

CHAPTER 7: ZONING DISTRICTS AND PERMITTED USE TABLE

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CHAPTER 7: ZONING DISTRICTS AND PERMITTED USE TABLE

Section 7.1 Purpose Statement and Interpretation

Section 7.1.1 Purpose Statement

In accordance with the provision of NCGS 160D-703 that zoning regulation may be by districts, the Town, as shown on the Zoning Map accompanying this Ordinance, is hereby divided into the following districts which shall be governed by the use and dimensional requirements of this Ordinance.

The purposes of establishing the following zoning districts are:

- To implement adopted plans;
- To promote public health, safety, and general welfare;
- To provide for orderly growth and development;
- To provide for the efficient use of resources;
- To facilitate the adequate provision of services.

Section 7.1.2 Interpretation

Each zoning district has uses permitted by right, uses permitted with special requirements, and special uses. Tables are shown for each district placing uses under one of the three categories. The following describes the processes of each of the three categories that the uses are subject to:

- **Permitted by Right:** Administrative review and approval subject to district provisions and other applicable requirements only.
- **Permitted with Special Requirements:** Administrative review and approval subject to district provisions, other applicable requirements, and special requirements outlined in Chapter 4.
- **Special Uses:** Administrative review and recommendation, Planning Board review and recommendation, Town Council review and approval of Special Use Permit subject to district provisions, other applicable requirements, and conditions of approval. Some Special Uses may also be subject to special requirements outlined in Chapter 4.

Section 7.2 R-P Rural Preservation District

7.2.1 Intent

The R-P Rural Preservation is provided to accommodate very low-density residential development and agricultural uses and to protect natural vistas and landscape features that define rural areas.

7.2.2 Uses

See Permitted Uses Table

7.2.3 Location of Accessory Buildings and Structures

No accessory building shall be erected in any front yard unless the accessory structure is set back at least 150 feet from the street right-of-way. See Section 8.3 for additional accessory structure requirements.

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7.2.4 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.3 R-S Suburban Residential District

7.3.1 Intent

The R-S Suburban Residential District is established for new development on the edges of Town in which the principal use of land is low density single-family residences along with their customary accessory uses.

7.3.2 Uses

See Permitted Uses Table

7.3.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

7.3.4 Open Space Subdivision Option

This development option provides increased flexibility in developing suburban subdivisions in R-S zoning in exchange for preserving a significant amount of well-designed open space.

7.3.4.1 Processing Procedure

Open space subdivision requests shall be processed in accordance with Conditional Zoning requirements of Section 15.6 of this Ordinance.

7.3.4.2 Open Space Subdivision Dimensional Requirements

- A. A residential density of 4 units per acre shall be allowed in open space subdivisions.
- B. No minimum lot width, street frontage, or minimum yard requirements exist, except as required by the NC Building Code or China Grove Fire Department.
- C. All other dimensional requirements for open space subdivisions shall be the same as those outlined in Dimensional Table in Chapter 7.

7.3.4.3 Minimum Building Spacing

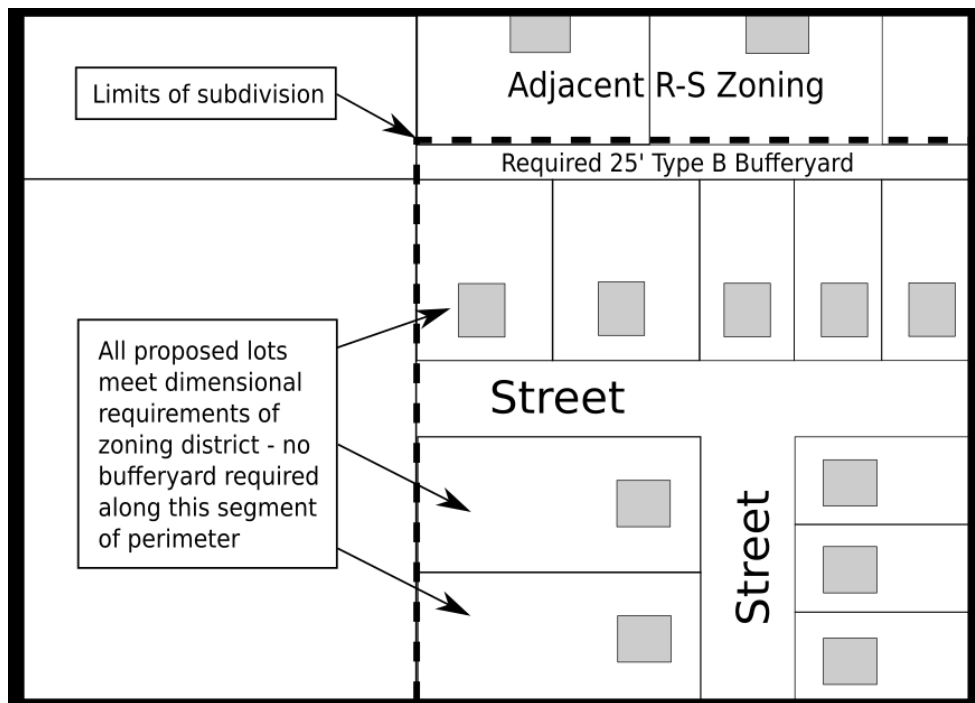
A minimum distance of 20' shall exist between any residential structures in open space subdivisions.

7.3.4.4 Minimum Open Space Requirements

- A. Open space subdivisions shall set aside a minimum of 20% of the total development area as common open space held in perpetuity by a homeowners association (HOA).

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- B. A minimum of 20% of required open space shall take the form of active open space. Active open space types shall consist of Playground, Square, Plaza, Park, Green, and Greenway as described in Section 12.2.
- C. A 50’ wide Type E Bufferyard meeting the composition requirements of Section 11.3.5.2 of this ordinance shall exist along the perimeter of open space subdivisions where such development is adjacent to a Major or Minor Thoroughfare, as designated in the Cabarrus-Rowan MPO’s Metropolitan Transportation Plan. This bufferyard shall count towards the requirements of sub-section A. above.
- D. A 25’ wide Type B Bufferyard meeting the composition requirements of Section 11.3.2.2 of this ordinance shall exist along the perimeter of open space subdivisions where such development is adjacent to R-P, R-S, and R-T zoning. This requirement shall not apply to any segment of the perimeter where all proposed lots adjacent to that segment meet the requirements outlined in Dimensional and Density Tables in Chapter 7.



7.3.5 Location of Accessory Buildings and Structures

No accessory building shall be erected in any front yard. See Section 8.3 for additional accessory structure requirements.

7.3.6 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

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Section 7.4 R-T Town Residential District

7.4.1 Intent

The R-T Town Residential District is intended for more established residential areas within the Town primarily for medium density single-family residential along with their customary accessory uses.

7.4.2 Uses

See Permitted Uses Table

7.4.3 Location of Accessory Buildings and Structures

No accessory building shall be erected in any front yard. See Section 8.3 for additional accessory structure requirements.

7.4.4 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.5 R-M Mixed Residential District

7.5.1 Intent

The R-M Mixed Residential District is intended primarily to create higher density residential areas providing for and encouraging a mix of housing types including single-family, two-family, and multi-family dwellings along with their customary accessory uses.

7.5.2 Processing Procedure

The R-M Mixed Residential District shall be considered a Conditional Zoning district and shall be processed in accordance with Section 15.6 of this Ordinance.

7.5.3.1 Uses

See Permitted Uses Table

All uses allowed in the R-M District shall be considered Conditional Uses and shall be subject to the requirements of Section 7.15. No additional Conditional or Special Use Permits shall be required for any uses approved as part of an R-M District Conditional Zoning request.

7.5.3.2 Mixed Residential Uses Allowed

The uses permitted in each R-M District shall be set forth in the approved site plan and rezoning application. A mixture of residential uses proposed by the rezoning applicant is allowed, but not required within the R-M District.

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7.5.4 Modification of Approved Final Site Plan in R-M Districts

Following approval of the Conditional Zoning District, no modifications of the uses, densities, or any other condition of the site plan shall be permitted without Town Council approval of an amended Conditional Zoning District. However, the Zoning Administrator may approve modifications administratively as described in Section 17.12 Administrative Modifications.

7.5.5 Development of Legally Nonconforming R-M Districts

Any development of a parcel equal to or less than 20,000 square feet in R-M Districts which existed as of April 5, 2022 shall be allowed to develop under the rules of Section 7.5 which existed prior to said date, and shall be approved via the Minor Site Plan Review process. Development of existing R-M-zoned sites which includes building square footage of more than 20,000 square feet or more shall comply with current UDO standards.

7.5.6 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.6 R-MH Manufactured Home District

7.6.1 Intent

The R-MH district is established in order to provide for the proper location and planning of attractive manufactured home developments. Development standards and requirements are included. For the purpose of occupancy, all manufactured homes, mobile homes, and trailers shall be located within a manufactured home development within the R-MH district.

7.6.2 Uses

See Permitted Use Table

7.6.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.7 O-I Office and Institutional District

7.7.1 Intent

The O-I district is intended to accommodate a variety of office uses, related low intensity retail uses, and some higher density multi-family uses. In addition, this district can create areas to serve as transitional buffers between residential districts and commercial districts, the number and type of retail uses permitted

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is limited. The primary purpose of this district is to accommodate existing and new office and institutional areas.

7.7.2 Uses

See Permitted Uses Table

7.7.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.8 N-C Neighborhood Center District

7.8.1 Intent

The N-C district is intended primarily for local centers designed to serve relatively small trading areas in developed or developing portions of China Grove. Incentive is given to encourage mixed use development. As a result, the list of commercial establishments allowed in this district is more limited than in other districts. The standards for these areas are designed to promote sound, permanent mixed-use development and to serve surrounding residential areas. All N-C districts shall be a minimum of three (3) acres and a maximum of 50 acres.

7.8.2 Uses

See Permitted Uses Table

7.8.3 Re-use of Sites and Buildings Developed Prior to August 1, 2006

Smaller sites in the N-C district with buildings 5,000 square feet or less in size, which were built prior to August 1, 2006, have the potential for new uses or revitalization. In many cases, however, meeting current building design, landscaping, parking, paving, or driveway requirements may be physically impossible or cost-prohibitive. Rather than allowing these sites to become vacant, abandoned, or deteriorated, the provisions of Section 5.9, Nonconforming Sites and Buildings Developed Prior to August 1, 2006, grant re-use projects a greater degree of flexibility in meeting current ordinance requirements.

7.8.4 Alternative Compliance

Where meeting the building design requirements of Section 13.4.1.4 is impracticable due to unique site conditions or existing development patterns, Town Council may approve development which meets or exceeds the intent of these standards through the Conditional Zoning process.

7.8.5 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.

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- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.9 C-B Central Business District

7.9.1 Intent

The C-B district is established as the centrally located trade and commercial service area of China Grove. The regulations of this district are designed to encourage the continued use of land for community trade and commercial service uses and to permit a concentrated development of permitted uses while maintaining a substantial relationship between the intensity of land uses and the capacity of utilities and streets.

7.9.2 Uses

See Permitted Uses Table

7.9.3 Alternative Compliance With Building Design Requirements

Where meeting the building design requirements of 13.4.1.4 is impracticable due to unique site conditions or existing development patterns, Town Council may approve development which meets or exceeds the intent of these standards through the Conditional Zoning process.

7.9.4 Re-use of Sites and Buildings Developed Prior to August 1, 2006

Smaller sites in the C-B district with buildings 5,000 square feet or less in size, which were built prior to August 1, 2006, have the potential for new uses or revitalization. In many cases, however, meeting current building design, landscaping, parking, paving, or driveway requirements may be physically impossible or cost-prohibitive. Rather than allowing these sites to become vacant, abandoned, or deteriorated, the provisions of Section 5.9, Nonconforming Sites and Buildings Developed Prior to August 1, 2006, grant re-use projects a greater degree of flexibility in meeting current ordinance requirements.

7.9.5 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.10 H-B Highway Business District

7.10.1 Intent

The H-B district is established to provide a wide array of primarily retail and service uses to a large trading area for persons residing in and/or traveling through the China Grove area. Such uses shall be located and designed in such a manner so as to promote aesthetics, the safe and efficient movement of traffic, and to not unduly burden adjoining thoroughfares. Given the large traffic volumes generated by uses located in such a district, any area so zoned shall have access onto an arterial or collector thoroughfare.

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7.10.2 Uses

See Permitted Uses Table

7.10.3 Re-use of Sites and Buildings Developed Prior to August 1, 2006

Smaller sites in the H-B district with buildings 5,000 square feet or less in size, which were built prior to August 1, 2006, have the potential for new uses or revitalization. In many cases, however, meeting current building design, landscaping, parking, paving, or driveway requirements may be physically impossible or cost-prohibitive. Rather than allowing these sites to become vacant, abandoned, or deteriorated, the provisions of Section 5.9, Nonconforming Sites and Buildings Developed Prior to August 1, 2006, grant re-use projects a greater degree of flexibility in meeting current ordinance requirements.

7.10.4 Alternative Compliance With Building Design Requirements

Where meeting the building design requirements of Section 13.4.1.4 is impracticable due to unique site conditions or existing development patterns, Town Council may approve development which meets or exceeds the intent of these standards through the Conditional Zoning process.

7.10.5 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.11 C-P Corporate Park District

7.11.1 Intent

The C-P Corporate Park District is established for a high quality mixture of employment and/or institutional uses of varying type, as well as limited retail and service uses supported by such clientele in a single coordinated development which will create a self-supporting advantageous business environment in an attractive corporate park setting.

7.11.2 Uses

See Permitted Uses Table

7.11.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

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Section 7.12 L-I Light Industrial District

7.12.1 Intent

The L-I Light Industrial District is established for industrial and related uses that do not create serious negative impacts for surrounding properties.

7.12.2 Uses

See Permitted Uses Table

7.12.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.13 H-I Heavy Industrial District

7.13.1 Intent

The H-I Heavy Industrial District is established for industrial and related uses that require isolation from many other kinds of land uses.

7.13.2 Uses

See Permitted Uses Table

7.13.3 Other Requirements

- A. See Chapter 13 for building design requirements.
- B. See Chapter 12 for open space requirements.
- C. See Chapter 11 for landscaping and buffering requirements.
- D. See Chapter 10 for off-street parking and loading requirements.
- E. See Chapter 14 for sign requirements.
- F. See pages 7-17 through 7-19 for Dimensions, Density and Lot Sizes and Accessory Buildings

Section 7.14 Planned Unit Development (PUD)

7.14.1 Purpose

The purpose of the Planned Unit Development district (PUD) is to accommodate mixed-use development which is compatible with the desired character of the Town. Such mixed-use development shall contain at least one type of residential and at least one type of non-residential development. PUD zoning is intended to permit flexibility in the design, construction and processing of residential and non-residential developments of a quality that could not be achieved under conventional zoning approaches. While the conventional zoning districts and the requirements of those districts set forth in the UDO are reasonable, there may be circumstances in which it is in the community's best interest to allow unique and/or creative designs and techniques that:

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- Promote the most appropriate use of a parcel
- Allow diversification of use
- Facilitate the adequate and economical provisions of streets, parks, open space, schools, storm drainage and sewer and water utilities
- Preserve and utilize open space
- Offer recreational opportunities close to residential uses
- Enhance neighborhood appearance

7.14.2 Processing Procedure

A PUD shall be considered a conditional zoning district and shall be processed in accordance with Section 13.6 of this Ordinance.

7.14.3 Permitted Uses

- A. The uses permitted in a PUD shall be the permitted uses as set forth in the approved Conditional Zoning.
- B. The Conditional Zoning application shall designate the proposed land use categories selected from among those eligible for consideration that are shown under the PUD column in the Permitted Use Table. No subsequent special use permit is required for any use included in the approved PUD Conditional Zoning.

7.14.4 Land Use Composition

- A. A PUD District shall consist of at least one residential use and one non-residential use listed in the Permitted Use Table.

7.14.5 Design Standards

- A. The land uses within a PUD shall not be subject to any of the dimension and density provisions of Chapter 7 except that a perimeter setback of 25 feet shall be maintained from existing development.
- B. PUD designs shall be subject to the recommended design elements for Chapter 5. The design elements are for consideration in the design of a Planned Unit Development and shall be considered as criteria for approval. This is not to state that all of the design elements shall be included in a PUD, rather all elements shall be considered and those that are considered appropriate and reasonable should be included. Additional design requirements are included in 7.14.8 below.

7.14.6 Minimum Development Size

Each PUD District shall have a minimum size of 5 acres.

7.14.7 Modification of Approved Final Site Plan

Following approval of the CZ district no modifications of the land use category designations, design standards, uses, densities or any other condition of the site plan shall be permitted without Town Council approval. However, the Zoning Administrator may approve modifications administratively as described in Section 17.12 Administrative Modifications.

7.14.8 Recommended Design Elements

As indicated in Section 7.14.1, PUD zoning is intended to permit flexibility in the design, construction and processing of residential, commercial and/or industrial developments of a quality that could not be achieved under conventional zoning concepts. The following elements are recommended for consideration in the design of a Planned Unit Development. However, such elements are not an exhaustive list of development considerations, and other elements not listed here may also be proposed to achieve the Town's design

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expectations. All elements shall be considered and those that are appropriate and reasonable should be included in the PUD proposal.

A. Architectural Elements

- Building height, rhythm, articulation, massing and bulk are compatible with the individual site attributes and are compatible with the surrounding neighborhoods.
- Distinctive architectural details such as covered front porches, door and window details, roof overhangs, and/or parapet walls with cap features shall be provided on each dwelling or principal structure. A variety of roofing colors, textures, and component shapes including shake shingle, shale, and wood components, should be provided.
- Significant architectural differences in the choice of elevations, roof lines, and exterior colors for each residential floor should be provided. Front façades shall not be identical to any house less than three (3) adjacent homes, nor shall the same rear façade which is visible from arterial street view, on any block front, be identical to any rear façade closer than three (3) adjacent homes. Homes facing one another (across the street) shall not have the same façade.
- Residential design guidelines are provided, which include a variety of conceptual standard plans, and may include: variation in building setbacks, detached garages, recessed garages if attached to the principal building and fencing alternatives.
- Garage fronts should be de-emphasized and not be the most prominent architectural feature of the house. This should be accomplished by providing side access garages, recessed or detached “in-line” garages. Garages should be recessed at least one car length in order to provide interest and relief from the street. The front elevation shall prominently feature an entrance for persons rather than automobiles with the garage area not to exceed forty percent (40%) of the front façades.

B. Recreation elements

- Not less than 70 percent (70%) of the residential units are located within 660 feet of a pedestrian, equestrian and bicycle trail or park of at least 4,000 sf or more.
- Recreation and open space facilities should be aligned with the community’s park and open space network.
- Neighborhood scale recreation facilities should include turf or landscaping elements (including decorative hardscape elements such as brick or stone planters and decorative walkways) within all areas not permanently covered with standing water. Stormwater retention/detention devices shall not be considered recreation facilities for the purposes of this Section.
- Gateway treatments may be incorporated at appropriate locations along an open space network.

C. Transportation elements

- Park-and-ride lots and bus stations may be incorporated with planned facilities.
- Bicycle lanes should be included along at least seventy percent (70%) of the linear frontage of all planned collector streets.

D. Landscaping and Buffering elements

- Higher density or intensity developments abutting lower density or intensity areas include buffering and should substantially mitigate any negative impacts consistent with the Landscaping Standards of this Ordinance.

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E. Other Design considerations

- Homeowners or property owners associations shall be required to maintain all roadway/right-of-way landscaping, pedestrian/bicycle, and equestrian paths (arterial, collector and local as proposed) to the standards of this Ordinance. However, HOA maintenance shall not be required for landscaping within the ROW of new public streets – such streets shall be maintained by the Town of China Grove. The HOA may choose to provide a higher level of maintenance of landscaping elements within such rights-of-way, however.
- Areas designated for industrial land uses should be designed to create a campus-style environment.
- Street access must be provided to all parcels within the PUD boundaries.

Section 7.15 Conditional Zoning District

7.15.1 Intent

As authorized in NCGS 160D-703(b), there is a Conditional Zoning District which corresponds to each of the primary districts authorized in this ordinance. It is recognized that certain types of general use zoning districts would be inappropriate at particular locations in the absence of special conditions. Conditional Zoning Districts are a means by which the property owner may request a rezoning with special conditions to be imposed in the furtherance of the purpose of this Ordinance, and to better address adopted Town ordinances and plans, or impacts reasonably expected to be generated by the development or use of the site. Only those conditions mutually approved by the Town Council and the petitioner may be incorporated into the approved Conditional Zoning District. Conditional Zoning District requests shall be handled as a legislative decision.

7.15.2 Requirements for Conditional Rezoning Conditions

All Conditional rezoning requests must include at least one of the following:

- 1) conditions specifying the uses proposed;
- 2) any relevant conditions related to how the property may be developed, such as building placement or additional setbacks of buildings, parking or loading areas from property lines, additional landscaping, buffering or berming beyond UDO requirements, more restrictive building height limitations, limitations on where site ingress or egress may be located, or operational limitations designed to limit impacts on neighboring properties; and/or
- 3) a major site plan or for single family residential development, a major subdivision plan.

For any rezoning request to the R-M (Mixed Residential) or PUD (Planned Unit Development) districts, as well as any approval requests for Open Space Subdivisions in the R-S (Suburban Residential) district, such requests must be submitted as a Conditional Rezoning request. Conditional Rezoning applications for R-M or PUD zoning must include all three above described components (proposed uses, proposed conditions concerning how the property will be developed, and a site plan or subdivision plan); and all Conditional Rezoning requests for an Open Space Subdivision must include a subdivision plan.

7.15.3 Uses and Other Requirements

Within a Conditional Zoning District, only those uses authorized as permitted shall be permitted, and all other requirements of the corresponding district shall be met as minimum standards. Additional limitations on use and other requirements may be recommended as conditions during the review process by the staff, TRC, Planning Board or Town Council; however, only those conditions mutually approved by the Town Council and the petitioner may be incorporated into the approved Conditional Zoning District.

See Chapter 15 for Conditional Zoning process provisions.

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Section 7.16 Watershed Overlay District

7.16.1 Purpose and Applicability

The purpose of the Watershed Overlay District is to provide for protection of the Lake Fisher and Lake Corriher water supplies consistent with the WS-IV Protected Area management rules as adopted by the North Carolina Department of Environmental Quality.

7.16.2 General Development Standards

- A. The construction of new roads and bridges and non-residential development should minimize built-upon area, divert storm water away from surface water supply waters as much as possible, and employ best management practices (BMPs) to minimize water quality impacts. The Department of Transportation BMPs as outlined in their document entitled "Best Management Practices for the Protection of Surface Waters" shall be used in all road and bridge construction projects in the Watershed Overlay District.
- B. All development activities within the Watershed Overlay District, in addition those activities specifically regulated by these provisions, are subject to the standards, usage conditions and other regulations contained in the Rules and Requirements of the Surface Water Supply Protection Rules adopted by the North Carolina Department of Environmental Quality.
- C. A minimum 30-foot vegetative buffer for development activities is required along all perennial waters, including streams, rivers and impoundments, indicated on the most recent versions of USGS 1: 24,000 scale topographic maps; provided, that nothing in this subsection shall prevent artificial streambank or shoreline stabilization. No new development is allowed in the buffer, except that water dependent structures, or other structures such as flag poles, signs and security lights, which result in only diminutive increase in impervious area and public works projects such as road crossings and greenways may be allowed where no practicable alternative exists. These activities shall minimize built-upon surface area, direct runoff away from the surface water, and maximize the utilization of BMPs. A minimum 100 foot vegetative buffer is required for all new development activities that exceed the low density option outlined in section 3.16.2.
- D. Where otherwise permitted in the underlying Primary Zoning District, Cluster Development is allowed on a project by project basis as follows:
 - The overall density of the project meets the density requirements of this Ordinance;
 - The appropriate vegetative buffer in (c) above is provided;
 - Built upon areas are designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated storm water flow, and maximize the flow through vegetated areas;
 - Areas of concentrated development are located in upland areas and away, to the maximum extent practicable, from surface waters and drainage ways;
 - Remainder of tract to remain in vegetated or natural state;
 - The area in the vegetated or natural state may be conveyed to a property owners association; a local government for preservation as a park or greenway; a conservation organization; or placed in a permanent conservation or farmland preservation easement. A maintenance agreement shall be filed with the property deeds; and
 - Cluster development shall transport storm water runoff from the development by vegetated conveyances to the maximum extent practicable.

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- E. All development in Watershed Overlay Districts, shall, to the maximum extent practicable, minimize built-up surface area, direct storm water runoff away from surface waters and incorporate best management practices to minimize water quality impacts.
- F. Existing development, as defined in this Ordinance, is not subject to the requirements of the overlay provisions. Expansions to structures classified as existing development must meet the requirements of these provisions, provided however, the built-upon area of the existing development is not required to be included in the density calculations. In determining expansions to existing development, the maximum permitted additional built-upon area is derived by multiplying the area of the portion of the property that is not built-upon by the appropriate percent built-upon limitation for the Overlay District in which the property is located.
- G. Any existing building or built-upon area not in conformance with the limitations of these provisions that has been damaged or removed for any reason may be repaired and/or reconstructed, provided:
- Repair or reconstruction is initiated within twelve (12) months and completed within two (2) years of such damage or removal.
 - The total amount of space devoted to built-upon area may not be increased.
 - The repair or reconstruction is otherwise permitted under the provisions of this Ordinance.
- H. No activity, situation, structure or land use shall be permitted or allowed to operate within a watershed which poses a threat to water quality and the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize ground absorption; inadequate sedimentation and erosion control measures; the improper storage or disposal of junk, trash or other refuse within a buffer area; the absence or improper implementation of a spill containment plan for toxic and hazardous materials; the improper management of stormwater runoff; or any other situation found to pose a threat to water quality.
- I. The Zoning Administrator may require such information on Zoning Permit applications and site plans, including density/built-upon area calculations, as he may deem necessary to determine compliance with the Watershed Overlay District provisions.
- J. The Zoning Administrator may, prior to the authorization of any permit in the Watershed Overlay District, require evidence of a valid Sedimentation/Erosion Control Permit issued by the State of North Carolina or evidence satisfactory to the Administrator that no permit is required.
- K. The Zoning Administrator shall maintain records of the administration of the Watershed Overlay District regulations and shall submit any modifications of the regulations to the Division of Energy, Mineral and Land Resources of the North Carolina Department of Environmental Quality. The Zoning Administrator shall also maintain a record of variance requests and associated documents, findings of fact on all variance requests, a description of all projects approved under the 10/70 option, and records of inspections of stormwater control measures.

7.16.3 Density/Built-Upon Area Limitations

- A. Residential development activities which require a Sedimentation/Erosion Control Permit shall not exceed one (1) dwelling unit per one half (1/2) acre or, optionally, 24 percent built-upon area, on a project by project basis. 15A NCAC 02B .0624

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- B. Non-residential development activities which require a Sedimentation/Erosion Control Permit shall not exceed 24 percent built-upon area, on a project by project basis.
- C. Residential development activities which require a Sedimentation/Erosion Control Permit and which do not have a curb and gutter street system, shall not exceed three (3) dwelling units per acre or, optionally, 36 percent built-upon area, on a project by project basis.
- D. Non-residential development activities which require a Sedimentation/Erosion Control Permit and which do not have a curb and gutter street system, shall not exceed 36 percent built-upon area, on a project by project basis."
- E. Low-density projects shall require deed restrictions and conveyances to ensure the amount of built-upon area will not be increased. Refer to Rule 15A NCAC 02H .1003(2).

7.16.4 High Density Development Permits

When a development exceeds the density/built-upon area, outlined in Section 3.16.2 the Town Council may approve high density development proposals only when engineered stormwater control measures are used. Each engineered stormwater control measure shall be designed and constructed to control runoff from the first inch of rainfall. Development within the water supply watersheds shall not exceed the following limits:

Cold Water Creek WS-IV PA: 70% built-upon area
Flat Rock Branch WS-IV PA: 70% built-upon area
Lake Corriher WS-IV Critical Area: 50% built-upon area

7.16.4.1 Permit Application

1. A high-density development permit shall be required for new development exceeding the low-density option.
2. Applications shall include written verification that a soil and erosion and sedimentation control plan has been approved by the appropriate state or local agency.
3. Applications shall follow the requirements of Section 8.11 Stormwater Management

7.16.4.2 Stormwater Control Measure Design

- A. Stormwater Control Measures (SCM's) shall be designed and implemented per the Design Manual. Development shall adhere to the North Carolina Department of Environmental Quality (NCDEQ), Division of Energy, Mineral and Land Resources (DEMLR) Rules and Regulations. Acceptable design methods shall comply with the NCDEQ DEMLR Stormwater Design Manual, latest edition at the time of permitting review. Development and redevelopment shall meet the minimum standards for post development stormwater management as set forth by the State of North Carolina, NCDEQ. Refer to Rules 15A NCAC 02H .1017 and 15A NCAC 02H .1050-.1062.
- B. SCMs, designed per the Design Manual, shall be used for post-construction stormwater runoff controls for projects determined to be high-density (greater than 24% impervious area). Refer to Rule 15A NCAC 02H .1003(3).
- C. All stormwater control structures shall be designed by a North Carolina registered professional with qualifications appropriate for the type of system required; these registered professionals are defined as professional engineers, landscape architect, to the extent that the General Statutes, Chapter 89A

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allow and land surveyors, to the extent that the design represents incidental drainage within a subdivision, as provided in General Statutes 89(C)-3(7).

- D. All stormwater controls shall use wet detention ponds as a primary treatment system unless alternative stormwater management measures, as outlined in subsection 3.16.3.3 are used. Wet detention ponds shall be designed for specific pollutant removal according to modeling techniques approved by the North Carolina Division of Environmental Quality. Specific requirements for these systems shall be in accordance with the following design criteria:
1. Wet detention ponds shall be designed to remove 85 percent of total suspended solids in the permanent pool and storage runoff from a one-inch rainfall from the site above the permanent pool;
 2. The designed runoff storage volume shall be above the permanent pool;
 3. The discharge rate from these systems following the one-inch rainfall design storm shall be such that the runoff does not draw down to the permanent pool level in less than two days and that the pond is drawn down to the permanent pool level within at least five days;
 4. The mean permanent pool depth shall be a minimum of three feet;
 5. The inlet structure shall be designed to minimize turbulence using baffles or other appropriate design features;
 6. Vegetative filters shall be constructed for the overflow and discharge of all storm water wet detention ponds and shall be at least 30 feet in length. The slope and width of the vegetative filter shall be determined so as to provide a non-erosive velocity of flow-through the filter for a ten-year, 24-hour storm with a ten-year, one-hour intensity with a slope of five percent or less. Vegetation in the filter shall be natural vegetation, grasses or artificially planted wetland vegetation appropriate for the site characteristics.

7.16.4.3 Alternative Stormwater Management Systems

Alternative stormwater management systems, consisting of one treatment option or a combination of treatment options, may be used. The design criteria for approval shall be 85 percent average annual removal of total suspended solids. Also, the discharge rate shall meet one of the following criteria:

1. The discharge rate following the one-inch design storm shall be such that the runoff draws down to the pre-storm design stage within five days, but not less than two days; or
2. The post development peak discharge rate shall equal the pre-development rate for the one-year, 24-hour storm.
3. In addition to the vegetative filters required in subsection 15.9.3(B)(6), all land areas outside of the pond shall be provided with a ground cover sufficient to restrain erosion within 30 days after land disturbance. Upon completion of the storm water control structure, a permanent ground cover shall be established and maintained as part of the maintenance agreement described in subsection 15.9.4(C).

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4. A description of the area containing the storm water control structure shall be prepared and filed consistent with subsection 15.9.7(A and B), as a separate deed with the Rowan County Register of Deeds, along with any easements necessary for general access to the storm water control structure. The deeded area shall include the pond, storm water control structure, vegetative filters, all pipes and water control structures, berms, dikes, etc. and sufficient area to perform inspections, maintenance, repairs and reconstruction.
5. Qualifying areas of the storm water control structure may be considered pervious when computing total built-upon area. However, if the structure is used to compute the percentage built-upon area for one site, it shall not be used to compute the built-upon area for any other site or area.

7.16.4.4 Town Council Decisions

First consideration of a High-Density Permit application shall occur at the next regularly scheduled meeting of the Town Council following the Planning and Development Departments, including Town Engineer, review of the complete application submittal. The Town Council shall take action on the application at its first consideration or within thirty (30) days of its first consideration. At its discretion, the Town Council shall either approve or disapprove each application for a High-Density Development Permit.

Section 7.17 Flood Damage Prevention Overlay District

7.17.1 Statutory Authorization

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Town Council of the Town of China Grove, North Carolina, does ordain as follows:

7.17.2 Findings of Fact

The flood prone areas within the jurisdiction of the Town of China Grove are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

7.17.3 Statement of Purpose

It is the purpose of this section is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- A. Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;

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- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- D. Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- E. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

7.17.4 Objectives

The objectives of this section are to:

- A. Protect human life, safety, and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business losses and interruptions;
- E. Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- F. Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- G. Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.
- H. Maintain the natural and beneficial function of floodplains;
- I. Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- J. Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

7.17.5 Lands to Which this Section Applies

This section shall apply to all Special Flood Hazard Areas within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs), of the Town of China Grove and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

7.17.6 Basis for Establishing the Special Flood Hazard Areas

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) dated November 16, 2018 for Rowan County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by automatically by reference and declared to be a part of this ordinance.

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The initial Flood Insurance Rate Maps are as follows for the jurisdictional areas at the initial date:
Rowan County Unincorporated Area, dated November 1, 1979
Town of China Grove Incorporated Area, dated March 29, 1978

7.17.7 Establishment of Floodplain Development Permit

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of 7.17 of this ordinance.

7.17.8 Compliance

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

7.17.9 Abrogation and Greater Restrictions

This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

7.17.10 Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under State statutes.

7.17.11 Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of China Grove or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

7.17.12 Penalties for Violation

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor pursuant to NCGS 143-215.58. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of China Grove from taking such other lawful action as is necessary to prevent or remedy any violation.

7.17.13 Designation of Floodplain Administrator

The Planning Director or his/her designee, hereinafter referred to as the “Floodplain Administrator”, is hereby appointed to administer and implement the provisions of this ordinance.

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7.17.14 Floodplain Development Application, Permit, and Certification Requirements

7.17.14.1 Application Requirements.

Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within or adjacent to Special Flood Hazard Areas. All elevations referenced must use NAVD 88. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

- A. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 1. the nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 2. the boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in 7.17.6, or a statement that the entire lot is within the Special Flood Hazard Area;
 3. Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in 7.17.6;
 4. The boundary of the floodway(s) or non-encroachment area(s) as determined in 7.17.6;
 5. The Base Flood Elevation (BFE) where provided as set forth in 7.17.6; 7.17.15; or 7.17.21;
 6. The old and new location of any watercourse that will be altered or relocated as a result of proposed development;
 7. The certification of the plot plan by a registered land surveyor or profession engineer. The certification of the plot plan by a professional land surveyor or professional engineer. In lieu of this requirement, the Floodplain Administrator may provide necessary certifications for development adjacent to but not within the Special Flood Hazard Area.
- B. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
 1. Elevation (in NAVD 1988) of the proposed reference level (including basement) of all structures;
 2. Elevation (in NAVD 1988) to which any non-residential structure in Zone AE or A will be floodproofed; and
 3. Elevation (in NAVD 1988) to which any proposed utility systems will be elevated or floodproofed.
- C. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that includes, but is not limited to, installation, exercise, and maintenance of flood proofing measures.
- D. A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

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1. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
2. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with 7.17.19.D.3 when solid foundation perimeter walls are used in Zones A, or AE.
3. Usage details of any enclosed areas below the lowest floor.
4. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
5. Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
6. Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of 7.17.19.F and G of this ordinance are met.
7. A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

7.17.14.2 Permit Requirements.

The Floodplain Development Permit shall include, but not be limited to:

- A. A complete description of the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.)
- B. The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in 7.17.6.
- C. The regulatory flood protection elevation required for the reference level and all attendant utilities.
- D. The regulatory flood protection elevation required for the protection of all public utilities.
- E. All certification submittal requirements with timelines.
- F. A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, unless the requirements of 7.17.23 have been met.
- G. The flood openings requirements, if in Zones A, or AE.
- H. Limitations of below BFE enclosure uses (if applicable). (i.e., parking, building access and limited storage only).

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7.17.14.3 Certification Requirements.

A. Elevation Certificates

1. An Elevation Certificate (FEMA Form 086-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, NAVD 88. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. In lieu of this requirement, the floodplain administrator may accept elevation data from a professional land surveyor sufficient to document current conditions and ensure proposed development will comply with this chapter.
2. An Elevation Certificate (FEMA 086-00-33) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, NAVD 88. Any work done within the seven (7) days calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project. In lieu of this requirement, the floodplain administrator may accept elevation data from a professional land surveyor sufficient to document current conditions and ensure proposed development will comply with this chapter.
3. A final as-built Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A of the certificate. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

B. Floodproofing Certificate

1. If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain

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Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

2. A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, using NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of professional engineer or architect and certified by the same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.
- C. If a manufactured home is placed within Zone A, or AE, and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of 7.17.19.C.2.
- D. If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- E. Certification Exemptions. The following structures, if located within Zone A, or AE are exempt from the elevation/floodproofing certification requirements specified in items 1 and 2 of this subsection:
1. Recreational Vehicles meeting requirements of 7.17.19.F.a;
 2. Temporary Structures meeting requirements of 7.17.19.G; and
 3. Accessory Structures less than 150 square feet meeting requirements of 7.17.19.H.
 4. Determinations for existing buildings and structures.
For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official shall:

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- a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
- c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- d) notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.

7.17.15 Duties and Responsibilities of the Floodplain Administrator

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- A. Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- B. Review all proposed development within Special Flood Hazard Areas to assure that all necessary Local, State and Federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- C. Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- D. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- E. Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of 7.17.23 are met.
- F. Obtain actual elevation (in NAVD 88) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of 7.17.14.C.
- G. Obtain actual elevation (in NAVD 88) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of 7.17.14.C.
- H. Obtain actual elevation (in NAVD 88) of all public utilities in accordance with the provisions of 7.17.14.C.
- I. When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of 7.17.14.C and 7.17.19.B.

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- J. Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 7.17.16.
- K. When Base Flood Elevation (BFE) data has not been provided in accordance with the provisions of 7.17.6 obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a Federal, State, or other source, including data developed pursuant to 7.17.21.B.2, in order to administer the provisions of this ordinance.
- L. When Base Flood Elevation (BFE) data is provided but no floodway or non-encroachment area data has been provided in accordance with the provisions of 7.17.6, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a Federal, State, or other source in order to administer the provisions of this ordinance.
- M. When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area is above the Base Flood Elevation, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the Letter of Map Amendment (LOMA) issued by FEMA in the floodplain development permit file.
- N. Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- O. Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of this section and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- P. Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work, the permit holder, if applicable, and the property owner provided by personal delivery, electronic delivery, or first class mail. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- Q. Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked. Revocations shall be noted in writing and delivered to the holder of the development approval stating the reason thereof. Staff shall follow the same development review and approval process required for the issuance of the approval for any revocation.

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- R. Make periodic inspections throughout the special flood hazard areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- S. Follow through with corrective procedures of Section 7.17.16.
- T. Review, provide input, and make recommendations for floodplain variance requests.
- U. Maintain a current map repository to include, but not limited to, the FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of 7.18.6 of this ordinance, including any revisions thereto including Letters of Map Change issued by FEMA. Notify State and FEMA of mapping needs.
- V. Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-F) and Letters of Map Revision (LOMR).

7.17.16 Corrective Procedures

- A. Violations to be Corrected: When the Floodplain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- B. Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
 - 1. That the building or property is in violation of the floodplain management regulations;
 - 2. That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - 3. That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- C. Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- D. Appeal: Any person with standing under G.S. 160D-1402(c) may appeal the order to the Board of Adjustment by giving notice of appeal in writing to the Town Clerk within thirty (30) days of receiving actual or constructive notice of the decision. Appeals from an administrative decision of this chapter shall follow the procedure outlined in Section 16.6. In the absence of an appeal, the order of the

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Floodplain Administrator shall be final. The Board of Adjustment shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

- E. Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

7.17.17 Provisions for All Special Flood Hazard Areas

In all Special Flood Hazard Areas the following provisions are required:

- A. All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- B. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, Flood Damage-Resistant Materials Requirements.
- C. All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- D. All new electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be located at or above the RFPE or be designed and/or located so as to prevent water from entering or accumulating within the components during occurrence of the base flood. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
 - a. Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.
 - b. Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and/or improvements only comply with the standard for new construction consistent with the code and requirements for the original structure.
- E. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- F. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- G. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- H. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

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- I. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by floodplain variance as specified in 16.4.4. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified in accordance with the provisions of 7.17.14.C.
- J. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- K. All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- L. All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- M. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- N. When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- O. When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest base flood elevation shall apply.

7.17.18 Reserved

7.17.19 Provisions for All Special Flood Hazard Areas where Base Flood Elevation Data is Provided

In all Special Flood Hazard Areas where BFE data has been provided, as set forth in 7.17.6, or 7.17.20, the following provisions, in addition to the provisions of 7.17.21, are required:

- A. Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Chapter 3 of this ordinance.
- B. Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Chapter 3 of this Ordinance. Structures located in A, AE, and A1-30 Zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in 7.17.14.C, along with the required operational plan and maintenance and inspection plans.

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C. Manufactured Homes.

1. New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Chapter 3 of this Ordinance.
2. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
3. All enclosures or skirting below the lowest floor shall meet the requirements of 7.17.19.D.
4. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management coordinator.

D. Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:

1. Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
2. Shall be constructed entirely of flood resistant materials at least to the regulatory flood protection elevation; and
3. Shall include flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
 - A minimum of two flood openings on different sides of each enclosed area subject to flooding;
 - The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
 - If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;

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- The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade;
- Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
- Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

E. Additions/Improvements.

1. Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - a. Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
 - b. A substantial improvement, with modifications/ rehabilitations/ improvements to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
2. Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.
3. Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - a. Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction.
 - b. A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
4. Any combination of repair, reconstruction, rehabilitation addition or improvement of a building or structure taking place during a one (1) year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the one (1) year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. The requirement does not, however, include either:
 - a. Any project for improvement of a building required to correct existing by the building official and that are minimum necessary to assume safe living conditions.

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- b. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
- F. Recreational Vehicles. Recreational vehicles shall either:
1. Be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or
 2. Meet all the requirements for new construction.
- G. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
1. A specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;
 2. The name, address, and phone number of the individual responsible for the removal of the temporary structure;
 3. The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 4. A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
 5. Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- H. Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
1. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
 2. Accessory structures shall not be temperature-controlled;
 3. Accessory structures shall be designed to have low flood damage potential;
 4. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 5. Accessory structures shall be firmly anchored in accordance with the provisions of 7.17.17.A;
 6. All service facilities such as electrical shall be installed in accordance with the provisions of 7.17.17.D; and

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7. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with the provisions of 7.17.19.D.3.

An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with 7.17.19.C.

- I. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
 1. Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;
 2. Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
 3. Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of section 7.17.19(B) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.
 4. Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:
 - a. At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
 - b. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.
- J. Other Development.
 1. Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of section 7.17.23 of this ordinance.
 2. Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of section 7.17.23 of this ordinance.
 3. Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of section 7.17.23 of this ordinance.
 4. Commercial storage facilities are not considered “limited storage” as noted in this ordinance, and shall be protected to the Regulatory Flood Protection Elevation as required for commercial structures.

7.17.20 Reserved

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7.17.21 Standards for Floodplains without Established Base Flood Elevations

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in 7.17.6, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of 7.17.17, shall apply:

- A. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. The BFE used in determining the regulatory flood protection elevation shall be determined based on the following criteria:
 1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in 7.17.17 and 19.
 2. When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of 7.17.19 and 23.
 3. All subdivision, manufactured home park and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than twenty (20) lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with 7.17.6 and utilized in implementing this ordinance.
 4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the regulatory flood protection elevation, as defined in Chapter 3. All other applicable provisions of 7.17.19 shall also apply.

7.17.22 Standards for Riverine Floodplains with Base Flood Elevations but without Floodways or Non-Encroachment Areas

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- A. Standards of 7.17.17 and 19; and
- B. Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

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7.17.23 Floodways and Non-Encroachment Areas

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in 7.17.6. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- A. No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - 1. It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit, or
 - 2. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.
- B. If 7.17.23.A is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- C. Manufactured homes may be permitted, provided the following provisions are met:
 - 1. The anchoring and the elevation standards of 7.17.19.C; and
 - 2. The no encroachment standard of 7.17.23.A.

7.17.24 Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance

This section in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted on April 7, 1978 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this section shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of The Town of China Grove enacted on March 1, 1978, as amended, which are not reenacted herein are repealed.

7.17.25 Effect upon Outstanding Floodplain Development Permits

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

7.17.26 Severability

If any section, clause, sentence, or phrase of the ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this chapter or section.

CHAPTER 7: ZONING DISTRICTS AND PERMITTED USE TABLE

7.17.27 Effective Date

This section shall become effective August 3rd, 2021

Principal Structures Dimensional Standards Summary Table								
Zoning District	Minimum Zoning Lot Requirements			Minimum Building setbacks (feet)			Maximum Building Height (feet)	
	Density/ Lot Size	Minimum Width (feet)	Minimum Street Frontage (feet)	Front		Side		Rear
				Min.	Max.			
R-P								
Residential uses	.5 units/acre	100	35	30	--	15	50	40
Other uses	Half-acre lot	100	35	30	--	15	50	40
R-S								
Residential uses	3 units/acre	70	35	30	--	10	35	40
Other uses	Half-acre lot	70	35	30	--	10	35	40
R-T								
Residential uses	5 units/acre	70	35	30	--	10	35	40
Other uses	Half-acre lot	70	35	30	--	10	35	40
R-M								
Single family	18 units/acre	50/35 alley	35	10	25	5	25	40
Two family	18 units/acre	50/35 alley	35	10	25	0 interior/ 5 exterior	25	40
Multifamily	18 units/acre	N/A	15	0	25	0 interior/ 10 exterior	25	40
Other uses	Half-acre lot	60	35	20	--	10	25	40
R-MH								
Single family	5 units/acre	60	35	25	--	8	25	35
Two family	5 units/acre	80	35	25	--	0 interior/ 8 exterior	25	35
Man. homes on lots	5 units/acre	60	35	25	--	8	25	35
Man. homes in park	5 units/acre	40	35	25	--	5	25	35
O-I								
Multifamily	10 units/acre	n/a	15	20	--	0 interior/ 15 exterior	25	40
Other uses	n/a	70	35	20	--	0 interior/ 15 exterior	25	40

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N-C								
Single family	15 units/ acre	50/35 alley	35	10	25	5	25	40
Two family	15 units/ acre	50/35 alley	35	10	25	0 interior/ 5 exterior	25	40
Multifamily	15 units/ acre	n/a	15	0	25	0 interior/ 10 exterior	25	40
Other uses	n/a	n/a	20	0	25	0 interior/ 10 exterior	25	40
C-B								
Mixed-use	n/a	n/a	20	0	5	0 interior/ 10 exterior	25	<u>60</u>
Mixed residential	15 units/ acre	n/a	n/a	0	5	0 interior/ 10 exterior	25	<u>60</u>
Other uses	n/a	n/a	20	0	5	0 interior/ 10 exterior	25	<u>60</u>
H-B								
All development	n/a	n/a	35	0	25	0 interior/ 10 exterior	25	45
C-P								
Overall development	15 acres	n/a	60	30	--	30	30	45
Interior lots	Half-acre lot	n/a	20	20	--	0	0	45
L-I								
Overall development	2 acres	n/a	60	30	--	50	50	45
Interior lots	Half-acre lot	n/a	20	20	--	0	0	45
H-I								
Overall development	5 acres	n/a	60	50	--	100	100	45
Interior lots	1 Acre lot	n/a	35	30	--	0	0	45
Infill Lots: Front and side setbacks for infill lot development shall be the average for similar uses and structures on the same side of the street within the same zoning district within 300' to either side of the lot.								

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Accessory Buildings and Structures Dimensional Standards Summary Table			
Zoning District	Minimum Building setbacks (feet)		
	Side Interior	Side Corner	Rear
R-P	15	20 for garage/ 10 for other uses	15
R-S	10	20 for garage/ 10 for other uses	10
R-T	10	20 for garage/ 10 for other uses	10
R-M	5	20 for garage/ 10 for other uses	5
R-MH	5	20 for garage/ 10 for other uses	5
O-I	5	20 for garage/ 10 for other uses	5
N-C	5	20 for garage/ 5 for other uses	5
C-B	0	20 for garage/ 5 for other uses	5
H-B	0/10 next to residential	20 for garage/ 10 for other uses	5/ 10 next to residential
C-P	5/30 next to residential	20	10/ 30 next to residential
L-I	5/30 next to residential	20	10/ 30 next to residential
H-I	5/30 next to residential	20	10/ 30 next to residential
No accessory building shall be erected in any front or side yard. The total area of all accessory structures shall not exceed ½ the gross floor area of the principal structure.			

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Permitted Uses Table																
X – Permitted By Right; C – Conditional Zoning; S – Special Use																
2017 NAICS Code	Use	Zoning District													Special Require- ments	
		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
Residential																
	Single Family Dwelling Site Built	X	X	X	X	X								C		
	Modular Home, conventional (off-frame)	X	X	X	X	X								C		
	Modular Home, on-frame	X			X	X								C		
	Manufactured Home, Class A on individual lots	X				X									8.23	
	Manufactured Home, Class B on individual lots					X									MHP ONLY	
	Manufactured Home Park					S									8.24	
	Duplex			X	X	X								C	8.14	
	Family care home (6 residents or less)	X	X	X	X	X								C	8.18	
	Mixed Residential Development				C									C	8.28	
	Multi-family (townhouses, condos, triplex, quadraplex, apartments)				C			X	X					C	8.28	
	Boarding House					X		S	S						8.9	
Residential Accessory Uses																
	Accessory Dwellings located above ground-floor businesses						X	X	X	X	X	X	X	C	8.2	
	Accessory Dwellings on same lot as principal dwelling	X	X	X	C									C	8.2	
	Accessory Structures	X	X	X	X	X	X							C	8.3	
	Home Occupation	X	X	X	X	X	X	X	X						8.22	
	Rural Family Occupation	X	X												8.33	
	Swimming Pool as accessory use	X	X	X	X			X	X							
	Yard Sales	X	X	X	X	X	X	X	X	X	X	X	X		8.41	

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Permitted Uses Table															
X – Permitted By Right; C – Conditional Zoning; S – Special Use															
2017 NAICS Code	Use	Zoning District													Special Require- ments
		Residential					Nonresidential							Mixe d Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
11	Agriculture, Forestry, Fishing and Hunting														
	Agriculture Uses in ETJ are exempt – Reference Section 8.5														
111	Crop Production	X	X												8.5
11291	Bee Keeping	X	X	X	X	X	X	X	X	X	X	X	X	X	8.5
113	Forestry and Logging	X	X	X											
1114	Greenhouse, Nursery, and Floriculture Production	X	X												
115116	Farm Management Services	X	X				X	X							
	Produce Stands	X													8.33
	Non-Residential Outdoor Storage						S	S	S	S	S	S	S		8.30
212	Mining and Quarrying													S	8.27
22	Utilities														
2211	Electric Power Transmission, Control, and Distribution ^T											S	S	S	
	Small Wireless Communication Facilities	X	X	X	C	X	X	X	X	X	X	X	X	C	
221112	Fossil Fuel Electric Power Generation											S	S	S	
221114	Solar Electric Generation <6,000 sf (accessory use only)	X	X	X	C	X	X	X	X	X	X	X	X	C	8.37
221114	Solar Electric Generation >6,000 sf	S											X	X	8.37
221115	Wind Electric Power Generation	S													
221117	Biomass Electric Power Generation											S	S		
2212	Natural Gas Distribution											S	S		
2213	Water, Sewer and Other Systems											S	S		

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		Residential					Nonresidential							Mixe d Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
23	General Construction Offices and Facilities														
	With Outside Storage												X	X	8.30
	Without Outside Storage									X			X	X	
237	Heavy and Civil Engineering Construction ^T												X	X	8.30
238	Specialty Trade Contractors ^T												X	X	8.30
31-33	Manufacturing														
3116	Animal Slaughtering and Processing ^T													S	8.6
3117	Seafood Product Preparation and Packaging ^T												X	X	
3118	Bakeries						X		X	X			X	X	C
312	Beverage and Tobacco Manufacturing												X	X	
313	Textile Mills												X	X	
315	Apparel Manufacturing												X	X	
316	Leather and Allied Product Manufacturing												X	X	
321	Wood Product Manufacturing													S	8.30
321113	Sawmills													S	
321991	Manufactured Home (Mobile Home) Manufacturing												X	X	
321992	Prefabricated Wood Building Manufacturing												X	X	8.30
324	Petroleum Products Manufacturing													S	
32412	Asphalt Paving, Roofing, and Saturated Materials													S	

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
	Manufacturing															
325	Chemical Manufacturing													S		
3253	Fertilizer Manufacturing													S		
326	Plastics and Rubber Products Manufacturing													S	8.30	
327	Nonmetallic Mineral Product Manufacturing ^T													S		
3271	Clay Product and Refractory Manufacturing ^T													S	8.30	
3273	Cement and Concrete Product Manufacturing ^T													S	8.30	
331	Primary Metal Manufacturing													X	8.30	
332	Fabricated Metal Product Manufacturing ^T													X	8.30	
334	Computer and Electronic Product Manufacturing ^T												X	X		
3352	Household Appliance Manufacturing												X	X		
3353	Electrical Equipment Manufacturing												X	X		
336	Transportation Equipment Manufacturing												X	X		
337	Furniture and Related Product Manufacturing												X	X		
3391	Medical Equipment and Supplies Manufacturing ^T												X	X		
42	Wholesale Trade															
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers													X	X	8.30
4232	Furniture and Home Furnishing Wholesalers												X	X	X	

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
4233	Lumber and Other Construction Materials Wholesalers												X	X		8.30
4235	Metal and Mineral Wholesalers													S		8.30
4236	Household Appliances, Electrical and Electronic Goods Wholesalers										X	X	X	X		
4237	Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers										X	X	X	X		
42381	Construction and Mining Machinery and Equipment Wholesalers												X	X		8.30
42382	Farm and Garden Machinery and Equipment Wholesalers										X		X	X		8.30
42383	Industrial Machinery and Equipment Wholesalers												X	X		8.30
42391	Sporting and Recreational Goods and Supplies Wholesalers										X	X	X	X		8.30
42393	Recyclable Material Wholesalers (includes scrap metal)													S		8.35
	Junkyard, Scrap Processor, Auto wrecking yard													S		8.35
4241	Paper and Paper Product Wholesalers												X	X	X	
4243	Apparel, Piece Goods, and												X	X	X	

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
	Notions Wholesalers															
4244	Grocery and Related Product Wholesalers											X	X	X		
4245	Livestock (wholesale)													S		
4246	Chemical and Allied Products Wholesalers													S		
4247	Petroleum and Petroleum Products Wholesalers													S		
4248	Beer, Wine, and Distilled Alcoholic Beverage Wholesalers												X	X		
42491	Farm Supplies Wholesalers (seed, fertilizer, chemicals)												X	X	8.30	
42493	Flower, Nursery Stock, and Florists' Supplies Wholesalers										X		X	X	8.30	
42494	Tobacco and Tobacco Product Wholesalers												X	X		
42495	Paint, Varnish, and Supplies Wholesalers												X	X		
44-45	Retail Trade															
4411	Automobile Dealers										X		X		8.7	
44121	Recreational Vehicle Dealers										X		X		8.7	
44122	Motorcycle, Boat, and Other Motor Vehicle Dealers										X		X		8.7	
4413	Automotive Parts, Accessories, and Tire Stores										X		X		8.30	
442	Furniture and Home Furnishings Stores							X		X	X				C	
443	Electronics and							X		X	X				C	

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		Residential					Nonresidential							Mixed Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
	Appliance Stores														
444	Building Material and Garden Equipment and Supplies Dealers						X				X			C	8.30
44413	Hardware Stores						X				X			C	
44511	Supermarkets and Other Grocery (except Convenience) Stores						X		X	X				C	
4452	Specialty Food Stores						X		X	X				C	
4453	Beer, Wine, and Liquor Stores								X	X				C	
446	Health (drug) and Personal Care Stores						X	X	X	X				C	
447	Gasoline Stations with or without Convenience Stores						S				X				
448	Clothing, Shoes and Accessories Stores						X		X	X				C	
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores						X		X	X				C	
	Farmers Market								S	S					
	Artisan Studio						X	X	X	X				C	
4512	Book Stores and News Dealers						X	X	X	X				C	
4522	Department Stores								X	X				C	
	Flea Markets										S		S		8.19
4523	General Merchandise Stores, including Warehouse Clubs and Supercenters										X				
4531	Florists						X	X	X	X				C	
4532	Office Supplies, Stationery, and Gift Stores						X	X	X	X	X			C	

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		Residential					Nonresidential							Mixe d Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
	Auction Sales Business										X		X		9.30
45393	Manufactured (Mobile) Home Dealers										S		S		8.7
454	Nonstore Retailer							X		X					
48-49	Transportation and Warehousing														
484	Truck Transportation ^T												X	X	8.7,8.30
4853	Taxi and Limousine Service ^T									X		X			8.7,8.30
4854	School, Employee, Charter and Special Needs Bus Transportation ^T												X	X	8.7,8.30
4812	Heliport, Helistop										S	S	S		8.21
48841	Motor Vehicle Towing ^T												S	S	8.30
488991	Packing and Crating										X	X	X		8.30
	Parking Lot, Commercial								S						8.7
491	Postal Service ^T						X	X	X	X	X	X	X	C	8.30
4921	Couriers and Express Delivery Services ^T										X	X	X		8.30
493	Warehousing and Storage ^T											X	X	X	8.30
	Mini-warehouses												S		8.26,8.30
51	Communications														
5111	Newspaper, Periodical, Book, and Directory Publishers ^T										X	X	X	X	
512131	Motion Picture Theaters (except Drive-Ins)									X	X			C	
5151	Radio, Television and Cable Broadcasting (towers)	S									S	S	S		8.39

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
5173	Wired and Wireless Telecommunications Carriers (towers)	S	S	S						S	S	S			8.39	
51912	Libraries and Archives ^T						X	X	X	X				C		
52	Finance and Insurance															
	Finance and Insurance Offices						X	X	X	X	X				8.13	
53	Real Estate, Rental and Leasing															
5312	Real Estate Agent Offices						X	X	X	X	X			C		
5321	Automotive, Truck, RV and Trailer Rental and Leasing ^T									X		X			8.30	
5322	Consumer Goods Rental ^T									X		X			8.30	
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing ^T									X		X			8.30	
54	Professional, Scientific & Technical Services															
541	Legal, Accounting, Architectural, Design, Engineering, and Management Services						X	X	X	X	X			C		
54194	Veterinary Services with Outside Runs	S					S			S					8.32	
54194	Veterinary Services with No Outside Runs	S					X	X	C	X				C		
561	Administrative and Support Services															
5613	Employment Agencies							X	X	X	X					
56151	Travel Agencies ^T							X	X	X				C		
56152	Tour Operators ^T									X					8.7,8.30	
561591	Convention and Visitors Bureaus								X	X						

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		Residential					Nonresidential							Mixed Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
561622	Locksmiths								X	X		X			
56171	Exterminating and Pest Control Services ^T									X		X	X		
56172	Janitorial Services ^T									X		X	X		
56173	Landscaping Services ^T						X			X		X			8.30
562	Waste Management and Remediation Services														
562211	Hazardous Waste Treatment and Disposal												S		8.38
562212	Solid Waste Landfill (MSW)												S		8.38
	Construction and Demolition Debris Landfill (C&D)												S		8.38
	Land Clearing and Inert Debris Landfill (LCID)												S		8.38
61	Educational Facilities														
6111	Elementary and Secondary Schools ^T	S	S	S	C	S	S	X	X	X	X			C	8.16
6113	Colleges, Universities, Professional and Business Schools ^T	S	S	S	C	S	S	X	X	X	X	X			
6115	Technical and Trade Schools ^T	S	S	S	C	S	S	X	X	X	X	X	X		
611620	Karate Instruction							X	X	X					
611692	Automobile Driving Schools							X		X					
611699	Yoga Instruction Studios							X	X	X				C	
62	Health Care and Personal Services														
6211	Offices of Physicians, Dentists, Outpatient Care and Home Health Care						X	X	X	X	X	X		C	

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
6215	Medical and Diagnostic Laboratories ^T							X		X	X	X				
62191	Ambulance Services ^T	X	X	X	X	X	X	X	X	X	X	X		X		
622	Hospitals ^T							S		S	S				8.29	
623	Nursing and Residential Care Facilities ^T				C		S	S		S				C		
	Professional Recovery Facility							S							8.34	
6242	Community Food and Housing, and Emergency and Other Relief Services ^T										X					
6244	Child Day Care Services^T															
	Child Care Center in Home	X	X	X	C	X								C	8.11	
	Child Care Center						X	X	X	X				C	8.11	
71	Arts, Entertainment and Recreation															
	Adult Establishments										S				8.4	
711212	Racetracks	S											S	S		
712	Museums, Historical Sites, and Similar Institutions ^T							X	X	X	X					
7131	Amusement Parks and Arcades ^T										S					
	Golf Driving Ranges	S	S											C	8.20	
71391	Golf Courses and Country Clubs ^T	S	S											C	8.20	
71394	Fitness and Recreational Sports Centers ^T (indoors)						X	X	X	X				C		
	Parks, Athletic Fields and Public Pools (non-profit)	X	X	X	C	X	X	X	X	X	X	X				
71395	Bowling Centers ^T										X					

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		Residential					Nonresidential									Mixe d Use
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD		
	Electronic Gaming Establishments										S				4.30	
	Entertainment Uses, Nightclubs, Dance Halls									S	S					
	Event Center									S	S			C		
72	Accommodation and Food Services															
72111	Hotels and Motels ^T									X	X				C	
721191	Bed-and-Breakfast Inns (9 guest or more)							S	S	S	S				8.8	
721199	Bed-and-Breakfast Homes (8 guest or less)	S				C		X	X	X	X			C	8.8	
7212	RV (Recreational Vehicle) Parks and Recreational Camps ^T	S													8.17	
7213	Rooming and Boarding Houses, Dormitories, and Workers' Camps ^T						X								8.9	
72232	Caterers ^T							X		X	X				C	
7224	Drinking Places (Alcoholic Beverages) ^T							S		S	S				C 8.12	
	Craft Distilleries producing less than 15,000 gallons of craft spirits per year							S		S	S		S		8.25	
	Micro-Breweries producing less than 15,000 barrels of malt beverages per year							S		S	S		S		8.25	
	Wineries ^T							S		S	S		S		8.25	
7225	Restaurants with drive-through							S				X			C 8.13	

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		Residential					Nonresidential							Mixed Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
7225	Restaurants without drive-through						X		X	X					C
811	Repair Services														
8111	Automotive Repair and Maintenance ^T									S		S			8.7
811192	Car Washes									X		X			8.7
8112	Electronic and Precision Equipment Repair and Maintenance ^T									X		X	X		8.30
8113	Commercial and Industrial Machinery Repair and Maintenance ^T											X	X		8.30
8114	Personal and Household Goods Repair and Maintenance ^T									X		X	X		8.30
812	Personal Services														
81211	Hair, Nail, and Skin Care Services						X	X	X	X	X			C	
	Tanning Salons							X	X	X				C	
	Tattoo parlor and body piercing								X	X				C	
812191	Diet and Weight Reducing Centers							X	X	X	X			C	
81221	Funeral Homes, Funeral Services, and Crematories							X	X	X					
81222	Cemeteries (primary use)	X													8.10
81222	Cemeteries (accessory use only)	X	X	X	C	X	X	X	X	X	X	X		C	8.10
8123	Drycleaning and Laundry Services						X			X				C	
81291	Pet Care (except Veterinary) Services without outdoor kennels	S					X	X		X				C	

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		Residential					Nonresidential							Mixe d Use	
		R- P	R-S	R-T	R-M	RMH	N-C	O&I	C-B	H-B	C-P	L-I	H-I	PUD	
81291	Pet Care (except Veterinary Services with outdoor kennels)	S								S					8.32
813	Religious, Civic and Professional Organizations														
	Churches and House of Worship	X	X	X	C	X	X	X	X	X	X	X		C	
	Civic/Professional Organizations						X	X	X	X	X	X		C	
921	General Government														
92211	Courts (Courthouses)								X	X					
92212	Police Protection (Police Stations)	X	X	X	X	X	X	X	X	X	X	X	X	X	
92214	Correctional Institutions (Jails and Prisons)												S		
92216	Fire Protection (Fire Stations)	X	X	X	X	X	X	X	X	X	X	X	X	X	
92314	Government Administrative Offices	X	X	X	X	X	X	X	X	X	X	X	X	X	