

City of Oxford, NC

**Downtown Economic Development
Implementation Plan
Technical Assistance Report**

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INTRODUCTION

The Rural Planning program of the NC Main Street & Rural Planning (MS&RP) Center prepared this *Downtown Economic Development Implementation Plan Technical Assistance Report* (Technical Assistance Report) for the City of Oxford, North Carolina, in response to a request for services.

In late 2017, the NC MS&RP Center Director worked with Downtown Oxford Economic Development Corporation (DOEDC) Board and Director to develop the *Oxford Main Street Program - Downtown Economic Development Implementation Work Plan - November 2017 to June 2019* (Work Plan). To help the DOEDC implement the Economic Vitality component of the Work Plan, the NC MS&RP Center Director asked Rural Planning program staff to assist with a review of Oxford's codes and ordinances impacting downtown and to make recommendations on best practices related to several issues identified in the Work Plan.

With guidance from the City of Oxford Planning Director and DOEDC Director, the Rural Planning program developed a project proposal, titled *City of Oxford, NC, Downtown Economic Development Implementation Assistance – Response to Request for Services, March 2018*. In March of 2018, the City of Oxford Board of Commissioners approved a resolution requesting assistance with the project from the NC MS&RP Center and the City Manager signed a Memorandum of Understanding for it.

Initially, the ordinance review for downtown was going to focus on: (1) allowing food trucks in downtown; (2) methods and techniques to prioritize or incentivize retail, service, and professional uses to spur pedestrian activity (foot traffic); (3) accessibility for bicycles in the downtown; (4) ways to spur upper story redevelopment and façade improvements; and (5) safety measures and maintenance standards for both vacant and occupied commercial storefront windows to promote downtown economic development and sustainability.

Over time and through communications with City of Oxford staff, the project scope narrowed to focus on the four subjects addressed in this report: (1) a review of the *City of Oxford Zoning Ordinance* to identify potential issues that may impact downtown development and goals; (2) tools for encouraging upper story redevelopment and façade improvements; (3) methods to encourage development of retail, services, and other uses that generate downtown foot traffic; and (4) nonresidential building safety and maintenance standards for downtown.

Part I of this Technical Assistance Report consists of findings and recommendations related to the review of the *City of Oxford Zoning Ordinance*. Part II presents examples of tools, practices, and resources to support the development of downtown retail and service businesses, spur upper story redevelopment and façade improvements, and address nonresidential building safety and maintenance issues, all of which may help generate additional downtown activity and investment.

PART I: DOWNTOWN DEVELOPMENT CODES REVIEW

The driving question for the review of the City of Oxford's downtown development codes by the NC Main Street & Rural Planning (MS&RP) Center's Rural Planning program was:

Do the development regulations support the vision and goals for downtown?

The review focused on the *City of Oxford Zoning Ordinance* (Zoning Ordinance), particularly the zoning districts¹ that apply to the downtown area and the uses permitted in those districts. The Rural Planning program also consulted other documents, including the *Oxford Main Street Program – Downtown Economic Development Implementation Work Plan – November 2017 to June 2019*, the *Downtown Oxford Master Plan* (2016), the *Oxford Historic District Principles and Design Guidelines* (2016), and the *Oxford Comprehensive Plan* (2009).

References herein to the Oxford Zoning Ordinance “development standards” denote those standards found in Article 700 that apply to certain uses by right or uses that require a special use permit as shown in the Table of Permitted Uses. Because the development standards, as well as other requirements in the Ordinance, may apply to uses allowed in multiple zoning districts, and since the City of Oxford has been working on a more comprehensive, citywide project to prepare a Unified Development Ordinance, the review did not include an in-depth look at sections of the ordinance that address off-street parking and loading, landscaping, buffers, screening, signs, etc., in general. However, the review did consider the Building Guidelines for B-1 (Central Business District), which apply to all new construction and major renovations of existing buildings in the B-1 district.

To provide additional context for the comments and recommendations contained herein, the review also compared the uses permitted in the Oxford B-1 Central Business District with those allowed in the downtown zoning districts of five municipalities (“comparison communities”), which, like Oxford, are part of the North Carolina Main Street program. The comparison communities are Goldsboro, Morganton, Sanford, Wake Forest, and Wilson. The comparison communities have different goals and use a variety of programs, tools, policies, regulations, etc., to achieve them. Some have more traditional zoning ordinances, some use form-based codes, and some have regulations that contain elements of both traditional and form-based codes. To keep such differences from complicating the comparisons, the review did not attempt to address all the details, conditions, caveats, etc., associated with districts and uses. Please consult the ordinances for the comparison communities for more information.

¹ The Zoning Ordinance review did not include detailed consideration of the zoning map (for example, whether the boundaries of the downtown zoning districts are appropriate).

SECTION 1: ZONING DISTRICTS

This section examines whether the *City of Oxford Zoning Ordinance* has one or more districts specifically for, and that meet needs of, the downtown area.

DOWNTOWN OXFORD ZONING DISTRICTS

According to the City of Oxford's Official Zoning Map and its Municipal Service District (MUD) map, the following use districts apply in the MUD:

General Use Districts

B-1 Central Business District (*almost all property in the MSD*)

The purpose of the Central Business District is to accommodate, protect and promote rehabilitation of downtown retail and wholesale trades, professional, governmental, financial and business services in an efficiently concentrated area.

B-3 General Business District (*1+/- parcel in the MSD*)

The purpose of the General Business District is to provide for general business uses such as outdoor storage, sales and salvage establishments, outdoor theaters and food establishments, warehouses and other "heavy" commercial uses.

O-I Office-Institutional District (*2+/- parcels in the MSD*)

The purpose of the Office-Institutional District is to provide a zone of transition between purely residential and purely business districts and also to provide for the development of major institutional uses.

Special Use Districts

The Zoning Ordinance has Special Use Districts that correspond to the underlying General Use Districts. They require approval of Special Use Permits for any use allowed by the underlying district. Property owners can voluntarily request that the City designate their property as a Special Use District (SUD).

The purpose statement for the B-1 Central Business District does not fully reflect the City's intentions for the downtown area and the uses that can be developed there. For example:

Wholesale Uses

The B-1 purpose statement mentions "wholesale trades," but there are no wholesale trade uses listed as being permitted in any manner in the B-1 district per the Table of Permitted Uses (in Section 302.1). Such uses are not as prevalent in downtowns as retail uses. The *Downtown Oxford Master Plan* does not mention wholesale trade; rather, it encourages more, and a greater variety of, retail and restaurant uses.

Residential Uses

The B-1 purpose statement does not mention residential uses and Section 201.59 includes the B-1 in the definition of "nonresidential districts." However, the Table of Permitted Uses allows single-family dwellings by right and multi-family dwellings with a Special Use Permit in the B-1 district.

Manufacturing Uses

The B-1 purpose statement does not mention manufacturing uses. The Table of Permitted Uses shows that only a few of such uses are allowed in B-1: (1) contractors (no outside storage) and, as of June 13, 2017, (2) beverage products (alcoholic) and (3) beverage products (non-alcoholic). Uses in the Zoning Ordinance are categorized according to the *Standard Industrial Classification Manual – 1987 (SIC Manual)*. Because the *SIC Manual* classifies certain artists, makers, etc. (such as potters, glass blowers, silversmiths, weavers, and food product makers, for example) as manufacturing uses, they would not be able to create and sell their works in the B-1 district. Such small-scale manufacturing uses and associated retail sales are not unusual in downtown areas. It is also not unusual for communities to discover that they need to amend zoning regulations to add small-scale manufacturing uses, such as craft breweries (manufacturing of alcoholic beverage products), as the City of Oxford did in 2017, so they can operate downtown.

Parcels that are zoned O-I (Office-Institutional District) adjoin some zoned B-1 on the southeast side of the downtown area. As noted above, approximately two of the O-I parcels are within the MSD. In the case of those O-I areas adjoining the B-1 district, some contain institutional uses (school, library, armory, government buildings, etc.), while others have mainly residential uses and a few churches. The O-I purpose statement indicates that it serves as a transition zone between “purely residential” and “purely business” districts that also allows major institutional uses. However, the B-1 District allows (and has) more than just businesses.

DOWNTOWN ZONING DISTRICTS IN COMPARISON COMMUNITIES

The purpose statements for downtown zoning districts in five designated North Carolina Main Street communities (Goldsboro, Morganton, Sanford, Wake Forest and Wilson), are provided below for comparison. In addition to encouraging active storefronts and commercial, office, institutional, and residential uses, the statements emphasize that the zoning districts are pedestrian-oriented, protective of downtown character, and designed to strengthen the economic vitality of downtown.

Goldsboro – Central Business District (CBD)

The Central Business district is established to maintain and strengthen the concentration of commercial, service, residential and institutional uses that serve the entire community and region. The district encourages a mix of high intensity, pedestrian oriented uses compatibly designed and arranged around the existing compact core. The district is intended to safeguard the unique architectural character, social activity and cultural value of the downtown while promoting its continued success and redevelopment. There is no minimum lot size.

Morganton – Central Business District (CBD)

The Central Business District is established to protect and promote the continued vitality of downtown Morganton. It is the intent of this district to provide a concentration of activities in a pedestrian-oriented setting. These activities include retail trade, office, and professional service uses as well as high density residential.

Sanford - Central Business District (CBD)

The “CBD” district is established to provide concentrated downtown retail, service, office and mixed uses (including residential uses) in the existing central business districts. Shopping centers are permitted, but design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the

center. Pedestrian circulation is required as are common parking areas. The “CBD” district promotes the long-term vitality of the central business districts. No rezoning to a “CBD” District is appropriate unless the lot, parcel or tract subject to the application adjoins an existing “CBD” zoning district.

Wake Forest - Renaissance Area Historic Core (RA-HC) & Urban Mixed-Use (UMX)

RA-HC - The Historic Core of the Renaissance Area permits the sensitive continuation of the “Main Street” environment of White Street and its secondary streets. The ground floor of buildings on White Street should be comprised of active uses including retail or restaurants with office and residential located on second stories. Side streets east of White Street may have a greater variety of ground floor uses.

UMX - The Urban Mixed-Use District accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories.

Wilson – Center City Mixed-Use (CCMX)

The Center City District accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories.

SECTION 1 SUMMARY AND SUGGESTIONS/RECOMMENDATIONS

Does the City of Oxford Zoning Ordinance have one or more districts specifically for, and that meet needs of, the downtown area?

The B-1 Central Business District serves as Oxford’s primary zoning district for the downtown area. While it has generally served its purpose as originally designed and as amended, the B-1 district would benefit from a revamping, beginning with its purpose statement. The purpose statement should not only reflect what the district is, but also what it intends to be. As noted later in the report, the downtown may also need a second district or overlay district that is focused on the historic core area.

1. Remove the reference to “wholesale trades” in the B-1 purpose statement.
2. Consider adding a reference to residential uses in the B-1 purpose statement to indicate that they are allowed in the downtown area.
3. If some small-scale manufacturing uses are added to the B-1 district in the Table of Permitted Uses (see Notes and Suggestions/Recommendations in Section 2, below), consider adding a reference to them in the B-1 purpose statement.
4. Consider modifying the O-I district purpose statement to either change the term “purely” to “mainly” or “primarily” or to remove the term “purely.”

SECTION 2: PERMITTED USES

This section considers whether the uses allowed by the *City of Oxford Zoning Ordinance* support and promote downtown's goals and brand identity or work against them. Because most of the property in Oxford's MSD is zoned B-1, Central Business District, this section focuses on that district.

The Table of Permitted Uses in Section 302.1 of the Oxford Zoning Ordinance indicates what uses are allowed in the B-1 Central Business District and how they are allowed (the required permit review process).

RESIDENTIAL USES

The recommendations contained in the *Downtown Oxford Master Plan* do not specifically address residential development. However, Strategy 1 of the *Oxford Main Street Program – Downtown Economic Development Implementation Work Plan – November 2017 to June 2019* contains an Economic Vitality action and task that support residential development downtown.

Action: Work in collaboration with City/DOEDC/Planning in the review of ordinances specific to downtown by June 2019, ie: upper story redevelopment, safety measures related to window display & lighting, table of uses, bicycling downtown, and stream-line process for flex-use-multiple business use by June 2019.

Task: Create list of ordinances that impact DT for specific needs review; 2nd story residential, safety measures regarding window display and lighting, biking in the City, and streamlining the process for flex space, and others as discovered.

The 2009 *Oxford Comprehensive Plan* also contains a goal, action step, and policy that promote residential development in downtown.

Goal: Maintain a downtown that is vibrant, clean and safe which supports residential development and contains a mixture of specialty shops, restaurants and cultural activities.

Action: Encourage retail development and residential uses in the downtown to attract visitors, reuse buildings, create jobs, and support the local tax base.

Policy: Promote residential use in upper floors

Residential Dwellings

In Oxford's B-1 district, single-family dwellings are permitted by right and multi-family dwellings require Special Use Permit approval. The Table of Uses indicates that two-family dwellings are not permitted in B-1. The Ordinance does not explicitly allow for mixing non-residential and residential uses within individual buildings in the B-1 district. Depending on the interpretation of some terms defined in Section 200, there may be a limited way to allow such development.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels, and including tents, lunch wagons, dining cars, trailers, free-standing billboards and signs, fences, and similar structures whether stationary or movable. The term "building" shall be construed as if followed by the words "or parts thereof". Each portion of a building separated by

division walls from ground up without openings shall be considered a separate building.

Dwelling: A building designed for, or used by, one or more families for residential purposes.

Dwelling, multifamily: A building or portion thereof used or designed as a residence for three or more families living independently of each other and doing their own cooking, therein, including apartments, apartment hotels, and group houses.

Dwelling, single-family: A detached building designed for or occupied exclusively by one family. A "manufactured home" is not included in this definition, regardless of the degree of performance of its attachment to the land.

Dwelling, two-family: A building designed for or occupied exclusively by two families living independently of each other.

Although single-family dwellings are allowed in B-1, they are defined as being in detached buildings, so a single dwelling unit in a building with a business does not appear to be allowed. Because two-family dwellings are not allowed in the B-1 district, it also does not seem possible to have two dwelling units in a building with a business. Three or more dwelling units in building with one or more businesses may be allowed, if, for example, a building is divided into separate spaces by walls from the ground up without openings (side by side non-residential and residential units vs. residential units above non-residential units).

Some individual lots in the B-1 district may have development or redevelopment potential for residential uses; however, there may be more opportunities for dwelling units to be added within existing buildings and in mixed-use building projects (new development or redevelopment). To make it easier to do so, the B-1 zoning district would benefit from amendments to clearly allow such uses more explicitly.

Below are examples of approaches the comparison communities have used to integrate residential units into their downtowns:

Goldsboro – Goldsboro permits a variety of housing types by right, with standards, in its Central Business District (CBD), including single-family attached and detached dwellings, duplexes, multi-family dwellings (as new construction or in building conversions), condominiums and townhouses. Accessory dwellings, which are small, detached residential units that are associated with and on the same lot as principal residential units, require a Conditional Use Permit.

The City also has a residential use category called “*Mixed use, apartments or condos above ground floor retail/office within the same building*” that is permitted by right with standards (including a requirement for 1,000 sq. ft. of lot area for the first unit plus 1,000 sq. ft. of land area for each additional unit).

Morganton – The Morganton Zoning Ordinance allows single-family dwellings (detached) and two-family dwellings (duplexes) by right in the CBD. Multi-family dwellings (a building with 3 or more dwelling units) are permitted in the CBD by right with conditions for the use. Such conditions address, for example, building length and separation, ingress to and egress from the development, utility installation and metering, location of dumpsters, etc.

Morganton also allows Accessory Dwellings by right with conditions in the CBD. However, as defined (below), they can only be established in conjunction with a single-family dwelling.

Accessory Dwelling Unit: A second dwelling unit connected to or within the rear yard of a single-family residential dwelling, which is restricted in area, purpose and occupancy in accordance with this ordinance.

It is not clear from the Zoning Ordinance how residential dwellings can be incorporated into existing buildings in the CBD. The purpose statement for the district states that it is intended to include high density residential. The ordinance defines *Mixed-Use Building* as, “The combination of both commercial and residential uses within a single building of two (2) or more stories.” However, the term is not used anywhere in the ordinance. The same is true for *Mixed-Use Development*, which is defined as a planned development where two (2) or more use categories (commercial, residential, industrial, institutional, etc.) are incorporated on a single development site.”

Sanford - Sanford’s CBD restricts most types of new residential development by not allowing single-family (attached or detached), two-family, or multi-family dwellings. However, the CBD does permit residential units in the use category “*Building, Mixed Use – Mixed commercial and residential use where commercial use is primary on first floor, with dwellings occupancy [sic] second floors or above (no enclosed storage),*” subject to development standards.

Wake Forest - Wake Forest does not permit single-family detached dwellings or duplexes in its RA-HC district or in the adjacent UMX district. However, both districts allow townhomes and multi-family dwellings by right. Wake Forest also allows “*Live-Work Units*” in the RA-HC district with supplemental standards and by right in the UMX district. The use is defined as:

Live-Work Units: An attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted).

The RA-HC and UMX districts allow accessory dwellings (attached or detached dwelling units, such as a garage apartments or cottages, located on lots with existing single-family dwellings) with supplemental standards. However, single-family dwellings are detached, by definition, and the RA-HC and UMX districts do not allow them, so they accessory dwellings are limited to lots with pre-existing single-family dwellings.

City of Wilson - Residential uses in downtown Wilson are treated similarly to those in Wake Forest. Wilson does not permit single-family detached dwellings or duplexes in the CCMX district. It does allow townhome dwellings by right and multi-family dwellings by right, but subject to special conditions. It also allows “*Live-Work Units*” (defined below) by right.

Live-Work Units: An attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted). Live-work units exist as variations of either the Detached House building type or the Townhome building type and shall be subject to their applicable requirements.

Accessory dwellings are allowed in the CCMX district subject to special conditions, but, as in the case of Wake Forest, they must be located on a lot with a pre-existing single-family dwelling since new single-family dwellings are not allowed in the district.

Home Occupations

Oxford's Table of Permitted Uses lists *Home Occupation* under the "Other" use category. However, home occupations (defined below) are not permitted in the B-1 district.

Home Occupation: An occupation for gain or support conducted by members of a family with no more than one nonfamily employee within a residential building provided that no article or service is sold, offered for sale or performed except by the family or its employee and provided that all articles are produced in the residential building, and provided that no more than ten (10) percent of the floor area of the building shall be used for said occupation, and provided that no display of said articles shall be visible from a main traveled roadway. No commercial delivery during sleeping hours.

Whether to allow the occupant(s) of a dwelling unit in a central business district to operate a low impact business within the residence is a policy question for each community to answer based on its goals and objectives for downtown.

In reviewing how the zoning regulations for Oxford and the comparison communities treat housing in downtown areas, one will find that some of the ordinances include home occupations in the residential use category while others classify it as another type of use. The definitions for home occupations vary and development standards for them are even more varied. Oxford and one of the five comparison communities (Goldsboro) do not permit home occupations in their downtown districts.

Goldsboro – Home occupations are Residential uses that are not permitted in the CBD.

Home Occupation: An occupation or business activity that is an accessory use conducted for profit and which results in a product or service and is conducted in whole or in part in the main or principle residential dwelling unit or accessory building as hereinafter set forth. A home occupation shall be clearly subordinate, incidental and secondary to the principle use of the dwelling as a residential unit. A home occupation may be classified as major or minor.

Morganton - "Customary" home occupations, including daycare homes, are permitted by right with standards in the CBD; however, "intensive" home occupations are not permitted.

Home Occupation, Customary: A business, profession, occupation, or trade which is conducted within a residential dwelling for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the building. This definition includes day care homes and does not include tattoo and/or body piercing operations.

Home Occupation, Intensive: A business, profession, occupation, or trade which is conducted within a residential dwelling or residential accessory structure for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the building. This definition includes home occupations that provide the following services: "animal services (no outdoor kennels)", "artists, craftsmen", "personal service uses", "professional offices", and "services, other (no outdoor storage)".

Sanford - Home occupations, as defined below and as specifically listed in the UDO, are permitted subject to development regulations in the CBD.

Home Occupation: Any occupation or profession or business activity customarily conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and contains no mechanical equipment except for that which is customarily used for domestic, hobby, or household purposes. A home occupation is an accessory use to a dwelling unit.

Wake Forest - The Use Table lists home occupations as an Office/Service Use. They are permitted by right in the RA-HC and UMX districts.

Home Occupation: An occupation or profession conducted within a dwelling unit or accessory building by a residing family member that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet non-retail businesses generally invisible from the frontage, seldom visited by clients, requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. Home Occupations include produce stands and day care centers where daytime care is provided to less than 6 children who are not the legal wards or foster children of the attendant adult within an owner-occupied residence.

Wilson - Home occupations, defined below, are treated as Office/Service uses that are permitted with special conditions in the CCMX district.

Home Occupation: An occupation or profession conducted within a dwelling unit by a resident that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet businesses generally invisible from the frontage requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. For the purposes of this ordinance, telecommuting shall not constitute the establishment of a home occupation.

BUSINESS, PROFESSIONAL AND PERSONAL SERVICES, RECREATIONAL USES

The Business, Professional and Personal Services, Recreational Uses category of uses is very broad. The B-1 district allows many of the uses, most by right. The relevance and suitability of some of the uses in relation to downtown are discussed below, as is the potential need for other uses.

Lodging

Although *bed and breakfast* (SIC 7011) and *boarding and rooming houses* (no SIC code) are categorized as Residential uses in Oxford's Table of Permitted Uses, they are addressed in this report in the Business, Professional and Personal Services, Recreational uses category because of characteristics they share with hotels and motels.

In the B-1 district, *bed & breakfast* inns are allowed by right, *hotels* and *motels* require special use permit approval and are also subject to development standards, while *boarding houses* and *rooming houses* are not permitted.

Hotel, motel: Any building or group of buildings containing nine (9) or more rental units for transient guests (see definition of rental unit below). [Note: There is no definition of “rental unit” in the Zoning Ordinance.]

Bed and Breakfast: A private residence in which temporary accommodations are provided for lodging and may include limited meals for overnight guests.

Boarding House: A building where meals, or lodging and meals are provided for compensation for five (5) or more, but not exceeding eight (8) guests.

Rooming house: A building where lodging is provided for compensation for five (5) but not more than eight (8) guests.

Tourist Home: (See Bed and Breakfast)

Oxford’s Zoning Ordinance distinguishes a *bed and breakfast* from other types of lodging in that it is within a private residence. The other accommodations are in “buildings.” It is somewhat surprising that development standards for bed and breakfast inns in Section 710 of the ordinance apply in other zoning districts, but not in the B-1 district.

The development standards for hotels and motels in Section 728 apply in the B-1 district but address only the accessory activities and businesses that hotels and motels may conduct or lease rooms or facilities for others to conduct (small gift and convenience sundry shops, photographic studios, barber and beauty shops, candy and ice cream stores, and dry cleaning and laundry services, for example).

Goldsboro – *Rooming and boarding houses* are considered Residential uses in Goldsboro’s ordinance and are not permitted in the CBD. *Bed and breakfasts* are permitted with approval of a conditional use permit in the CBD. Conditional use standards for bed and breakfasts also apply. They address signage, events, structures that can be used, and food service, among others.

Motels and extended stay hotels (30 days max.), neither of which are defined in the ordinance, are permitted by right in the CBD.

Morganton - *Bed and breakfast inns* are considered Residential uses that are permitted by right with conditions in the CBD. Such conditions include, for example, limits on the number of rooms and outside employees as well as a prohibition on using the facility for meetings, as a restaurant, or for “other non-traditional single-family residential activity.” Boarding and rooming houses are also considered Residential uses, but they are not permitted in the CBD.

Hotels and motels are in the Office & Services uses group and are permitted by right in the CBD. Morganton’s development standards for non-residential building design are not mandatory in the CBD.

Sanford – Sanford classifies group living quarters and lodging in its Accommodations and Group Living use category. In the CBD, *bed and breakfast inns* are permitted subject to development regulations. The development regulations limit the number of guest rooms, prohibit the serving of meals other than breakfast, and require that parking be in side or rear yards, for example. *Hotels, motels and tourist courts* are also allowed in the CBD subject to development regulations which require major or minor thoroughfare access and larger setbacks when adjacent to a residential zoning district, for example. They also prohibit accessory commercial uses (such as restaurants) to locate on sides of the property adjacent

to residential zones. *Boarding houses/room renting* are permitted by right in the CBD and *dormitories* (for students of colleges or commercial schools as well as staff of hospitals) require special use permit approval.

Wake Forest - *Bed and breakfast homes (up to 8 rooms)* and *boarding or rooming houses (12 or less persons)* are Lodging uses that are allowed in the RA-HC and UMX districts by right with additional supplemental standards. The RA-HC and UMX districts permit *hotels/inns (less than 20 rooms)* as well as *hotels/inns (no room limit)* by right.

Wilson – *Bed and breakfast homes (up to 8 rooms)*, *bed and breakfast inns (up to 12 rooms)*, and *hotels/motels* are Lodging uses that are allowed by right in Wilson’s CCMX district. *Boarding or rooming houses* are not allowed.

Event Spaces

Oxford’s Table of Permitted Uses has listings for some places of public assembly for events and entertainment, such as auditoriums, stadiums, and theaters. However, the B-1 district does not permit *auditoriums, stadiums*, which is listed under the Business, Professional and Personal Services, Recreational uses category, does not have an SIC code (0000), and is not defined in the ordinance. *Athletic fields* are permitted by right in the B-1 district (and with development standards in the O-I district). “Event centers” are not explicitly mentioned in any of the use categories. *Indoor theaters* (SIC code 7832, Motion Picture Theaters, Except Drive-In) are permitted by right in the B-1 district, but *outdoor theaters* (SIC code 7833, Drive-In Motion Picture Theaters) are not allowed. Event centers could possibly be allowed as incidental uses within hotels, which are allowed with Special Use Permits in the B-1 district.

The Oxford Zoning Ordinance permits, with development standards, certain civic and private special events to be held on a temporary basis (listed as Temporary Events in the Table of Permitted Uses in the “Other” use category) with the issuance of a Special Event Permit by the Zoning Administrator. The development standards for Temporary Events in Section 752 defines Special Events:

752.2 Special Events: A land use lasting not more than three days, which does not involve the construction of any permanent structures, and whose primary purpose is the cultural, spiritual, or recreational enjoyment of its participants. Such uses shall include, but not be limited to: art fairs, carnivals, circuses, historical reenactments, music festivals/concerts, outdoor religious events and parades. Limited retail sales shall be permitted only as an accessory use to the event and shall be restricted to food concessions and souvenirs sold for purposes of sponsoring the event.

The City’s events calendar in the summer of 2018 had at least one Downtown Movie Night scheduled for the City Hall Theater and another for Main Street. Granville County manages the Granville County Expo & Convention Center, located on US 15/501, southeast of Oxford. If Oxford has a need for more indoor or outdoor event space in its downtown area, the Zoning Ordinance would need to be adjusted to allow them.

The comparison communities are generally more permissive in terms of allowing places of public assembly, such as entertainment venues, auditoriums, theaters, stadiums, sports arenas, exhibition halls, and civic, conference or convention centers, in downtown districts; however, they do have variations in terms of the permits required and/or standards that apply.

Goldsboro - *Assembly halls, coliseums, civic centers, etc.*, as well as *theaters, multiplexes* are permitted by right in the CBD.

Morganton - *Auditoriums, assembly halls*, as well as *banquet, events facilities*, are permitted by right in the CBD. The CBD also allows *indoor theaters* and *open-air theaters* (excluding drive-ins) by right.

Sanford - At the time this report was developed, Sanford's *Unified Development Ordinance* (UDO) showed *exhibition, convention or conference structures, movie theaters, outdoor stages, bandstands, or similar structures (maximum 3,000 sq. ft.), indoor performance theaters or auditoria*, and *outdoor performance theaters and civic, social, and fraternal organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation* as being permitted by right in the CBD, while *sports stadiums or arenas* required a Special Use Permit. *Amphitheaters and drive-in theaters* are not permitted in the CBD.

However, as of July of 2018, the City was considering a proposed UDO amendment that would no longer allow event centers/venue spaces in the CBD. Occupancy of on-street parking spaces by event attendees during peak hours for other businesses was one of the main concerns that led to the proposed amendment. It was also noted that there are downtown areas that are outside of the CBD where such uses are permitted.

Wake Forest - *Civic meeting facilities and community or cultural facilities* are permitted by right in the RA-HC and UMX districts. *Conference/convention centers* are not allowed in the RA-HC but are permitted by right in the UMX district. *Sports arenas/stadiums* are also not allowed in the RA-HC district but are allowed with a Special Use Permit in the UMX district. *Indoor movie or live performance theaters* are permitted by right in both districts. *Outdoor theaters* for live performances are permitted with standards in both districts. Neither district allows *drive-in theaters*.

Wilson - In the CCMX district, *indoor movie or live performance theaters and conference/convention centers* are permitted by right, while *outdoor theaters, civic meeting facilities and cultural or community facilities* are permitted with special conditions. *Drive-in theaters and sports arenas/stadiums (4,000 or more seats)* are not permitted.

Parking Lots/Structures

The B-1 district in Oxford does not permit *Automobile Parking, Commercial* (SIC 7521). While it appears that there is sufficient parking in the downtown area currently, could there be a situation in which a new development or redevelopment project would include a parking lot or structure with spaces available on a short-term or long-term contract or fee basis? If the need arises for additional parking, design standards, requirements for integrating business uses at the street level, etc., can help commercial parking lots and structures better fit into downtown areas.

Goldsboro - In the CBD, *Automobile Parking as a Principal Use*, is permitted by right. Although there do not appear to be specific standards for parking structures in general, the CBD has design standards for buildings that would probably apply.

Morganton - The CBD permits *automobile parking lots or garages (principal use)* by right with conditions.

Sanford - *Parking lots, parking structures or underground parking areas (commercial or governmental)* are permitted by right in its CBD.

Wake Forest - The RA-HC and UMX districts allow *Parking Lot/Structure – Principal Use* by right.

Wilson - A *Parking Lot/Structure – Principal Use* is allowed in the CCMX district with a Special Use Permit. In addition, Wilson requires that an above-ground parking structure fronting on a public street have its ground level screened by retail, office, or multifamily uses that so that parked cars are not visible from the sidewalk.

Other Automobile-Oriented Services (see also *Retail Trade, below, for Other Automobile/Automotive-Oriented Retail Sales*)

In Oxford's B-1 district, *automobile rental* businesses are permitted by right, *automobile repair* (no SIC code) businesses are permitted with development standards, and *automobile service stations* (SIC 5541) require a Special Use Permit. *Car washes* (SIC 7542) are permitted by right. *Tire recapping* (SIC 7534) and *automobile towing and storage* (SIC 7549) are not allowed.

Automobile Repair/Automobile Service Stations

Section 201.6 of Oxford's Zoning Ordinance defines *automobile service station*:

201.6 *Automobile Service Station*: An area of land, including any structures thereon, used for the retail sale of gasoline oil or other fuels for the propulsion of motor vehicles and incidental services, including facilities for lubrication and hand washing and the furnishing of minor motor vehicle accessories and repairs, but excluding an automobile laundry and a repair garage.

The *SIC Manual* describes SIC 5541, Gasoline Service Stations, as follows:

Gasoline service stations primarily engaged in selling gasoline and lubricating oils. These establishments frequently sell other merchandise, such as tires, batteries, and other automobile parts, or perform minor repair work. Gasoline stations combined with other activities, such as grocery stores, convenience stores, or carwashes, are classified according to the primary activity.

Automobile repair is not defined in the Zoning Ordinance, but there is a definition for *garage, repair*.

201.35 *Garage, repair*: A garage in which machinery operated by mechanical power is installed which is designed for making major repairs to motor vehicles, or where in making repairs to motor vehicles the mechanical power employed in the operation of any machine or tool exceeds 3-HP or the total mechanical power provided or employed exceeds 15 HP.

Although the Table of Permitted Uses shows that *automobile repair* is allowed with development standards, the use is not specifically listed in Article 7, Development Standards. The most similar use to it is "Automobile Service Stations (in B-1 zoning district)," which are subject to the development standards in Section 707 and the special use permit approval process. The development standards control the size, activities, hours of operation, lighting, curb cuts, and location of such uses within the B-1 district, require buffering when the property adjoins a residential district, and prohibit outdoor display/storage. The main differences between

automobile repair and *automobile service stations* seem to be that *service stations* can sell gas and oil and some accessories, but can only perform minor repairs, while *automobile repair* does not involve the sale of gas and oil, but does include minor and major repair work.

There are several other references to automobile repair in the Zoning Ordinance, too. Section 503, Table of Off-Street Parking Requirements, addresses parking for “auto repair shops” but not for *automobile service stations*. The development standards for *home occupations*, in Section 727.12, prohibit *commercial automotive repair garages* from being home occupations; however, home occupations are not currently allowed in the B-1 district.

There are at least five different terms used in the Zoning Ordinance for businesses that deal with automobile repair. Only two of the terms are defined and some are used only once.

Automobile Repair (not defined; appears once in Section 302.1, Table of Permitted Uses, as shown)

Automobile Service Station (defined; appears five times, once in the Table of Contents, as “Automobile Service Stations,” once in Section 302.1, Table of Permitted Uses, as shown, once in the title of Section 707, as “Automobile Service Stations,” and twice in Section 707, the development standards for “Automobile Service Stations,” as shown)

Garage, Repair (defined; appears three times, once as a term defined in Section 402, Definitions, as shown, once in the definition of “Automobile Service Stations” in Section 402 as “repair garage,” and once in Section 727.12 of the development standards for home occupations as “commercial automotive repair garages”)

Auto Repair Shops (not defined; appears once in Section 503, Table of Off-Street Parking Requirements, as shown)

Commercial Automotive Repair Garages (not defined; appears once in Section 727, the development standards for home occupations, as shown)

Car Washes

As noted above, *car washes* (SIC 7542) are allowed by right in the B-1 district. The *SIC Manual* description for SIC 7542 is:

Establishments primarily engaged in washing, waxing, and polishing motor vehicles, or in furnishing facilities for the self-service washing of motor vehicles.

Section 201.17 of the Zoning Ordinance further defines *car wash* as:

A structure or portion thereof the principal use of which is the washing of automobiles or other motor vehicles with the use of a chain or other conveyor and a blower or steam cleaning device.

The above definition, which applies to all zoning districts that allow car washes, does not address self-service car washes, making it more restrictive than the SIC description. However, Section 503 distinguishes between automatic and self-service car washes in stating the minimum number of off-street parking spaces required for each:

- Car Wash, Automatic - 2 per 3 employees on largest shift plus 10 per approach lane
- Car Wash, Self Service - 3 stacking spaces per approach lane plus 3 drying spaces

Another reference to a car wash type of use is in the definition of *automobile service station* in Section 201.6, which excludes an “automobile laundry,” a term that does not appear anywhere else in the ordinance (although it is an example in the description of SIC 7542).

While car washes offer a service that the driving public wants and uses, they may not be the best use of land in a downtown area, particularly in the historic core. Although new car washes would be subject to the Building Guidelines for B-1, the City of Oxford should consider whether to continue to allow new car washes in the B-1 district and, if so, whether they should be subject to other development standards and/or a special use permit review.

The comparison communities regulate automobile-oriented services as shown below.

Goldsboro – The CBD allows *automobile rental/leasing, no sales, automobile repair, service and inspection, automobile washing establishments, and automobile washing establishments, hand-wash only* with conditional use permit approval. Additional standards apply, as well.

Morganton – Morganton does not permit new *motor vehicle and boat services (with or without outdoor storage, includes gas stations and car washes)* in the CBD. The use, which is listed in the Office & Service Uses category in the Table of Permitted Uses, is:

Motor Vehicle and Boat Services: An establishment engaged in providing mechanical, automotive, marine, fuel, maintenance, and repair services. This use includes service stations, body work or painting, gas stations, motor vehicle and boat repair, and car washes. Outdoor storage associated with such uses may be permitted as indicated in the Permitted Uses Table.

Sanford – Automobile-oriented services, including *car washes and car care centers*, are not allowed in the CBD.

Wake Forest – Wake Forest’s Automotive category in its Use Table includes both service and retail uses. *Vehicle rental/leasing/sales* businesses and *vehicle services – minor maintenance/repair* are not allowed in the RA-HC district but are allowed, provided they meet supplemental standards, in the UMX district. *Vehicle rental – moving trucks* is permitted with standards in both the RA-HC and UMX districts. *Vehicle services – major repair/body work* businesses are not allowed in either district. The distinctions between the two types of vehicle services are found in the definitions, below.

Vehicle Services – Major Repair/Body Work: The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, large appliances, commercial and industrial equipment and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes major repair and body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.

Vehicle Services – Minor Maintenance/Repair: The repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Minor facilities providing limited repair and maintenance services. Examples include: car washes, attended and self-service; car stereo and alarm system installers; detailing services;

muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).

Wilson – Like Wake Forest, Wilson has an Automotive use type that includes services as well as retail uses. The CCMX district permits *vehicle rental/leasing/sales* businesses by right with special conditions and *vehicle services – minor maintenance/repair* uses are allowed with special use permit approval. *Vehicle services – major repair/body work* businesses are not allowed in the CCMX district. Wilson’s definitions for major and minor vehicle services are like those in the Wake Forest ordinance.

Banks with Drive-Through (Drive-Thru) Service

Banks, Savings & Loans, and Credit Unions (SIC 6000) are permitted by right in Oxford’s B-1 district, but the Table of Permitted Uses does not distinguish between those that have drive-through service, outdoor ATM machines, etc., and those that do not. However, the Table of Off-Street Parking Requirements in Section 503 requires stacking spaces in addition to the standard parking requirements for banks when they have drive-through service and/or ATMs. There are several banks in the B-1 district that have drive-through service.

The comparison communities generally allow banks with drive-through service to locate in their downtown districts, as well. However, some have additional standards and/or require a conditional use permit.

Goldsboro - *Banks, finance and insurance offices* are allowed by right in the CBD. *Banks with drive throughs* are listed as a distinct use and are allowed with approval of a conditional use permit in the CBD and are also subject to supplemental standards. However, such standards prohibit auto oriented uses within a specified area in the CBD “...to protect the pedestrian character of the CBD and especially the downtown core....”

Morganton - *Banks, financial services* are permitted by right with standards in the CBD. The Table of Uses also has a listing for *drive-through/drive-in uses (associated with permitted use)* defined below, which are permitted by right in the CBD:

DRIVE-THROUGH/DRIVE-IN USE. A customer service facility located within the principal structure as an accessory to an office or retail establishment which is intended to enable the customer to transact business with a sales or service representative located within the principal structure without exiting the motor vehicle.

Morganton also has various standards for commercial buildings, for example:

Buildings shall be oriented in a manner that drive-through windows, menu/ordering areas and automobile service bay doors are not directly visible from the primary fronting street when viewed at a point in the street that is directly perpendicular to the center of the primary façade.

Sanford – In the CBD, *finance and insurance services (bank, credit and finance, insurance-related)* are allowed by right. Its UDO neither distinguishes between banks with and without drive-through service nor prohibits them.

Wake Forest - *Banks, credit unions, financial services* are permitted by right in the RA-HC and UMX districts. ATMs are also permitted by right. The Use Table does not distinguish

between banks that have or do not have drive-through service. However, a separate use listing exists for *drive-thru/drive-in facility*:

DRIVE-THRU/DRIVE-IN FACILITY - A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, fast-food restaurants, drive-through coffee, photo stores, pharmacies, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

Drive-thru/drive-in facilities are allowed with special use permit approval in the RA-HC and UMX districts.

Wilson - Like Wake Forest, Wilson's UDO allows *banks, credit unions, financial services* and ATMs by right in its CCMX district. The Use Table includes a specific use, *Drive-Thru/Drive-In/Pick-Up/Drop-Off Facility*, with a definition identical to Wake Forest's *drive-thru/drive-in facility* definition (see above). Such uses are allowed in the CCMX district subject to meeting supplemental standards and special use permit approval. The standards specify where on a lot items such as menu boards, drive-thru service windows, vehicle queuing/stacking areas, and similar facilities for *Drive-Thru/Drive-In Facilities* may be located and accessed. The standards also restrict them from occupying any portion of a building facing a street frontage. They must also meet additional requirements related to circulation, separation from rights-of-way, and vehicle stacking spaces.

Laundromats and Dry Cleaning Services

Oxford's B-1 district allows by right both *laundromats, coin-operated* (SIC 7215), as well as *laundry, dry cleaning plants* (SIC 7211). The description of SIC code 7211, Power Laundries, Family and Commercial, is not as broad as the Table of Permitted Uses listing might suggest, as it does not use the terms "dry cleaning" or "plants."

7211 Power Laundries, Family and Commercial

Establishments primarily engaged in operating mechanical laundries with steam or other power. Establishments primarily engaged in supplying laundered work clothing on a contract or fee basis are classified in Industry 7218.

- Laundries, power: family and commercial
- Laundry collecting and distributing outlets operated by power
- Power laundries, family and commercial

SIC code 7216, Dry Cleaning Plants, Except Rug Cleaning, and SIC code 7218, Industrial Launderers, are more industrial in nature. SIC code 7215, used for laundromats, coin-operated, in the Table of Permitted Uses, is titled, Coin-Operated Laundries and Dry Cleaning." However, its description implies that the uses it includes are all self-service.

7215 Coin-Operated Laundries and Drycleaning

Establishments primarily engaged in the operation of coin-operated or similar self-service laundry and drycleaning equipment for use on the premises, or in apartments, dormitories, and similar locations.

- Coin-operated laundries
- Drycleaning coin-operated
- Launderettes

- Laundromats
- Laundry machine routes, coin-operated
- Self-service laundry and drycleaning

Similar uses in the comparison communities are more clearly described and exclude industrial-type dry cleaning facilities.

Goldsboro - *Dry cleaning, personal*, is permitted by right in the CBD, while *dry cleaning, industrial*, is not allowed. The Goldsboro UDO does not define either term.

Morganton - *Dry cleaning and laundry services (non-industrial)*, are permitted by right, with standards, in the CBD.

DRY CLEANING AND LAUNDRY SERVICES. A building, portion of a building, or premises used for the collection and distribution of dry cleaning or the cleaning of fabrics, textiles, wearing apparel, or articles of any sort without the immersion of such articles in volatile solvents including, but not limited to petroleum distillates, and/or chlorinated hydrocarbons and any process incidental thereto. It is intended that uses in this category shall not pose a significant threat to the health and safety of the public or adjacent uses and that such may legally discharge all liquid waste into a public sanitary sewer or private septic system.

Sanford - *Dry cleaning and laundry* is permitted by right in the CBD. While the Sanford UDO does not define the use, the use is included as an example in the definition of *Personal Service Establishment* and is further specified as “drop-off and pick-up stations.”

Wake Forest - *Dry cleaning & laundry services* are allowed by right in the RA-HC and UMX districts. However, the definition of the use limits it so that dry cleaners serving multiple pick-up sites are not allowed:

DRY CLEANING & LAUNDRY SERVICES Coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry cleaning stores that do not provide cleaning services to other collection stations or stores.

Wilson - *Dry cleaning & laundry services*, which are defined as shown above for Wake Forest, are allowed by right in the CCMX district.

RETAIL TRADE USES

The Retail Trade category in the Oxford Zoning Ordinance Table of Uses encompasses a wide variety of businesses that sell goods directly to consumers, from automobiles and gasoline to groceries and televisions. The use category also includes restaurants, bakeries, bars and taverns.

The B-1 district permits by right most of the retail businesses listed in the Table of Uses. A few exceptions include uses that require a special use permit (*bar or tavern* and *restaurant, with drive-thru*), one use permitted with development standards (*service station, gasoline*), and those that are not permitted (*boat sales; bookstore, adult; building supply sales, with and without storage yards; fuel oil sales; manufactured home sales; recreational vehicle sales; and truck stops*).

Some of the retail uses allowed in the B-1 district that the City of Oxford may want to review are highlighted below.

Gasoline Stations and Convenience Stores

Service Station, Gasoline (SIC 5541), a use allowed in the B-1 district subject to development standards, is not defined in the Zoning Ordinance. As stated previously, the *SIC Manual* describes SIC 5541, Gasoline Service Stations, as follows:

Gasoline service stations primarily engaged in selling gasoline and lubricating oils. These establishments frequently sell other merchandise, such as tires, batteries, and other automobile parts, or perform minor repair work. Gasoline stations combined with other activities, such as grocery stores, convenience stores, or carwashes, are classified according to the primary activity.

As for the development standards that apply, *Service Station, Gasoline*, is not specifically listed in Article 7, Development Standards. The most similar use in Article 7 is "*Automobile Service Stations (in B-1 zoning district)*," which are subject to the development standards in Section 707 and the special use permit approval process in B-1. The development standards control the size, activities, hours of operation, lighting, curb cuts, and location of such uses within the B-1 district, require buffering when the property adjoins a residential district, and prohibit outdoor display/storage. It would be up to City of Oxford staff to interpret whether the two uses are the same for purposes of applying development standards.

The B-1 district allows by right *convenience stores without gasoline pumps* and *convenience stores with gasoline pumps* (both SIC 5411). According to the *SIC Manual*, SIC 5411 is the code for grocery stores. Convenience stores can have gas pumps in the B-1 district and not be subject to development standards for the use and/or special use permit review, perhaps because the grocery store component is considered the primary use.

The treatment of uses involving gasoline sales is not consistent in the B-1 district. *Convenience stores with gas pumps* are allowed by right with no development standards, *gasoline service stations* are permitted but must meet development standards, and *automobile service stations* (which have the same SIC code as gasoline service stations) must meet development standards and have special use permit approval.

A question for the City of Oxford to consider before trying to sort out the discrepancies in how gasoline sales businesses are permitted in the B-1 district, is whether additional convenience stores, convenience stores with gas pumps, and gasoline (or automobile) service stations should be allowed in the district.

Other Automobile/Automotive-Related Retail Sales

In Oxford's B-1 district, *auto supply stores* and *tire sales* (both SIC 5531, Auto and Home Supply Stores), *new and used motor vehicle sales* (SIC 5511), and *motorcycle sales* (SIC 5571) are permitted by right.

While vehicle sales businesses have operated in and near downtowns since the beginning of the automotive industry, the outdoor sales lot space they tend to require may not be consistent with existing or planned future land use and development patterns in central business districts, particularly historic core areas.

Each of the comparison communities allows the retail sale of automobile supplies in their downtown districts either by right or by right with standards. However, automobile sales lots are not allowed in three of the downtown districts. The other two communities allow them by right with standards.

Goldsboro – *Automobile parts/supplies* is a use allowed by right in the CBD. In the CBD, *automobile rental/leasing, no sales*, requires a conditional use permit. *Automobile sales new, including the accessory uses of used car sales, leasing and service & repair*, as well as *automobile sales used, no service or repair*, are not permitted in the CBD.

Morganton – Auto supply and tire stores, if operated within a fully enclosed building, are allowed by right in the CBD as retail uses. Morganton does not permit *motor vehicle or boat sales or rental* in its CBD.

Sanford – In the CBD, businesses selling motor vehicles parts, accessories, and tires within an enclosed building are permitted by right. The sale, leasing, or rental of automobiles, boats, or recreational vehicles is not allowed in the CBD. However, the sale, leasing, and rental of motorcycles, motorized scooters, and ATVs is allowed by right, provided there are no outdoor displays.

Wake Forest – Auto supply and tire stores would probably be classified under Wake Forest's *General Commercial* use, which is permitted by right in the RA-HC and UMX districts. *Vehicle Rental/Leasing/Sales* is permitted with additional standards (including screening) in the UMX district but is not permitted in the RA-HC district.

Wilson – As in Wake Forest, auto supply and tire stores would be treated as a *General Commercial* use, which is permitted by right with standards in Wilson's the CCMX district. *Vehicle Rental/Leasing/Sales* is a permitted use subject to additional standards (including screening and limiting them to manufacturer franchised dealerships only) in the CCMX district.

Garden Centers and Retail Nurseries

Oxford's B-1 district allows garden centers and retail nurseries (SIC 5261) by right. According to the *SIC Manual*, uses with SIC code 5261 (Retail Nurseries, Lawn and Garden Supply Stores) focus primarily on the retail sale of plants shrubs, trees, seeds, soil, soil amendments, garden tools and machinery (lawnmowers, e.g.), etc. Although retail nurseries may grow some of their own inventory, they generally buy from growers classified as agriculture or forestry.

Some communities may not have the outdoor space available in their downtowns that a new or expanding garden center or retail nursery needs, or they may not allow uses that require too much outdoor sales and storage space in their downtowns. However, if a business is primarily engaged in the retail sale of Christmas trees on a vacant lot, it would probably fall into this category (unless it is covered by a temporary use permitting process).

The comparison communities vary in their treatment of garden centers and nurseries in their downtowns.

Goldsboro – The CBD does not permit retail *garden supply, greenhouses, or nurseries, with outdoor storage*, although it allows *wholesale and government greenhouses and nurseries* with conditional use permit approval.

Morganton - Morganton allows *retail uses* by right in the CBD if they are within fully enclosed buildings (and are not otherwise specifically listed in its Table of Permitted Uses).

Sanford – *Commercial greenhouses and nurseries* are not allowed in its Central Business District, but *hardware, home centers, lumber yards* and similar businesses with inside storage only are permitted by right.

Wake Forest – *Nurseries and garden centers* are classified as Agricultural uses and are not permitted in the RA-HC and UMX districts.

Wilson – As in Wake Forest, *nurseries and garden centers* are classified as Agricultural uses; however, unlike Wake Forest, they are permitted by right in the CCMX district.

Restaurants with Drive-Through (Drive-Thru) Service

Oxford's B-1 district allows *restaurants* (SIC 5812) but differentiates between those *without* drive-thru service (permitted by right) and those *with* drive-thru service (must meet development standards and obtain a special use permit). They also have different off-street parking requirements. Those with drive-thru service require more parking spaces plus stacking space than dine-in restaurants.

Section 742 contains the development standards for “drive-in” restaurants (which should probably be “drive-thru” restaurants to match the Table of Uses) as a special use in the B-1 district. The standards limit the restaurant to one “drive-through” (which should also probably be changed to “drive-thru” to match the Table of Uses) window, require screening from adjacent residential properties, and also require the provision of adequate access to/from the drive-through window that keeps the site safe and does not cause traffic problems or congestion on neighboring streets.

Of the comparison communities, only Sanford prohibits restaurants with drive-through/pick-up service in its downtown, as shown below. Morganton allows them by right (with design standards), while the others require conditional or special use permit approval.

Goldsboro - *Restaurants, general*, are allowed by right in the CBD. *Drive-in restaurants* are not permitted in the CBD, but *restaurants, drive through or pick up window*, are allowed with approval of a conditional use permit.

Morganton - The CBD allows *restaurants (with drive-through)* and *restaurants (no drive through)* by right. For those with drive-through service, the Table of Uses also has a listing for *drive-through/drive-in uses (associated with permitted use)*, which are permitted by right in the CBD. They are defined as follows:

DRIVE-THROUGH/DRIVE-IN USE. A customer service facility located within the principal structure as an accessory to an office or retail establishment which is intended to enable the customer to transact business with a sales or service representative located within the principal structure without exiting the motor vehicle.

Morganton also has a variety of design and other standards for commercial buildings. For example:

Buildings shall be oriented in a manner that drive-through windows, menu/ordering areas and automobile service bay doors are not directly visible from the primary

fronting street when viewed at a point in the street that is directly perpendicular to the center of the primary façade.

Drive-throughs (associated with permitted use) have vehicle stacking requirements that are in addition to the parking requirements for restaurants.

Sanford – *Restaurants, no drive-in or drive-through facilities* are allowed by right in the CBD. Restaurants with such facilities are not allowed.

Wake Forest – The RA-HC and UMX districts permit *restaurants* by right. Although the Use Table does not distinguish between dine-in restaurants and those with drive-through service, the definition of *restaurant* allows for walk-up service, but not drive-through service:

RESTAURANT A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than 30% of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages.

However, a separate use listing exists for *drive-thru/drive-in facility*:

DRIVE-THRU/DRIVE-IN FACILITY A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, fast-food restaurants, drive-through coffee, photo stores, pharmacies, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

Drive-thru/drive-in facilities are allowed with special use permit approval in the RA-HC and UMX districts.

Wilson – In the CCMX district, restaurants are allowed by right. Like Wake Forest, the Table of Permitted Uses does not distinguish between dine-in restaurants and those with drive-through service. The definition of restaurant, which is similar but not identical to Wake Forest's, allows for *walk-up* service, but not *drive-through* service:

RESTAURANT A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars).

Wilson also has a specific use called *Drive-Thru/Drive-In/Pick-Up/Drop-Off Facility*. Its definition is identical to Wake Forest's *drive-thru/drive-in facility* definition (see above). Such uses are allowed in the CCMX district subject to meeting supplemental standards and having special use permit approval. The standards specify where on a lot items such as menu boards, drive-thru service windows, vehicle queuing/stacking areas, and similar facilities for *Drive-Thru/Drive-In Facilities* may be located and accessed. The standards also restrict them from occupying any portion of a building facing a street frontage. *Pick-Up/Drop-Off Facilities* have similar requirements for the location of and access to vehicle queuing/stacking areas on

the lot and the restriction on having the facilities located on any portion of the building facing a street frontage. In addition, *Pick-Up/Drop-Off* facilities are prohibited from having menu boards, speakers or audible sound systems, additional lighting, and signage. Both types of facilities have additional requirements related to circulation, separation from rights-of-way, and vehicle stacking spaces.

WHOLESALE TRADE

As noted in Section 1, the purpose statement for Oxford's B-1 Central Business District refers to "wholesale trades," but no wholesale trade uses are listed the Table of Permitted Uses as being allowed in any manner in the B-1 district. Other than the suggestion in Section 1 to remove the reference to wholesale uses from the B-1 purpose statement, no further recommendations are offered herein regarding such uses.

TRANSPORTATION, WAREHOUSING AND UTILITIES

The Transportation, Warehousing and Utilities uses allowed by right, (*bus terminal, utility company office, utility lines, and utility service facility - no outside storage*), with development standards (*utility substation*), and with special use permit approval (*radio, TV, communications tower*), seem reasonable and appropriate for downtown Oxford, therefore no recommendations for changes are proposed.

MANUFACTURING AND INDUSTRIAL USES

According to the Table of Permitted Uses in Oxford's Zoning Ordinance (as amended June 13, 2017), three manufacturing uses are allowed in the in B-1 district: (1) *contractors (no outside storage)*; (2) *beverage products (alcoholic)*; and (3) *beverage products (non-alcoholic)*. As noted in Section 1, the Zoning Ordinance categorizes uses according to the *SIC Manual*. Because the *SIC Manual* treats certain artists, makers, and others (potters, glass blowers, silversmiths, weavers, food product makers, etc.) as manufacturing uses, they would not currently be able to create and sell their works in the B-1 district. Such small-scale manufacturing and associated retail sales are not unusual in downtown areas. However, some communities are finding that that they need to amend their zoning regulations to allow them. Development standards, as well as conditional zoning and conditional or special use permitting processes, could be used to better integrate such uses in central business districts.

Some examples of use categories that are prohibited in the B-1 district, but that contain small-scale manufacturing businesses that may be suitable, with appropriate conditions, include:

- Apparel and Finished Fabric Products (SIC 2300) – Includes makers of clothing and other products made from fabric, such as curtains, canvas bags, items with decorative or novelty stitching, specialty clothing, etc.
- Bakery Products (SIC 2050) – Bakeries that produce goods for direct, on-premise sale to household consumers are classified as retail uses under SIC code 5461. However, if such a bakery also produces some goods for sale to local restaurants, for example, it may fall into the manufacturing category.
- Dairy Products (SIC 2020) – Includes makers of ice cream and frozen desserts.

- Glass (SIC 3200) – Includes pressed and blown glass products such as art, decorative, and novelty glassware.
- Jewelry and Silverware (no plating) (SIC 3910) – Includes making all sorts of jewelry and other articles from precious metals that people wear or carry.
- Leather and Leather Products (no tanning) (SIC 3100) – Includes personal leather goods such as wallets.
- Pottery and Related Products (SIC 3260) – Includes art and utilitarian pottery.
- Printing and Publishing (SIC 2700) – Includes commercial printers, newspaper printers/publishers, and bookbinders, for example.
- Sugar and Confectionary Products (SIC 2060) – Candy, nut, and confectionary stores that produce items for direct, on-premise sale to household consumers are classified as retail uses under SIC code 5441. However, if such a business also produces items that it sells to other businesses, it may fall into the manufacturing category.

Each of the comparison communities allows for limited small-scale manufacturing or production, particularly by artists and craftsmen, in their downtown districts.

Goldsboro – The Table of Permitted Uses includes a listing for *studios for artists, photographers, etc.*, and they are permitted by right in the CBD. Some small-scale manufacturing uses may be included in categories such as *wood products manufacturing* or *dairy products processing and packaging*, neither of which is allowed in the CBD. Others may be included in broad categories such as *general manufacturing or processing not in its own category*, which is also not allowed in the CBD.

Morganton – *Artists, craftsmen* is a use permitted by right, subject to conditions, in the CBD. Although the *artist, craftsmen* use is not defined, the ordinance does define their studios:

ARTIST OR CRAFTSMAN STUDIO. The creation of objects in a studio, made one at a time, by hand. Such creation includes, but is not limited to, woodworking, tinsmithing, silversmithing, pottery throwing, glass blowing, painting, weaving, caning, metal working, and sculpting.

Sanford – The Permitted Use Matrix lists *studios for artists, designers, musicians, photographers, sculptors, woodworking (not as a home occupation)* as an Arts, Entertainment, & Recreation use that is permitted by right in the CBD; however, it does not specify how associated retail sales are handled. *Retail bakeries*, which include the “manufacturing of goods for sale on the premises only,” are permitted by right and *microbreweries* are also allowed, subject to development regulations.

The UDO has a definition for *custom manufacturing*, which addresses smaller-scale manufacturing, but it is not mentioned in the Permitted Use Matrix.

CUSTOM MANUFACTURING An establishment primarily engaged in the on-site production of goods by hand manufacturing that involves only the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts, and the incidental direct sale to customers of goods produced on the site. Typical custom manufacturing uses include ceramic studios and custom jewelry manufacturing.

Wake Forest – *Light manufacturing workshops*, defined below, are classified as an Industry/Wholesale/Storage use that is permitted by right in the RA-HC and UMX districts. The description of the Industry/Wholesale/Storage use category allows for the selling of the goods that are produced.

LIGHT MANUFACTURING WORKSHOPS - The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building or a residentially-scaled garage. These typically involve the work of artisans or craftsman. May also include beer brewing or other similar facilities as part of a microbrewery and other beverage tasting facilities.

Wilson – *Artist studio/light manufacturing workshops* are classified as an Industry/Wholesale/Storage use that is permitted by right in the CCMX district. They are defined the same as Wake Forest's *light manufacturing workshops*, except Wilson's definition does not include the reference to beer brewing or similar facilities. Sales of the goods produced are allowed per the Industry/Wholesale/Storage use category description. Although there are standards for the use in the UDO, they only apply in the Rural Agricultural district.

SECTION 2 SUMMARY AND SUGGESTIONS/RECOMMENDATIONS

Do the uses allowed in the B-1 Central Business District by the City of Oxford Zoning Ordinance support and promote downtown's goals and brand identity or work against them?

1. To support the development of upper floor residential units in downtown buildings, consider amending the Table of Permitted Uses and other sections of the Zoning Ordinance to explicitly allow such uses (whether by right, with development standards, or with special use permit approval).
2. Examine more generally the types of residential dwelling units that are and should be allowed in B-1 (and other zoning districts), as well as their permitting requirements, and add new or adjust existing definitions, amend the Table of Permitted Uses, and modify other sections accordingly.
3. Determine if home occupations need be allowed in the B-1 district.
4. Review the development standards that apply to bed and breakfast inns in other zoning districts and consider whether they or other requirements should apply in the B-1 district (where bed and breakfast inns are currently allowed by right).
5. Review the development standards and design guidelines that, along with special use permit review, apply to hotels and motels in the B-1 district and determine if additional development standards are needed (for the B-1 district).
6. Determine if downtown Oxford needs additional indoor or outdoor event/gathering spaces, and, if so, amend the Zoning Ordinance to allow them.
7. Consider whether to allow commercial parking lots/structures in the B-1 district. Design standards, requirements for integrating business uses at the street level, etc., can help commercial parking lots and structures better fit into downtown areas.

8. Review the various (and sometimes conflicting) terms used in the Zoning Ordinance for automobile repair and service businesses currently allowed in the B-1 district, the types of such businesses that are (and should or should not be) allowed in the B-1 district, how such businesses are allowed (by right, by right with development standards, with a special use permit, etc.), and what standards, if any, do and should apply.
9. Consider whether to allow new car washes in the B-1 district and, if so, whether they should be subject to additional development standards and/or special use permit review.
10. Assess whether new banks with drive-through services should be allowed in the B-1 district (by right or otherwise) and, if so, whether development standards (beyond the off-street parking requirement for stacking spaces) should be established for them. As an alternative, consider the approach used by Wake Forest and Wilson, which have defined a *drive-thru/drive-in* facility use, apply development standards, and require a special use permit.
11. If *Laundry, Dry Cleaning Plant* continues to be a use permitted by right in the B-1 district, consider modifying the wording of the use and/or its SIC code in the Table of Permitted Uses to distinguish between industrial and non-industrial dry cleaners. Perhaps the industrial type could then be excluded from B-1. If not excluded, consider establishing development standards for industrial dry cleaners.
12. Consider whether additional convenience stores, convenience stores with gas pumps, and gasoline (or automobile) service stations are needed in and should continue to be allowed in the B-1 district.
13. Address the discrepancies in the treatment of uses involving gasoline sales in the B-1 district.
14. Consider whether auto supply stores and tire sales, new and used motor vehicle sales, and motorcycle sales should continue to be permitted by right in the B-1 district.
15. Consider whether to continue to allow new garden centers and retail nurseries in the B-1 district.
16. Consider whether to continue to allow restaurants with drive-thru service, which currently require a special use permit, in the B-1 district.
17. Make the wording related to restaurant drive-thru service consistent in the Table of Uses and in the development standards.
18. Consider whether revise the Table of Permitted Uses to add certain small-scale manufacturing uses to the B-1 district for artists, makers, etc., as well as standards (with or without a special use permit) to manage their size and to mitigate potential impacts, if needed. If such uses are added to B-1, a reference to them could also be added to the purpose statement for the district.
19. Consider whether the B-1 district (including its *Building Design Guidelines*) is sufficient to maintain the character of downtown Oxford's historic core, to ensure that new uses, infill development, etc., complement existing development, and to further other downtown goals, or if another district or overlay district may be needed to do so.

PART II: TOOLS, PRACTICES, AND RESOURCES

In addition to reviewing the *City of Oxford Zoning Ordinance* (see Part I), the NC Main Street & Rural Planning (MS&RP) Center sought tools, practices, and resources that might assist the City of Oxford and the Downtown Oxford Economic Development Corporation (DOEDC) implement Downtown Economic Development Strategy I, Economic Vitality Action 1, of the *Oxford Main Street Program - Downtown Economic Development Implementation Work Plan - November 2017 - June 2019*. Part II of this Technical Assistance Report presents a summary of information assembled by the NC MS&RP Center on ways to: (1) encourage the development of retail, service, and professional uses in downtown (to generate additional foot traffic); (2) spur upper story redevelopment and façade improvements, and (3) implement safety measures and maintenance standards for vacant and occupied commercial buildings.

The downtown tools, practices, and resources identified below are a small sample what North Carolina communities are offering. While many of the examples are from cities and towns that are larger than Oxford, they can also be employed by smaller communities. The DOEDC has existing programs that serve similar purposes as some of the those included as examples, including the Downtown Oxford Upper Story Residential Incentive Grant Program and a Façade Incentive Grant.

Please note that the NC Main Street program is in the process of updating its compilation of downtown incentive programs from Main Street communities. The revised list should be available from NC Main Street program staff in December of 2018.

SECTION 1:

ENCOURAGING DEVELOPMENT OF DOWNTOWN RETAIL, SERVICE, AND PROFESSIONAL BUSINESSES

This section provides a table with examples of grants and financial incentives as well as zoning regulations that some North Carolina communities have been using to support the development of new (and expansions to existing) retail, service, and professional businesses in their downtowns. Generally, such programs are intended to attract investment and generate additional foot traffic, sales, and other activity. There are a variety of loan programs offered by communities, as well. However, because the NC MS&RP Center did not review or evaluate them, they are not included in the list.

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|--|------------------------------|---|--|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Concord, NC | Yes | Concord Downtown Development Corporation | Jump Start Grant Program | To encourage the location of businesses in specific categories to downtown Concord's Municipal Service District (MSD). | Business must locate in the downtown Concord MSD and be one of the targeted types. | <p>A reimbursable 50/50 matching grant of up to \$1,500 to property or business owner to assist with interior building improvements and other start-up expenses related to opening targeted business types.</p> <p>Targeted business types are in the following categories:</p> <ul style="list-style-type: none"> ▪ Books ▪ Apparel/Accessories ▪ Home Furnishings/Accessories ▪ Restaurants ▪ Drug Stores ▪ Sporting Goods ▪ Hobby, Toy, Games ▪ Grocer ▪ Artisan Studios/Galleries ▪ Other unique businesses may be considered <p>Link for more information: Concord Downtown Development Corporation Grants</p> |
| Concord, NC | Yes | Concord Downtown Development Corporation | Upper Floor Grant Program | To encourage investment in renovating and restoring upper floors of buildings within downtown Concord's MSD. | Business must locate in the downtown Concord MSD. High priority is placed on expanding the usefulness of downtown properties for office and residential use. | <p>A reimbursable 50/50 matching grant of up to \$2,500 to property or business owner to assist with costs of renovating and restoring upper floors of buildings.</p> <p>Link for more information: Concord Downtown Development Corporation Grants</p> |
| Concord, NC | Yes | Concord Downtown Development Corporation | Outside Dining Grant Program | To assist property/business owners in the permitting and funding of year-round outside dining (as weather allows) directly adjacent to their property/business. | Business must locate in the downtown Concord MSD. | <p>A 100% grant of the cost of the \$175 City of Concord Sidewalk Encroachment Application fee (if applicable) plus a 50% reimbursable matching grant of up to \$1,000 to the property or business owner to assist with the cost of physical permanent improvements to property made specifically for developing outside dining. Furnishings (tables, chairs, umbrellas, and removable materials used to cordon off the dining area) are not considered permanent improvements.</p> <p>Link for more information: Concord Downtown Development Corporation Grants</p> |

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|--|---|--|---|--|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Durham, NC | No | Office of Economic & Workforce Development | Retail & Professional Services Grant (RPSG) | To help businesses make building improvements (interior or exterior) that will remain on the property and be used for the business. | Street level retail business, restaurants, or certain professional or personal services businesses (e.g. childcare center, hair salon, etc.). Businesses and private clubs that exclude minors as patrons, residential projects, government agencies, and religious organizations are not eligible. | Grants of up to \$20,000, matched on a 1:1 basis with funds from applicants. Signage portion cannot exceed \$2,500 per business or address. Examples of qualifying expenditures include: awnings; electrical and plumbing work; HVAC, sprinkler, and security systems; restoration, repair, or replacement of windows, doors, exterior walls, chimneys, etc.; mill work; installation of interior walls; equipment (kitchen, point of sale, etc.); signs; and more. <i>Note: RPSG applications are not currently being accepted.</i> Link for more information: Durham Retail & Professional Services Grant |
| Durham, NC | No | Office of Economic & Workforce Development | Building Improvement Grant (BIG) | To help owners in certain districts improve and/or upgrade the interior and exterior of their buildings to make the first floors more rentable or "retail/restaurant ready." | Business entities that own existing with first floor vacant spaces in which proposed retail and restaurant projects will occur. Buildings must be within designated districts. Minimum total project capital investment in the downtown district is \$225,000. | Maximum grant award is \$75,000. Total value of project must not exceed \$1M. Examples of qualifying expenditures include: window replacement; installation of walls, support mechanisms, sound systems, HVAC, electrical systems, plumbing, sprinkler systems, stairs, flooring, grease traps; etc.; and demolition. <i>Note: BIG applications are not currently being accepted.</i> Link for more information: Durham Business Improvement Grant |

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|---------------------------------|--------------------------------|--|--|--|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Monroe, NC | Yes | City of Monroe | Downtown PRONTO Program | To support downtown retail and restaurant recruitment by assisting with up-fit, occupancy, and other costs. | Applicants must be planning a substantial new investment in a new, or significant expansion of an existing, eligible retail or restaurant business within a defined downtown core. Uses in the following categories are eligible (some exceptions apply), subject to approval by the City of Monroe: <i>Retail Trade; Consumer Goods Rental; Arts Entertainment Recreation; Accommodations and Food Services; and Dry Cleaning Services.</i> | <p>Maximum funding assistance is \$10,000 per property, all inclusive.</p> <p>Rent Subsidy:</p> <ul style="list-style-type: none"> ▪ Up to \$3.00/SF leased/purchased for <i>retail</i> use for 12-month period ▪ Up to \$5.00/SF leased/purchased for <i>restaurant</i> use for 12-month period <p>Up-fit Assistance:</p> <ul style="list-style-type: none"> ▪ Up to \$3.00/SF leased/purchased for <i>retail</i> use for 12-month period ▪ Up to \$5.00/SF leased/purchased for <i>restaurant</i> use for 12-month period <p>Link for more information: Monroe Downtown PRONTO Program</p> |
| Monroe, NC | Yes | City of Monroe | Meet Me Downtown Grant Program | To jump-start retail and restaurant recruitment by assisting new businesses locating or relocating downtown with marketing and advertising to establish their presence and brand Downtown Monroe through a co-op marketing and advertising campaign. | Applicants must be planning a substantial new investment in a new, or significant expansion of an existing, eligible business. Businesses are expected to be open at least 30 hours per week. Suggested types of eligible businesses include: <i>Retail; Restaurant; and Music.</i> Others may also be considered. | <p>A reimbursable 50-50 matching grant. New businesses may apply for up to 50% of the per business cost of their current advertising and marketing budgets. The maximum grant amount is typically limited to \$5,000 per business. Funds provided by the City of Monroe will be targeted first to advertising and marketing sponsored by the City featuring multiple downtown businesses or events that will benefit the businesses and Downtown Monroe's brand.</p> <p>Link for more information: Monroe Meet Me Downtown</p> |
| Raleigh, NC | No | Downtown Raleigh Alliance (DRA) | DRA Retail Up-Fit Grant | To create an incentive to attract new and aid in the expansion of existing retail businesses in downtown Raleigh by providing financial assistance for renovations, improvements, and build-outs of existing spaces. | Retail businesses or owners of retail property in the MSD. Preference is given to new businesses occupying first floor space with street-front presence which complement the retail mix and help strengthen existing retail clusters. Expansions of existing retail businesses by 30% or more are also eligible. | <p>Examples of qualifying expenditures include: project design work; mechanical, electrical, and plumbing work; HVAC, fire suppression, and other code compliance costs; permits and inspections; flooring; lighting; accessibility compliance; environmental remediation; restrooms; utility upgrades; and construction of new walls and/or demolition of unnecessary existing walls.</p> <p>Link for more information: DRA Retail Up-Fit Grant</p> |

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|---|--|---|---|--|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Smithfield, NC | Yes | Downtown Smithfield Development Corporation | Downtown Smithfield R2 RUSH (Retail and Restaurant Rental/Up-fit Subsidy Help) Incentive Program | To support downtown retail and restaurant recruitment by assisting with up-fit, occupancy, and other costs. | Applicants must be planning a substantial new investment in a new, or significant expansion of an existing, eligible retail or restaurant business within a defined downtown core. Uses in the following categories are eligible (some exceptions apply): <i>Retail Trade; Services; Consumer Goods Rental; Arts Entertainment Recreation; Accommodations and Food Services; and Dry Cleaning Services.</i> | <p>Maximum assistance is \$10,000 per property. The rent subsidy and up-fit assistance cannot be used together.</p> <p>Rent Subsidy:</p> <ul style="list-style-type: none"> ▪ Up to \$2.00/SF leased/purchased for <i>retail</i> use for 12-month period ▪ Up to \$4.00/SF leased/purchased for <i>restaurant</i> use for 12-month period <p>Up-fit Assistance:</p> <ul style="list-style-type: none"> ▪ Up to \$1.50/SF leased/purchased for <i>retail</i> use for 12-month period ▪ Up to \$3.00/SF leased/purchased for <i>restaurant</i> use for 12-month period <p>Link for more information: Downtown Smithfield R2 RUSH</p> |

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Zoning Requirements | | | | | | |
|---------------------|-----------------|----------------------|--|---|---|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Aberdeen, NC | Yes | Town of Aberdeen | Unified Development Ordinance - Downtown Retail Overlay District (DROD) | To preserve and revitalize the downtown core to house unique businesses offering goods and services that will make downtown a destination for visitors and a vital part of the community for years to come. It allows and encourages retail sales and services, as well as entertainment establishments, but limits or prohibits noncommercial uses that generate little or no tax revenue or are open infrequently or irregularly. | Property must be within the DROD boundary. | Uses allowed in the DROD apply in lieu of uses allowed in underlying district(s). <i>First story (street level)</i> : offices, retail sales/services, restaurants, and some storage (restrictions apply) allowed by right; and dry cleaners, entertainment establishments, entertainment restaurants, bars, and laundromats allowed with Conditional Use Permit (CUP) approval. <i>Upper stories</i> : residential dwellings, retail sales/services, restaurants, offices, and religious institutions allowed by right; and educational and instructional uses, entertainment establishments, entertainment restaurants, bars, and warehousing and storage (restrictions apply) allowed with CUP approval. Uses/businesses requiring multiple permits to operate on different floors require a CUP for the entire use/business. Link for more information: Aberdeen Downtown Retail Overlay District |
| Pinehurst, NC | No | Village of Pinehurst | Pinehurst Development Ordinance – Prohibition of Certain Uses on Ground Floors of Downtown Buildings | To encourage and/or provide space for ground floor retail business development in the Village Commercial District. | Vacant ground floor spaces in principal buildings in the Village Commercial District in downtown Pinehurst. | A special requirement for banks, credit unions, financial services, and professional services in the Village Commercial District prohibits them from occupying ground floors of principal buildings unless grandfathered. In 2017, during a Village Council discussion regarding whether the provision was achieving its purpose, it received mixed reviews. One question was that if retail uses are not interested in the space, would it be better to have the space occupied by an office, for example, rather than sit vacant? The financial feasibility of changing the inside of buildings (former banks, for example) to make them usable for retail businesses was also questioned. The Council referred the matter to the Planning Board, which delayed consideration until a Comprehensive Plan was underway. To date, the provision is still in place. Link for more information: Special Requirement for Ground Floor Uses in Village Commercial District |

Examples of Tools and Programs Intended to Support the Development of Retail Businesses and Professional, Business, and Personal Services in Downtowns

| Zoning Requirements | | | | | | |
|---------------------------------|-----------------|--|---|---|--|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Wake Forest, NC, and Wilson, NC | Yes | Town of Wake Forest and City of Wilson | Unified Development Ordinance - Required Shopfront Overlay District | To implement vibrant, pedestrian-friendly areas in form-based districts, the Required Shopfront Overlay District was created to ensure that ground floors of new buildings in designated blocks are designed with frontages that would not preclude future use as retail/restaurants. | New development proposed along block faces designated on the Wake Forest and Wilson Zoning Maps as "Required Shopfront." | All new development along designated "Required Shopfront" street frontages must provide one of the following "Private Frontages" at the sidewalk level along the entire length of the frontage: <ul style="list-style-type: none"> ▪ <i>Shopfront & Awning</i> ▪ <i>Gallery</i> ▪ <i>Arcade</i> Links for more information: Wake Forest Unified Development Ordinance and Wilson Unified Development Ordinance |

SECTION 2: SPURRING UPPER STORY REDEVELOPMENT AND FAÇADE IMPROVEMENTS IN DOWNTOWN

This section provides a table with examples of financial incentives and zoning regulations that some Main Street communities in North Carolina have been using to encourage upper story redevelopment and façade improvements for downtown buildings. Several of the examples from Section 1 are also included in the Section 2 table. A number of Main Street programs in North Carolina, including Oxford's, offer some type of façade improvement grant, therefore, only a few are referenced in the table.

Examples of Tools and Programs to Spur Upper Story Redevelopment and Façade Improvements in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|--|---------------------------------------|--|--|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Concord, NC | Yes | Concord Downtown Development Corporation | Upper Floor Grant Program | To encourage investment in renovating and restoring upper floors of buildings within downtown Concord's Municipal Service District (MSD). | Business must locate in the downtown Concord MSD. High priority is placed on expanding the usefulness of downtown properties for office and residential use. | A reimbursable 50/50 matching grant of up to \$2,500 to property or business owner to assist with costs of renovating and restoring upper floors of buildings. Link for more information: Concord Downtown Development Corporation Grants |
| Goldsboro, NC | Yes | Downtown Goldsboro Development Corporation | Build a Better Downtown Grant Program | To stimulate economic development, spur and assist private investment, promote rehabilitation and restoration of downtown buildings, and support business growth or sustainability and improve the overall appearance of downtown. | Projects must be on property within the MSD. Applicants must be for-profit businesses and/or offer retail sales and generate sales and use tax revenue. | Relevant project categories include: <ul style="list-style-type: none"> ▪ Building Rehabilitation – For projects transforming a building's first or upper floor that has been severely underutilized due to a need for significant repairs. The maximum award is \$6,000 per building. Project must result in at least one full-time job or one new residential unit. Private investment in the project must be at least \$50,000. ▪ Exterior Building Improvement – For projects that enhance a highly visible facade and improve the overall appearance of downtown. The maximum award threshold is \$1,000 per façade or \$2,000 per building. Private investment in the project must be at least \$500. A variety of improvements are excluded. Link for more information: Goldsboro Build a Better Downtown Grant |
| Monroe, NC | Yes | City of Monroe | Residential Investment Grant (RIG) | To assist with the development of residential uses in upper levels of buildings within the Central Business District (CBD). | Taxpaying entities that own eligible structures (buildings that could be converted into multiple residential units) within the CBD may apply. | A reimbursable grant that reduces the costs associated with substantial rehabilitation of an existing building by providing up to \$20 per \$100 (up to 20%) of assessed tax value. The total rehabilitation cost must exceed a value two times the amount of the grant. The grant will only reimburse costs for interior improvements that meet the Secretary of the Interior's "Standards for Rehabilitation" and City Design Standards. Eligible projects include: rental or apartment housing; condominium development for sale; and hotels. Link for more information: Monroe Residential Investment Grant |

Examples of Tools and Programs to Spur Upper Story Redevelopment and Façade Improvements in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|-------------------------------|--|--|--|--|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Monroe, NC | Yes | City of Monroe | Façade Improvement Grant (FIG) | To encourage private investment in the restoration of building façades in downtown Monroe. | An owner of property with an existing building or a tenant of an existing building located within the CBD may apply. | A reimbursable 50/50 matching grant that can reduce the costs associated with exterior improvements to existing buildings in the CBD by as much as 50%, up to a limit of \$4,000. Design restrictions apply. The grant will only reimburse costs for façade improvements that meet the Secretary of the Interior's "Standards for Rehabilitation" and the City of Monroe's Design Standards. Eligible projects include: canvas style awnings; paint removal from brick surfaces by chemical and water wash methods only; tuck-pointing of brick; repairing cornices; and repair/replacement of windows and doors with compatible materials and design. Link for more information: Monroe Façade Improvement Grant |
| Morganton, NC | Yes | City of Morganton Main Street | Downtown Housing Improvement Program (HIP) | To encourage more housing development in Downtown Morganton by assisting property owners in making necessary upgrades to structures so they meet state and local fire codes. | <i>Note: Program documents were not accessible on City of Morganton website when this report was prepared.</i> | City Council approved the program and allocated \$120,000 for it in August of 2018. The program will provide low-interest loans of up to \$10,000 per unit to qualified applicants to aid in the creation of downtown housing. In the core of the central business district, loans will only be provided for residential uses on upper floors. Link for more information: Morganton Downtown Housing Improvement Program |
| Salisbury, NC | Yes | City of Salisbury | Municipal Service District (MSD) Grant | To assist property and business owners within the Downtown MSD with enhancements to building facades, landscapes, driveways, and parking lots. | Commercial property owners or business tenants (with property owner permission) located within the MSD may apply. | A reimbursable grant typically awarded on a 50/50 matching basis with a maximum City participation of \$5,000 per project. Projects can range from minor repairs and repainting to substantial façade and landscape rehabilitation projects and the installation of new pedestrian amenities such as outdoor seating, planters, awnings, café fences, and lighting. Link for more information: Salisbury Municipal Service District Grant |

Examples of Tools and Programs to Spur Upper Story Redevelopment and Façade Improvements in Downtowns

| Grants and Other Financial Incentives | | | | | | |
|---------------------------------------|-----------------|-------------------|---|---|--|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Salisbury, NC | Yes | City of Salisbury | Downtown Revitalization Incentive Grant | To stimulate private investment in downtown properties and economic growth within the Downtown Municipal District by helping to defray costs of rehabilitating for productive use buildings that are not currently producing significant taxable revenue for the city and whose underutilization is depressing downtown vibrancy. | Eligible properties will be located within the Downtown Mixed Use District. Applicants shall be or have the endorsement of the legal owner of the property (appropriate documentation required). If a purchase is pending, proof of a sale contract to the applicant or Option to Purchase are acceptable. | <p>Package of 4 grants (maximum combined funding of \$200,000), any or all of which may be used by a developer depending on a project's nature and scope.</p> <ul style="list-style-type: none"> ▪ Building Renovation Incentive Grant - Covers 25% of eligible costs (up to \$50,000) for the stabilization and preservation of older, primarily historic properties. ▪ Residential Production Incentive Grant - Offers \$7/gross square foot (SF) of new or upgraded residential area (where project costs exceed \$35/gross SF) to promote downtown residences. ▪ Residential Utilities Incentive Grant - Covers 50% of eligible costs (up to \$25,000) of installing or upgrading water utilities if costs exceed \$5,000. ▪ Fire Suppression Grant - Covers 50% of fire line costs or \$2/SF (up to \$25,000) for sprinkler system installation. <p>Link for more information: Salisbury Downtown Revitalization Incentive Grant</p> |

Examples of Tools and Programs to Spur Upper Story Redevelopment and Façade Improvements in Downtowns

| Zoning Requirements | | | | | | |
|---------------------|-----------------|-------------------|--|---|---|---|
| Community | NC Main Street? | Organization Name | Tool or Program Name | Purpose | Eligibility / Applicability | Notes |
| Aberdeen, NC | Yes | Town of Aberdeen | Unified Development Ordinance - Downtown Retail Overlay District (DROD) | To preserve and revitalize the downtown core to house unique businesses offering goods and services that will make downtown a destination for visitors and a vital part of the community for years to come. It allows and encourages retail sales and services, as well as entertainment establishments, but limits or prohibits noncommercial uses that generate little or no tax revenue or are open infrequently or irregularly. | Property must be within the DROD boundary. | Uses allowed in the DROD apply in lieu of uses allowed in underlying district(s). <i>First story (street level)</i> : offices, retail sales/services, restaurants, and some storage (restrictions apply) allowed by right; and dry cleaners, entertainment establishments, entertainment restaurants, bars, and laundromats allowed with Conditional Use Permit (CUP) approval. <i>Upper stories</i> : residential dwellings, retail sales/services, restaurants, offices, and religious institutions allowed by right; and educational and instructional uses, entertainment establishments, entertainment restaurants, bars, and warehousing and storage (restrictions apply) allowed with CUP approval. Uses/businesses requiring multiple permits to operate on different floors require a CUP for the entire use/business. Link for more information: Aberdeen Downtown Retail Overlay District |
| Goldsboro, NC | Yes | City of Goldsboro | Unified Development Ordinance – Mixed Use in Central Business District (CBD) | As stated in its zoning district description, the CBD is established to maintain and strengthen the concentration of commercial, service, residential and institutional uses that serve the entire community and region. | Buildings in the CBD that meet the zoning standards in the Unified Development Ordinance. | The zoning regulations in the Unified Development Ordinance allow a variety of housing types by right, with standards, in the CBD. The Ordinance also has a residential use category for the CBD (and a Neighborhood Business District) called “ <i>Mixed use, apartments or condos above ground floor retail/office within the same building</i> ” that is permitted by right with standards. Links for more information: and Goldsboro Unified Development Ordinance and Table of Uses |
| Sanford, NC | Yes | City of Sanford | Unified Development Ordinance – Standards for Mixed Use Buildings in the Central Business District | To allow residential units in commercial buildings in the Central Business District (CBD). | Property within the CBD zoning boundary. | The CBD does not allow most types of residential uses, but it does permit, with development standards, a use called “ <i>Building, Mixed Use – Mixed commercial and residential use where commercial use is primary on first floor, with dwellings occupancy [sic] second floors or above (no enclosed storage).</i> ” Link for more information: Sanford Unified Development Ordinance |

SECTION 3: TOOLS AND RESOURCES REGARDING DOWNTOWN BUILDING SAFETY AND MAINTENANCE STANDARDS

This section provides an overview of tools and resources available to local governments in North Carolina for addressing occupied and vacant building safety and maintenance in downtowns and elsewhere.

STATUTORY AUTHORITY

Various sections of the North Carolina General Statutes provide authority for cities and towns to regulate, at the local level, nonresidential building maintenance and safety issues through nuisance ordinances, police power ordinances for abandoned structures, condemnation of unsafe buildings through building inspections ordinances, and nonresidential building maintenance ordinances, among others.

Communities may adopt more than one ordinance or employ more than one tool, but choosing which ones are best is a local decision. The availability of staff, funds, and other resources needed to adequately administer and enforce building safety and maintenance programs and ordinances is a main consideration. For local governments that have ordinances and programs in place, it may still be challenging, at times, to determine which tool is the most appropriate to use in each situation. As indicated below, the City of Oxford already has in place some of the ordinances authorized by the North Carolina General Statutes. Following each of the descriptions of the tools authorized by state statutes are links to the statute(s) as well as links to related City of Oxford ordinances, if applicable.

The resources listed at the end of this section include articles and information prepared by which speak (and/or have links to additional information) to some of the pros, cons, associated costs for administration and enforcement, etc., of various tools authorized by state statutes.

Nonresidential Building Maintenance Codes

North Carolina General Statute (G.S.) 160A-439, titled, *Ordinance authorized as to repair, closing, and demolition of nonresidential buildings or structures; order of public officer*, authorizes cities and towns to enact and enforce ordinances establishing minimum standards of maintenance, sanitation, and safety for nonresidential buildings and structures within their corporate limits to prevent conditions that could endanger public health, safety, and welfare.

A local government determines the standards to include its ordinance as well as the conditions under which buildings that do not meet the standards, whether occupied or vacant, would need to be repaired, improved, etc., to achieve compliance. Some issues addressed by standards in nonresidential building maintenance codes from around North Carolina include, but are not limited to: cracked, broken, or missing window glass; deteriorating building elements (loose shingles, crumbling stone/brick, etc.); damaged signs, awnings, marquees, etc.; leaking roofs; accumulations and/or improper storage of refuse; poorly maintained stairs, fire escapes, balconies, railings, etc.; inoperable doors that could impede ingress/egress; protruding or insecure elements on buildings, walls, roofs, etc., that could present hazards; lack of proper ventilation, light, heat, sanitary facilities, electrical systems, and/or plumbing; issues with structural integrity of building (interior and exterior elements, foundation, roof, etc.); dilapidation, decay, disrepair, unsanitary, or hazardous conditions that are dangerous to occupants and others; and damage by fire, wind, flooding, or other causes that creates unsafe conditions.

If buildings are not brought into compliance, a local government can, after a hearing, order them to be vacated and closed or removed/demolished. Per G.S. 160A-439, local governments cannot require repairs be made to vacant manufacturing or industrial warehouse facilities to preserve their original uses unless they are necessary to maintain structural integrity or abate a health or safety hazard. However, they can require that such facilities be vacated and closed.

If noncompliance continues, a local government may arrange for a building to be repaired, altered, or improved, vacated and closed, or demolished and removed. It may place a lien on the property to recover expenses incurred from repairing, demolishing, removing, etc., a noncompliant building. It may also impose a civil penalty for violation of the ordinance. In cases where owners vacate and close noncompliant buildings but later abandon their intent to repair them, G.S. 160A-439 contains a procedure under which local governments may take further action to have the buildings repaired or demolished and removed after a certain period.

[NC General Statutes, Chapter 160A, Article 19, Section 439](#)

Building Inspections - Condemnation of Unsafe Buildings

Chapter 160A, Article 19, Part 5 (Building Inspection), of the North Carolina General Statutes provides the authority for cities and towns to regulate the construction of new buildings. Within Part 5, G.S. 160A-426 to -432 also allows local governments to inspect existing buildings for defects and order corrections of state building code violations. If a structure is deemed unsafe under the state building code, a building inspector may condemn it.

Also, under G.S. 160A-426(b), local building inspectors can order the condemnation of unsafe vacant or abandoned nonresidential buildings or structures within a “community development target area.” A community development target area is defined in the statute as having characteristics of an urban progress zone (per G.S. 143B-437.09), a nonresidential redevelopment area (per G.S. 160A-503(10)), or an area with similar characteristics that a city/town governing board has designated as being in “special need of revitalization for the benefit and welfare of its citizens.”

Following condemnation, if a building owner does not take corrective action in a timely manner, the building inspector is authorized to hold a hearing and then determine whether to issue an order to repair, close, vacate, or demolish the building.

The City of Oxford has an *Unsafe Structures Ordinance* in Chapter 5, Article 5, of the City’s *Code of Ordinances* that incorporates provisions of the North Carolina General Statutes noted above.

[NC General Statutes Chapter 160A, Article 19](#)

[City of Oxford Code of Ordinances](#)

General Police Powers

Chapter 160A, Article 8, of the North Carolina General Statutes, titled, *Delegation and Exercise of the General Police Power*, allows cities and towns to adopt general police power ordinances to protect the health, safety, or welfare of residents, as well as maintain the peace and dignity of the community. Under this authority, local governments can also define and abate nuisances. Police power ordinances can be adopted under the general authority in G.S. 160A-174 or under one of the other subsections of Article 8 that provide authority to regulate certain activities ranging from noise and outdoor advertising to solid waste, junked and abandoned vehicles, and

abatement of public health nuisances. A police power ordinance could be used to address, for example, vacant and occupied building appearance and condition (such as indicators of vacancy), vacant building registration, etc., provided the regulations are reasonable.

[NC General Statutes Chapter 160 A, Article 8](#)

Historic Preservation – Preventing Demolition by Neglect

G.S. 160A-400.14(b) in Chapter 160A, Article 19, Part 3C (Historic Districts and Landmarks), provides the authority for local governments to enact ordinances to prevent demolition by neglect of any designated landmark or any building or structure within an established historic district.

The City of Oxford has a *Demolition by Neglect Ordinance* in place that allows the City to intervene when such designated landmarks or any property located within a designated historic district falls into a state of disrepair. The City's *Historic Preservation Ordinance* contains references to the *Demolition by Neglect Ordinance*.

[NC General Statutes Chapter 160A, Article 19](#)

[Oxford Demolition by Neglect Ordinance](#)

[Oxford Historic Preservation Ordinance](#)

Minimum Housing Code - Repair of Abandoned Nonresidential Structures

According to Tyler Mulligan, Associate Professor of Public Law and Government at the UNC School of Government, G.S. 160A-441, a provision in Chapter 160A, Article 19, Part 6 (Minimum Housing Code) of the North Carolina General Statutes, allows a local government to use its minimum housing code (if a local ordinance has been adopted) to order the repair of abandoned nonresidential structures that pose health or safety hazards.²

Chapter 5, Article IV, of the *City of Oxford Code of Ordinances* notes that the City has adopted the *North Carolina Minimum Standards Housing Code* and that its provisions “shall be controlling in the use, maintenance and occupancy of all dwellings and dwelling units and/or structures within the city.”

[NC General Statutes Chapter 160A, Article 19](#)

[City of Oxford Code of Ordinances](#)

Receivership of Noncompliant Vacant Buildings

In June of 2018, the North Carolina General Assembly adopted an amendment to the North Carolina General Statutes, in Session Law 2018-65, that provides an additional tool to cities and towns to help them move code enforcement efforts forward for buildings and structures that continue to be out of compliance. The new G.S. 160A-439.1, titled *Vacant Building Receivership*, took effect on October 1, 2018. It grants municipalities the authority to petition the superior court to appoint a receiver to rehabilitate, demolish, or sell a vacant building, structure, or dwelling that has been deemed a nuisance per se due to a variety of circumstances listed in

² Mulligan, Tyler (March 20, 2018). *Maintenance of Vacant or Neglected Commercial Buildings: Options for NC Local Governments*. Retrieved from <https://canons.sog.unc.edu/maintenance-of-vacant-or-neglected-commercial-buildings/>

the statute, including the failure to comply with orders issued by local governments regarding building safety and maintenance. A summary of the new law can be found in a June 21, 2018 article by Tyler Mulligan of the UNC School of Government on the NC Local Government Law blog (see Additional Resources, below, for a link to the article).

[North Carolina General Assembly, 2017 Session, Session Law 2018-65](#)

ADDITIONAL RESOURCES

Ducker, Richard (July 21, 2013). *Nuisance Abatement and Local Governments: What a Mess – Part II*. Retrieved from <https://canons.sog.unc.edu/nuisance-abatement-and-local-governments-what-a-mess-part-ii/>

Lovelady, Adam (November 21, 2016). *The Tortoise, the Hare, and Demolition in Historic Districts*. Retrieved from <https://canons.sog.unc.edu/tortoise-hare-demolition-historic-districts/>

Mulligan, Tyler (March 20, 2018). *Maintenance of Vacant or Neglected Commercial Buildings: Options for NC Local Governments*. Retrieved from <https://canons.sog.unc.edu/maintenance-of-vacant-or-neglected-commercial-buildings/>

Mulligan, Tyler (June 21, 2018). *Receivership: A New Tool for Addressing Vacant Problem Properties in North Carolina*. Retrieved from <https://canons.sog.unc.edu/receivership-a-new-tool-for-addressing-vacant-problem-properties-in-north-carolina/>

Smith, Karen (2014). *Commercial Building Maintenance Codes* [PowerPoint slide presentation for North Carolina Main Street Managers meeting in Waynesville, NC, August 21, 2014]. Available upon request from Karen Smith, NC Main Street & Rural Planning Center, ksmith@nccommerce.com.