17, 2019**, at 7:00 p. m., in the Council Chambers, City Hall, 214 North Center Street, Goldsboro, North Carolina, to consider certain changes and amendments to the Unified Development Ordinance of the Goldsboro Code of Ordinances.

The following Sections of the Unified Development Ordinance under consideration for amendment are as follows:

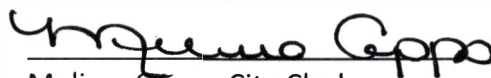
Article 5.4 – Table of Permitted Uses – Addition of brewery, microbrewery

Article 5.5 – Supplemental Use Regulation – Addition of brewery, microbrewery

Article 9.2 – Definitions – Addition of definition of brewery, microbrewery

The full text amendment may be reviewed in the Office of Planning and Community Development located at 200 North Center Street, Goldsboro, North Carolina, between the hours of 8:00 a. m. and 5:00 p. m., Monday through Friday.

All interested persons are invited to attend this public hearing and to be heard. If you plan to attend and require an interpreter, please contact the City Manager's office at City Hall at least four (4) days prior to the hearing.

  
Melissa Capps, City Clerk

  
Ronald T. Lawrence, City Attorney

PUBLISH:      May 30, 2019  
                      June 6, 2019

Table of Permissible Uses																												
	AG	R-40	R-20A	R-20	R-16H	R-16	R-12SF	R-12	R-9SF	R-9	R-6SF	R-6	RM-9	RM-8	O-R	O&I-1	O&I-2	NB	CBD	AB	GB	SC	HB	I-1	I-2	I&BP-1	I&BP-2	Standards
<b>Business/Personal Services</b>																												
Apothecary Shop, retail sales incidental																P												9.2 Definition
Arcades, gamerooms, pool halls, places of entertainment with no ABC permit, bowling alleys, miniature golf facilities																				C		C	C	C				5.5.4
Auto Painting and Body Shops																			P	C	P				P			
Automobile parking as a principle use																		P	P	P	P	P	P		P			
Automobile parts/supplies																			P	C	P	P	P		P			
Automobile rental/leasing, no sales																		P	C	C	P	P	P		P			5.5.4, CBD limited
Automobile repair, service and inspection																			C	C	P	P	P	P	P			5.5.4, CBD limited
Automobile sales new, including the accessory uses of used car sales, leasing and service & repair																				C	P		P		P			5.5.4
Automobile sales used, no service or repair																				C	C		C		C			5.5.4
Automobile washing establishment																			C		P	P	P	P				5.5.4
Automobile washing establishment, Hand- Wash Only																		P	C		P	P	P	P				
Bail bonding establishments																P			P	C					P			
Bakery																			P	P	C	P	P		P		P	
Banks with drive throughs																P		P	C	C	P	P		P				CBD
Banks, finance and insurance offices																P		P	P	C	P	P		P				
Barber/Beauty Shop - excluding home occupations																P	P	P	P	C	P	P			P		P	
Bars, nightclubs, pool halls, <b>Microbreweries</b> , places of entertainment with an ABC permit, bowling alleys, miniature golf facilities																			C		C	C	C					5.5.4

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## 5.5 SUPPLEMENTAL USE REGULATIONS

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### 5.5.1 PURPOSE

The City of Goldsboro finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either. This Section specifies those requirements that must be met by all the uses marked as special or conditional in the Table of Permitted Uses for each district.

### 5.5.2 APPROVAL PROCEDURES

The nature and/or size of a particular use and its probable effect upon surrounding properties determine the approval procedure that shall be followed in obtaining a permit. To determine which approval authority is required, consult the Table of Permitted Uses (Section 5.4).

Where a proposed use will have a minimal effect upon neighboring uses and is proposed for a small structure or tract of land, a special use permit will be required and is granted by the Board of Adjustment. Where a proposed use would have a wider effect upon the entire community or involves a large structure or tract of land, a conditional use permit is necessary and is granted by the City Council. Before granting a conditional use permit, the City Council may request a review by and recommendations from the Planning Commission.

The approval process for both special and conditional uses is described in Section 2.2 (Zoning, Conditional and Special Use Approval).

### 5.5.3 APPROVAL CRITERIA

All of the special and conditional uses listed below shall fulfill all of the requirements of this Ordinance including those in Sections 6.1 (Off-Street Parking, Loading and Stacking Standards), 6.3 (Landscaping, Screening, and Buffering Standards), 6.2 (Commercial Lighting Design Standards), and 6.4 (Signage Standards). In addition, if the use is located in any one of the overlay districts described in Sections 5.7 through 5.10, that district's additional regulations shall apply. The following sections describe the additional approval criteria for each of the specified uses. However, the City Council, Board of Adjustment or Planning Commission may require additional conditions if they feel the impacts of a particular use on a particular site may adversely impact the public health, safety and general welfare.

The site plan information requirements listed for each use are in addition to the standard requirements for a site plan listed in Appendix A.

### 5.5.4 SPECIAL AND CONDITIONAL USE SPECIFIC REGULATIONS

#### *Accessory Dwellings and Apartments*

Permitted Districts

All Single Family Zoned or Developed Lots with the exception of the AG district

Approval Criteria

1. Accessory dwellings (detached from principle structure) and accessory apartments (inside the principle structure) are conditionally permitted in those zoning districts where such use is permitted in accordance with Section 5.4 (Table of Permitted Uses).
2. Accessory dwellings/apartments must comply with all applicable local, state and federal housing codes. Only one accessory dwelling or apartment may be permitted per lot.

### ***Automobile Sales – used***

#### Permitted Districts

Airport Business, General Business, Highway Business and I-2 General Industry

#### Approval Criteria

1. The minimum lot area is fifteen thousand square feet.
2. The minimum lot frontage and width shall be one hundred feet, unless the cars for sale are driven to the site or delivered by nothing larger than a two car carrier. If either of these conditions is met, there shall be no minimum lot frontage or width.
3. No parking of used vehicles or customer vehicles shall be allowed within the required streetyard landscape area.
4. No vehicles for sale shall be parked within twenty feet of residentially zoned property or any buffer area as required in Section 6.3.9.
5. One loading area, not less than twenty by fifty feet shall be provided unless no vehicles will be delivered by car carrier.
6. The conditional use permit shall be issued for a five-year period with automatic renewal for an additional five years if the site and structures are maintained in a satisfactory manner as originally approved.
7. All vehicular display areas shall be improved with paving and curb and gutter.
8. Used automobile sales facilities shall be retrofitted to comply with the landscape requirements of Section 6.3.9 as a condition of Conditional Use Permit approval.

#### Site Plan Information

1. The number of vehicles to be on display.
2. The method of delivery of said vehicles.
3. The number of Employees
4. The hours of operation

### ***Bars, Nightclubs, Pool Halls, **Microbreweries**, Places of Entertainment (both public and private and for profit) – ABC Permit***

#### Permitted Districts

Central Business District, General Business, Shopping Center and Highway Business

#### Approval Criteria

No establishment shall be located within two hundred feet of any residentially zoned or developed property, church or school. Where the proposed establishment is separated from residentially zoned or developed property by a four-lane highway, the two hundred foot separation shall only apply to the properties along the sides and rear of the establishment.

No establishment shall be located within one hundred and fifty feet of any other such establishment.

#### Central Business District Exceptions

- Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of ~~Chestnut~~ Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or developed property. A fifty-foot separation distance shall be required for **stand-alone** churches and schools.
- For the remainder of the Central Business District, not described by the boundaries above, the minimum separation distance from residentially zoned or developed property, **stand-alone** churches or schools shall be one hundred feet.
- There shall be no more than two such establishments, **with the exception of microbreweries**, located per City block, defined as the length of street between two intersections.

- There shall be no more than five microbreweries located within the area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street.
- In the CBD, there shall be no minimum separation distance between two such establishments.
- Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of ~~Chestnut~~ Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.
- Outdoor activities associated with a place of entertainment must specifically be approved by the City Council. At the time of Conditional Use Permit approval, the City Council may impose conditions on outdoor activities as necessary to protect the public health, safety and welfare.

The separation distance required by this section shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads or landforms.

Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use or a use different than set forth in the conditional use permit, the City Council after the public hearing may modify, suspend or revoke the conditional use permit.

#### Site Plan Information

1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be a written statement setting forth the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

#### ***Bed and Breakfasts***

##### Permitted Districts

Central Business District, Neighborhood Business, Highway Business, General Business, Office and Institutional-1, and Office-Residence and on lots in Residential Districts fronting on a major and minor thoroughfare or collector streets as designated in the Thoroughfare or Transportation Plan.

##### Approval Criteria

1. A bed and breakfast shall be permitted only within a principle residential structure.
2. A resident owner or manager who lives on site shall manage a bed and breakfast.
3. In residential districts, food service shall be available only to guests and not the public. No receptions, private parties or similar activities shall be permitted unless expressly approved as part of the conditional use permit.
4. Signage shall be limited to one non-illuminated identification sign not to exceed six square feet in area and five feet in height. No additional advertising signs shall be permitted on the property.

#### ***Bingo Game Establishments***

##### Permitted Districts

Office and Institutional 1, Neighborhood Business, General Business, Central Business District, Shopping Center and Highway Business

##### Approval Criteria

1. The applicant shall deliver to the City sufficient evidence that they comply with state requirements for bingo game establishments as specified in GS 14-309.5-14.

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## 9.0 DEFINITIONS

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### 9.1 WORD INTERPRETATION

For the purpose of this Ordinance, certain words shall be interpreted as follows:

1. Words in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.
2. The word "person" includes a firm, association, corporation, trust, and company as well as an individual.
3. The word "structure" shall include the word "building."
4. The word "lot" shall include the words, "plot," "parcel," or "tract."
5. The word "shall" is always mandatory and not merely directory.
6. The word "will" is always mandatory and not merely directory.
7. The word "may" or "should" is suggestive and not mandatory.

### 9.2 DEFINITIONS

**Marginal Access Street:** A minor street which parallels and is adjacent to a major street or highway; and which provides access to abutting properties and protection from through traffic.

**Marquee:** A roof like structure that cantilevers from the wall of a building over its principle entrance, that has no vertical supports other than the wall from which it cantilevers and that provides a vertical signage area at least four feet high.

**Marquee Sign:** A sign attached to or mounted on a marquee.

**Massage:** The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping, by hand or mechanical device.

**Massage Business:** Any establishment or business wherein massage is practiced including establishments commonly known as health clubs, physical culture studios, massage studios or massage parlors. Massage Therapy offices shall be excluded from these provisions provided the applicant is a licensed therapist by the State of North Carolina or a member of the American Massage Therapy Association.

**Menu Board:** An accessory sign providing items and prices associated with a drive-thru window.

**Microbrewery:** An establishment where beer and malt beverages are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (a barrel is approximately 31 gallons) of beer per year. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer. Microbreweries may also include beverage tasting facilities and entertainment on premise with approved ABC permits.

**Minor Home Occupation:** A home occupation that meets the approval criteria of Section 5.5.4 (Special and Conditional Use Specific Regulations) for Minor Home Occupations.

**Minor Variance:** A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five (5) percent, of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation, by a factor of up to ten (10) percent, of any management requirement under the low density option.