



HAPPY BIRTHDAY AMERICA



July 13, 2026
MEETING AGENDA



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**TOWN OF LONG VIEW
BOARD OF ALDERMEN
REGULAR MEETING AGENDA
MONDAY, JULY 13, 2026**

Meeting Place: Council Chambers
Government Center
2404 1st Ave S.W.
Long View, NC 28602

Meeting Time: 5:30 p.m.

1. Call Meeting to Order Mayor Eddie Marlowe
2. Roll Call
3. Invocation Mayor Eddie Marlowe
4. Approval of Minutes:
 - a. June 8, 2026 Regular Meeting Minutes
 - b. June 29, 2026 Special Meeting Minutes
5. Items for Discussion:
 - a. Public Hearing Town Planner Susan Matheson
 - New Zoning and Subdivision Ordinance
 - b. Adoption of New Zoning Ordinance Town Planner Susan Matheson
 - c. Adoption of New Subdivision Ordinance Town Planner Susan Matheson
 - d. Call for Public Hearing Town Planner Susan Matheson
 - Voluntary Annexation 1964 Old Shelby Rd
 - Voluntary Annexation 1970 Old Shelby Rd
 - e. Call for Public Hearing Town Planner Susan Matheson
 - Zoning- 1964 Old Shelby Rd
 - Zoning- 1970 Old Shelby Rd
 - f. Call for Public Hearing Town Planner Susan Matheson
 - Rezoning: Parcel 2783909856, 2793000702, 2783908863, 2783908794, 27839096234
 - g. Adoption of Vacate and Close Ordinances Code Enforcement Chad Powell
 - Ordinance No. CO-01-26-27
 - Ordinance No. CO-02-26-27
 - Ordinance No. CO-03-26-27
 - h. Surplus of Public Works Equipment Public Works Director Chris Eckard
 - i. Surplus of Police Equipment Police Chief Justin Reid
 - j. Budget Amendment No. 1 Finance Director Melissa Lalonde
 - k. Manager Report Interim Town Manager Melissa Lalonde
 - l. Public Comment
 - m. Closing Remarks
6. Adjournment

Heather T. Minor CMC, NCCMC
Town Clerk

Mayor Douglas E. Marlowe Jr



TOWN OF LONG VIEW
2404 1ST AVENUE SOUTHWEST
LONG VIEW, NC 28602
TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

June 8, 2026 Regular Meeting

Meeting Minutes

Call Meeting to Order

Mayor Eddie Marlowe called the meeting to order at 5:29 p.m.

Roll Call

Mayor Marlowe conducted the roll call: Alderman Genita Hill, Alderman Gary Lingerfelt, Alderman Allen Bumgarner, Alderman Tim Hertz, Alderman Phyllis Pennington, and Mayor Eddie Marlowe were all present.

Invocation

Town Manager James Cozart led the invocation.

Approval of Minutes

May 11, 2026 Regular Meeting Minutes

Mayor Marlowe presented the minutes from May 11, 2026 regular meeting to the Board for approval.

A motion to approve the May 11, 2026 Regularly Scheduled meeting minutes was made by Alderman Allen Bumgarner and seconded by Alderman Gary Lingerfelt. The motion to approve the minutes was unanimous.

Items for Discussion

Fire Department Presentation

Fire Chief James Brinkley stated that it was his honor and privilege to represent the members of the fire department, noting that they show up day in and day out with one shared mission: to help in whatever way possible to make someone's worst day a little bit better.

Lifesaver Awards — Infant Cardiac Arrest Response

Fire Chief Brinkley called for the presentation of Lifesaver Awards. He recognized Captain Alex Smith, KC Gregory, Jesse Brown, and Michael Bondurant for their response to a call involving a one-year-old child in cardiac arrest. He noted that the crew immediately began CPR and transported the patient to the hospital, resulting in a good outcome. He invited Captain Smith and Engineer Bondurant to come forward to be recognized, as they were in attendance.

Lifesaver Award — Firefighter Cardiac Emergency

Fire Chief Brinkley then asked Brandon Wright to come forward to stand beside him for a second recognition. Chief Brinkley recounted that he and Lieutenant McCarraher were on their way to a funeral when they received word that one of their own members had gone into cardiac arrest. Both he and Lieutenant McCarraher responded to the scene. Chief Brinkley expressed that it was deeply impressive to witness what was taking place — a fellow member of the Long View Fire Department experiencing a medical emergency, yet the response was carried out with complete calm and professionalism. He stated that the two individuals who responded exemplified everything the fire department stands for in its mission, noting that everything was handled with composure. Fire Chief Brinkley recognized Engineer Newton and Lieutenant Lakey for their actions, and noted that Brandon Wright would present them with their Lifesaving Awards.

Public Hearing for Fiscal Year 2026/2027 Budget

Mayor Marlowe called for a motion to open the public hearing for the 2026/2027 Fiscal Year. A motion was made by Alderman Tim Hertz and seconded by Alderman Allen Bumgarner to open the public hearing.

Town Manager James Cozart presented the Fiscal Year 2026/2027 budget for public hearing. He stated that it was his honor and privilege to present the budget for review and adoption, noting that it had been prepared as directed by the governing board at the March 30, 2026 budget retreat, and that it was written and balanced in accordance with the North Carolina Local Government Budget and Fiscal Control Act.

Budget Overview

Town Manager Cozart reported that the total operating budget for Fiscal Year 2026/2027 would be \$9,791,540.

General Fund

The General Fund, described as the main operating fund of the town covering services including fire, police, and streets, was reported at a total of \$6,446,601. Finance Director Lalonde identified the key factors affecting the General Fund budget for the coming year:

- A 5.6% increase from Republic Services;
- A 12% increase in health, dental, and vision insurance;
- The continued impact of inflation on day-to-day business operations, which Town Manager Cozart expressed hope would begin to level off.

He noted that revenues in the General Fund continue to be steady, and that the General Fund budget has been balanced with a 1-cent tax increase, moving from 48 cents to 49 cents. He clarified that on a \$200,000 home; this would represent an increase of \$20.00 on the tax bill.

Utility Fund

The Utility Fund, covering water and sewer operations, was reported at a total of \$3,179,339. Town Manager Cozart outlined the factors affecting the Utility Fund budget:

- A 10% increase in water and sewer rates from the City of Hickory;
- The insurance cost increase affecting employees paid from the water and sewer fund;
- Ongoing inflation impacts;
- The challenge of aging infrastructure with water and sewer lines, for which the town is setting aside funds to address.

Town Manager Cozart also reported that the town currently has two grant applications totaling \$7,000,000 submitted to assist with utility fund infrastructure, and expressed hope that news on those applications would be forthcoming soon.

Powell Bill Fund

Town Manager Cozart noted the budget includes a Powell Bill Fund, funded by street aid received from the state. The town is anticipating approximately \$159,000 from the state, with those funds designated for maintenance of town-maintained streets.

Federal and State Shared Proceeds Fund

A Federal and State Shared Proceeds Fund was also included in the budget, with a \$7,000 budget. He noted this fund is administered by the Chief of Police and is restricted for use in drug prevention activities, with funds received from federal and state offices.

Town Manager Cozart advised that a copy of the budget is available for public inspection in the Town Clerk's office. Town Manager Cozart also noted that it is available on the town's website.

There was no input from the public during the public hearing.

Mayor Marlowe called for a motion to close the public hearing. Alderman Genita Hill made a motion to close the public hearing. The motion was seconded by Alderman Phyllis Pennington. The motion to close the public hearing was unanimous.

Adoption of Fiscal Year 2026/2027 Budget

Finance Director Melissa Lalonde requested that the board adopt the Fiscal Year 2026/2027 budget as presented.

Motion was made by Alderman Allen Bumgarner and seconded by Alderman Tim Hertzal to adopt the Fiscal Year 2026/2027 Budget as presented. The motion to adopt the 2026/2027 Fiscal Year Budget was unanimous.

Reschedule Public Hearing to July 13, 2026

Town Planner Susan Matheson presented the item regarding the rescheduling of the Public Hearing to July 13, 2026, pertaining to Zoning and Subdivision Ordinance Amendments.

A motion was made by Alderman Genita Hill to reschedule the public hearing for July 13, 2026 regular meeting. The motion was seconded by Alderman Gary Lingerfelt. The motion to reschedule the public hearing was unanimous.

Reappointment of Expiring Planning Board Members

Town Planner Susan Matheson presented the item regarding the reappointment of expiring Planning Board members Harold Duckworth, Wayne Heffinger, and Billy Silver.

A motion was made to re-appoint Harold Duckworth, Wayne Heffinger, and Billy Silvers to the Planning Board by Alderman Allen Bumgarner and seconded by Alderman Tim Hertz. The motion was unanimous.

Personnel Policy Amendments

HR Director Sidney Shirley presented three proposed amendments to the Personnel Policy for the board's consideration.

Revisions to Article XIII — Attire and Clothing

HR Director Shirley presented revisions to Article XIII, addressing workplace attire. Under Section 6, pertaining to hair coloring, tattoos, and body piercings, the section was revised to clarify expectations regarding professional appearance. The revision specifies that employees may wear modest or professional body jewelry, including traditional ear piercings and small, non-distracting nose piercings, provided such jewelry does not interfere with job performance or safety. The revision further addresses that excessive or distracting facial jewelry would not be permitted.

Vehicle Assignment and Usage Policy

HR Director Shirley presented a new Vehicle Assignment and Usage Policy. She noted that during her review of the personnel policy manual, she found that the town does not currently have a formal policy governing town-owned vehicle. This new policy establishes guidelines for the assignment and use of town-owned vehicles.

Rehire Eligibility Policy

HR Director Shirley presented a new Rehire Eligibility Policy. She explained that this policy is intended to discourage patterns of short-term or intermittent employment while still allowing for appropriate reemployment opportunities. The policy establishes standards for rehire eligibility, defines what constitutes leaving employment in good standing, outlines limitations on rehiring, and identifies approval requirements and documentation necessary for reemployment consideration.

HR Director Shirley offered to answer any questions regarding the policies and stated that her recommended action was the approval of the revised Article XIII, as well as the adoption of the Vehicle Assignment and Usage Policy and the Rehire Eligibility Policy.

Motion was made by Alderman Tim Hertzell and seconded by Alderman Allen Bumgarner to approve the three Personnel Policy amendments as presented, including the revisions to Article XIII — Attire and Clothing, the Vehicle Assignment and Usage Policy, and the Rehire Eligibility Policy. The Personnel Policy amendments were unanimous.

Retirement Resolution

Motion was made by Alderman Genita Hill and seconded by Alderman Gary Lingerfelt to adopt the Retirement Resolution honoring Town Manager James Cozart upon his retirement effective June 30, 2026. The motion to adopt the resolution was unanimous.

Mayor Eddie Marlowe read aloud the full retirement resolution honoring Town Manager James Cozart for his dedicated service to the Town of Longview upon the occasion of his retirement.

Loan Resolution

Finance Director Melissa Lalonde presented the Loan Resolution for the previously approved equipment for Public Works to be financed through Truist Bank.

A motion was made by Alderman Allen Bumgarner to approve the loan resolution with Truist Bank for the financing of public works equipment and seconded by Alderman Gary Lingerfelt. The motion to approve the resolution was unanimous.

Call for a Special Meeting

Finance Director Melissa Lalonde presented the item calling for a Special Meeting to be held on Monday, June 29, 2026 at 3:00 p.m. for the purposes of reviewing and completing year-end budget transfers and amendments, and to address the addition of a floating holiday to the Personnel Policy.

A motion to call for a Special Meeting on Monday, June 29, 2026 at 3:00 p.m. was made by Alderman Genita Hill and seconded by Alderman Phyllis Pennington. The motion to call for the special meeting was unanimous.

Manager Report

Town Manager James Cozart expressed his thanks for the retirement resolution. He reflected on his career with the Town of Long View, noting 21 years as Finance Director and 3 years as Town Manager. He expressed appreciation for the opportunities afforded to him by the board and spoke highly of the town's staff, stating that the staff is "second to none." He conveyed that it has been an honor to serve and that he is grateful for the opportunity.

Public Comment

There were none.

Closing Remarks

Alderman Hill wished Town Manager Cozart the best. Alderman Bumgarner gave his congratulations, along with Alderman Hertzell and Alderman Pennington. Mayor Marlowe also showed his appreciation towards Town Manager Cozart.

Adjournment

A motion was made by Alderman Tim Hertzell to adjourn the meeting. The motion was seconded by Alderman Gary Lingerfelt. The motion to adjourn was unanimous.

The meeting adjourned at 5:54 p.m.





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Office: 828.322.3921 | www.longviewnc.gov

June 29, 2026 Special Meeting

Meeting Minutes

Town Hall 2404 1st Avenue Southwest, Hickory, NC 28602, US

1. Call Meeting to Order

The Special Meeting of the Town of Long View Board of Aldermen was called to order by Mayor Douglas E. Marlowe Jr. at 3:00 p.m. on Monday, June 29, 2026, at Town Hall, 2404 1st Ave SW, Hickory, NC 28601.

2. Roll Call

Mayor Marlowe conducted a roll call. Aldermen Genita Hill, Alderman Gary Lingerfelt, Alderman Allen Bumgarner, Alderman Tim Hertzelt, Alderman Phyllis Pennington, and Mayor Eddie Marlowe were all present.

3. Items for Discussion

a. Year End Budget Amendments for Budget Ordinance No. 01-25-26

Finance Director Melissa Lalonde the year-end budget amendments for Budget Ordinance No. 01-25-26, which encompassed Budget Amendment #6, Budget Amendment #7, and Budget Transfer #1. Finance Director Lalonde explained that these amendments are routine year-end actions used to transfer funds between departments in order to cover overages and bring all accounts into balance before the close of the fiscal year.

Budget Amendment No. 6

Budget Amendment No. 6 was presented to the Board of Aldermen. This Budget Amendment changed the following in the general fund:

Water Mapping Grant Expense: Increase \$11,800.00

Sewer Mapping Grant: Increase \$15,700.00

Fund Balance: Increase \$27,500.00

A motion to approve Budget Amendment #6 was made by Alderman Tim Hertzelt and seconded by Alderman Gary Lingerfelt. The motion to approve Budget Amendment #6 was unanimous.

Budget Amendment #7

Budget Amendment #7 was presented to the Board of Aldermen. This Budget Amendment changed the following in the general fund:

Street Maintenance: Increase \$200,500

Fund Balance: Increase \$200,500

Minutes prepared by the Office of the Town Clerk., Heather Minor, CMC, NCCMC, Town of Long View, North Carolina Special Meeting, June 29, 2026.



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A motion to approve Budget Amendment #7 was made by Alderman Allen Bumgarner and seconded by Alderman Genita Hill. The motion to approve Budget Amendment #7 was unanimous.

Budget Transfer #1

Finance Director Lalonde walked the Board through the individual line items of Budget Transfer #1, noting that all transfers were presented together on a single page for ease of review. The following transfers were described:

The first transfer involved moving **\$9,013** from the Administration department to the Governing Board. Finance Director Lalonde explained that this reallocation was necessitated by election expenses that came in significantly higher than what had originally been anticipated in the budget.

The second transfer involved moving **\$8,125** of the Planning Department to cover expenses in the Town Complex account. Finance Director Lalonde noted that these were attributable to routine maintenance and repair costs that had exceeded budgeted amounts during the fiscal year.

The third transfer involved moving **\$23,500** out of Water Distribution, with **\$13,500** directed to the Sewer Department and **\$10,000** directed to the Garage in the General Fund.

The fourth transfer called for taking **\$30,000** from the Garage in the Utility Fund and redirecting it to the Garage in the General Fund.

The fifth transfer involved moving **\$10,000** from Risk Management, **\$10,000** from the Medical Center, and **\$28,000** from the Water Department — totaling **\$48,000** — to cover overages in the Fire Department of **\$48,000**.

The sixth and final transfer involved moving **\$19,000** from the Police Department into the General Fund for the Street Department.

Total transferred was: **\$137,638.00**

A motion to approve Budget Transfer #1 was made by Alderman Gary Lingerfelt and Seconded by Alderman Allen Bumgarner. The motion to approve Budget Transfer #1 was unanimous.

Finance Department Report June 2026 (End of Fiscal Year)

As part of the budget amendment discussion, Finance Director Lalonde also provided the Board with a year-end financial performance overview. In the General Fund, the Town brought in \$7,219,617.78, representing 104.93 percent of budgeted revenues. Expenditures totaled \$6,939,735.70, representing 100.4 percent of the budgeted amount. Revenues exceeded expenditures by \$279,882.08. Finance Director Lalonde noted that investment earnings came in at 130 percent of budget and Ad Valorem tax revenues were collected at just over 100.09 percent of budget.

Minutes prepared by the Office of the Town Clerk., Heather Minor, CMC, NCCMC, Town of Long View, North Carolina Special Meeting, June 29, 2026.



In the Utility Fund, revenues totaled \$3,024,872.58, representing 108 percent of what was budgeted, while expenditures came in at \$2,785,631.74, or 99.5 percent of the budgeted amount. Revenues exceeded expenditures by \$239,240.84.

b. Approval of Floating Holiday

Finance Director Lalonde presented a request for Board authorization to add a floating holiday to the employee benefits calendar for the next fiscal year. She explained that the Board had previously discussed the concept of adding a floating holiday for Town employees, and that formal approval was now needed to incorporate it into the Personnel Policy.

Finance Director Lalonde outlined the parameters of the proposed benefit: the floating holiday would need to be used within the fiscal year in which it is granted, could not be carried over to a subsequent year, and would not be paid out upon an employee's separation from the Town. Lalonde indicated that approval from the Board would allow the benefit to be added to the employee benefits and holiday provisions within the Personnel Policy.

A motion to adopt the floating holiday to the employee benefits and holiday provisions of the Personnel Policy was made by Alderman Tim Hertzell and seconded by Alderman Allen Bumgarner. The motion to adopt the floating holiday was unanimous.

c. Resolution Adopting AIA

Finance Director Melissa Lalonde presented a resolution for the Board's adoption pertaining to the Town's water and sewer grant. Lalonde explained that the grant administrator had already issued all reimbursements it would provide until this resolution was formally adopted and signed. The resolution serves as an official attestation that the Town of Long View fulfilled all of its obligations under the grant, that the Town's engineering consultant, McGill, had similarly completed their required scope of work, that the project had been presented to the Board, and that all guidelines required as conditions of the grant award had been followed.

Lalonde further explained that upon submission of the signed resolution, the Town would be eligible to receive the final remaining reimbursement funds owed under the grant.

Town Manager James Cozart elaborated on the purpose of the underlying grant project, explaining that the grant funded the comprehensive mapping of all of the Town's water lines, sewer lines, water meters, and fire hydrants. Cozart noted that all infrastructure assets would now be mapped so that they can be more easily and accurately located by Public Works staff in the field. Further noting that this was the same project and the same team that had presented their work during the budget retreat, and that the mapping and associated work had been completed in full.



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A motion to adopt the AIA Resolution as presented was made by Alderman Genita Hill and seconded by Alderman Gary Lingerfelt. The motion to adopt the resolution was unanimous.

4. Adjournment

Being no further business to come before the Board, A motion to adjourn was made by Alderman Allen Bumgarner and seconded by Alderman Gary Lingerfelt. The motion to adjourn was unanimous. The meeting adjourned at 3:09 p.m.



TOWN OF LONG VIEW

2404 1st AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

Memorandum

To: Mayor Marlowe and Board of Aldermen

From: Susan Matheson, Town Planner

Date: July 13, 2026

Subject: Repeal and Replace of the Town of Long View Zoning and Subdivision Ordinances

The Town of Long View Planning Department has received the amended Long View Zoning Ordinance and Subdivision Regulations. Per request of the Town of Long View, the amended documents are to provide legal and necessary updates to the existing outdated Ordinances, dated 1995 and 2003 respectively. The Town of Long View Planning Board met on May 21, 2026 and unanimously voted to repeal the current Zoning Ordinance and Subdivision Regulations and replace each with the amended Zoning and Subdivision Ordinances as presented.

Suggested Action:

That the Board of Aldermen would repeal the current Zoning Ordinance and Subdivision Regulations and replace each with the amended Zoning and Subdivision Ordinances as presented.

Town of Long View Zoning Ordinance Update Summary:

Article 1.3: Legislative Authority language updated

Article 2.2: The following Definitions have been added to this Article:

- Accessory Dwelling Unit
- Administrative Decision
- Condominium
- Critical Digital Infrastructure Facilities
- Determination
- Developer
- Development
- Development Approval
- Development Regulation
- Dwelling
- Evidentiary Hearing
- Legislative Decision
- Legislative Hearing
- Open Space
- Recreation Facility; private and public
- Setback
- Setback Built to Line
- Substantial Improvement

Article 3: Condensed content, reduced redundant language.

Article 4: Condensed content, reduced redundant language.

Article 5: Schedule of District Regulations –

Article 5.1-5.4: Condensed content to 5.1.

Article 5.2(a)-(c): Condensed Categories.

Article 5.2(g) The following have been Moved or Added to this Article:

- Added- Downtown Overlay District Purposes.

- Moved- Permitted uses and criteria for PUD to Article 14

- Moved- Permitted uses and criteria for Watershed to Article 18

Article 5.3(a): Condensed processes, reduced redundant language.

Table 5-1: Updated Schedule of Permitted Uses with Condensed Categories and Processes.

Table 5-2: Updated Minimum Lot Sizes and setbacks to be comparable to development standards in the surrounding region.

- Updated Max Lot Coverage to reference watershed requirements.

Article 6: Updated Buffer and Screening Requirements

Moved Article 7.2-7.4 to follow Article 6; application of area, height, and placement regulations.

Article 7: Moved to Article 7 applicable Special Uses from Article 11 Special Uses.

Article 7.25: Added Mobile Food Trucks

Article 8: Updated to comparable requirements in surrounding region.

Article 9: Updated to 160D standards.

Article 10.6: Updated Parking, Drive-Thru, and Landscaping Requirements.

Article 11.9: Moved applicable Special Uses to Article 7 Supplemental Regulations

Article 11.9.3: Added Critical Digital Infrastructure Facilities

Article 12:10 - 12:11: Updated to 160D standards.

Article 13.15: Updated to 160D standards.

Article 14.1: Moved Planned Unit Development (PUD) Permitted Uses to this section.

Article 14.2: Added Downtown Overlay Development Regulations.

Article 15: Administration: Updated to 160D standards and Moved to Article 18

Article 18: Water Supply Watershed Protection District (WSP District): moved to Article 15.

Town of Long View Draft Zoning Ordinance



Prepared by:
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

In conjunction with:
TOWN OF LONG VIEW PLANNING BOARD

Adopted: July 13, 2026

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ARTICLE 1

GENERAL PROVISIONS

1.1 Repeal of Existing Regulations.

The existing regulations of the Town of Long View relating to the use of land, water, structures and buildings, the provision of off street parking and loading and related matters, being the Long View Zoning Ordinance, effective August 1, 1995, as amended, are repealed and replaced by this Ordinance.

1.2 Effect on Pending or Future Prosecution.

The adoption of this Ordinance shall not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous Town of Long View Zoning Ordinance which occurred prior to the effective date of this Ordinance.

1.3 Legislative Authority.

The Board of Aldermen of the Town of Long View enacts this ordinance in pursuance of the authority granted by the General Statutes of North Carolina, particularly G.S. § 160D-200, and that land as designated by the official zoning map as authorized by G.S. § 160D-307, to be known as extraterritorial area.

1.4 Intent and Purpose.

This Ordinance is made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, and sewerage and other public requirements.

The regulations are made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Long View.

1.5 Short Title.

This Ordinance may be referred to and cited as the Long View Zoning Ordinance.

1.6 Separate Publication.

This Ordinance may be published as a separate book or pamphlet. This Ordinance may be included in the Code of Long View by reference. A copy of The Ordinance shall be kept on file in the office of the Town Clerk and be available for public inspection.

ARTICLE 2

LANGUAGE RULES OF CONSTRUCTION AND DEFINITIONS

2.1 Rules for Construction of Language.

The following rules apply to the text of this Ordinance:

- (a) The specific controls the general.
- (b) In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, summary table, or illustrative example, the text shall control.
- (c) The word "shall" is mandatory and not discretionary. The word "may" is permissive. The word "should" is discretionary.
- (d) Reserved.
- (e) The term a "building" or "structure" includes any part thereof.
- (f) The phrase "used for" includes "arranged for", "designed for", "maintained for" or "occupied for."
- (g) The word "person" includes an individual, a corporation, a partnership, an incorporated association, a limited liability company, or any other similar entity.
- (h) Unless the context clearly indicates the contrary, where a regulation involves two or more times, conditions, provisions, or events connected by the conjunction "and," "or," or "either..or," the conjunction shall be interpreted as follows:
 - 1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - 2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - 3. "Either..or" indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.
- (i) The word "includes" is intended to extend its meaning to all similar instances or circumstances.

- (j) Words not defined in Article 2.2 shall have the meaning commonly assigned to them. The reference for dictionary common meanings shall be the latest edition of Webster's New World Dictionary of the American Language.

2.2 Defined Words.

The following words shall be defined for uses within this Ordinance as detailed below:

Accessory.

Having a subordinate function. (See also Building, Accessory; Structure, Accessory and Use, Accessory.)

Accessory Dwelling Unit

A dwelling unit that is located on the same lot as a detached or attached primary residential structure. The structure may be a dwelling only or may be combined with a garage, workshop, shed, or other accessory building.

Administrative Decision.

Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this Chapter or local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.

Adult Uses.

Adult Arcade. (also known as "peep show") means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to persons in booths or viewing rooms where the images so displayed depict or describe "specified sexual activities" or "specified anatomical areas."

Adult Bookstore. An establishment which has a substantial portion of its stock in trade in books, magazines or other periodicals and which excludes minors by reason of age.

Adult Picture Theater. An enclosed building or portion thereof with a capacity of more than 50 persons used for showing movies, slide shows, closed circuit TV or similar offerings and from which minors are excluded by reason of age.

Adult Mini-Picture Theaters. An enclosed building or part thereof with a capacity of 50 persons or less used for showing movies, slide shows, closed circuit TV or similar offerings and from which minors are excluded by reason of age.

Adult Drive-in Theater. A drive-in theater for the showing of movies, slide shows, closed circuit TV or similar offerings and from which minors are excluded by reason of age.

Adult Cabaret. An establishment which features go-go-dancers, exotic dancers, strippers, male or female impersonators or similar entertainments and from which minors are excluded by reason of age.

Adult Massage Parlour. An establishment in which body massages are offered as a service and from which minors are excluded by reason of age.

Adult Motel means a hotel, motel or similar commercial establishment that:

- (a) offers accommodations to the public for any form of consideration, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal business purposes; or
- (b) offers a sleeping room for rent for a period of time that is less than 10 hours; or
- (c) allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

Escort Agency means a person or business that furnishes escorts, offers to furnish, or advertise to furnish escorts as one of its principal business purposes, for a fee, tip, or other consideration.

Nude Model Studio means any place where a person who appears semi-nude, in a state of nudity, or who displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of North Carolina or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferrable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

- (a) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
- (b) where in order to participate in a class a student must enroll at least three days in advance of the class; and
- (c) where no more than one nude or semi-nude model is on the premises at any one time.

Sexual Encounter Center means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration physical contact in the form of wrestling or tumbling between persons of the opposite sex, or activities between male and female persons

and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

Agriculture.

The use of the land for:

(a) The tilling of the soil; (b) The growing of crops or plants, including truck farming, field crops, vegetables, fruit, nut, sod, seed, or tree production; (c) Pasturage, including pasture for cattle, horse, sheep or goats and other farm animals; (d) Forestry and other forms of food and fiber production for human and animal consumption; (e) Greenhouses, nurseries and ornamental horticulture; (f) The raising, breeding, working and use of farm animals; (g) Aquaculture; (h) Bee keeping.

Alcoholic Beverages.

Beverages containing more than one half percent alcohol by volume.

Alley.

A dedicated and publicly maintained right-of-way, twenty feet or less in width, that provides a secondary means of access to abutting property and not generally intended for traffic.

Alley, private

Privately held and to be maintained by an HOA to provide access to abutting properties.

Amusement Services.

A commercial facility providing recreational activities including but not limited to swimming pools, amusement arcades, bowling alleys, shuffleboard courts, baseball hitting ranges, miniature and par three golf courses, golf driving ranges, billiard and pool halls, skating rinks, movie theaters, dance and exercise studios.

Animal Hospital or Veterinary Clinic.

Any structure and land used (primarily and essentially) for the medical and surgical care of ill, injured, or disabled animals other than humans.

Animals, Household.

Animals which are customarily kept for personal use or enjoyment within the home, not exhibited to the public, nor raised for commercial purposes. Animals which are dangerous to humans or property when they reach maturity or have cloven or solid hooves are not household animals. Household animals shall include but not be limited to domestic dogs, domestic cats, canaries,

parakeets, love birds, parrots, cockatiels, finches, toucans, myna birds, guinea pigs, hamsters, mice, rats, gerbils, small reptiles, small amphibians, and aquarium fish.

Area of Special Flood Hazard.

The land area within the zoning jurisdiction of the Town of Long View which is subject to a one percent chance of flooding annually, i.e., the 100-year flood.

Art Gallery.

The use of a structure or building for the display of sculpture, painting, photographs, or other artistic works for public viewing with only incidental sales.

Bakery.

The use of a structure or building for the production of bakery products including but not limited to breads, cakes, pastries, and doughnuts. When identified in this Ordinance as a use under "Retail," the bakery products produced must be for the direct sale to the consumer with no wholesale production or sales. Wholesale bakeries, for the purpose of this Ordinance, shall be considered manufacturing.

Bank.

Financial institution engaged in deposit banking and closely related functions such as the extension of credit by means of loans and investments, and other financial activities.

Basement.

The lowest story of a structure which has its floor below grade..

Boarding/Rooming House and Bed and Breakfast.

A dwelling or group of dwellings, as distinguished from a hotel or motel, containing in combination three or more lodging units intended primarily for rental or lease.

Buildable Area.

The portion of a lot remaining after required yards have been provided and any conservation or preservation areas, submerged lands, easements or road rights-of-way have been subtracted from the lot area.

Building.

Any roofed structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property.

Building, Accessory.

A subordinate building detached and at least five feet from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the principal building. Tractor trailers and manufactured homes are not accessory buildings.

Building, Principal.

A building or, where the context so indicates, a group of buildings in which is conducted the principal use of the lot on which such building is located.

Business School.

An establishment offering to the public, for a consideration, instruction in administration, accounting, bookkeeping, computer use, typewriting and other skills for use in commercial or service activities.

Business Services.

An establishment offering services to the business community and to individuals. Such services include but are not limited to advertising agencies, blueprinting and photocopying services, cleaning and maintenance of building services, computer and data processing services, detective agencies and security services, insurance agency, management consulting and public relations services, news syndicates, personnel services, photography, art and graphics services, and real estate services.

Campground.

Land containing two or more campsites which are located, established or maintained for occupancy by people in temporary living quarters, such as tents, recreation vehicles, or cabins, for recreation, education or vacation purposes.

Campsite.

Any plot of ground within a camp intended for the exclusive temporary occupancy by a cabin, recreation vehicle or tent.

Car Wash.

An establishment engaged in the business of washing domestic vehicles with self serve, automated or staffed facilities.

Cemetery, Human.

Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including crematories, mausoleums, column burials, and mortuaries, if operated in connection with and within the boundaries of such cemetery.

Certificate of Occupancy.

A document issued by an authorized official setting forth that land, a building or structure complies with the Town of Long View Building Code, this Ordinance and other pertinent local and state requirements and that the same may be used for the purposes stated therein.

Certificate of Zoning Compliance.

A document issued by the Zoning Administrator certifying compliance with all terms of an approved Zoning Compliance Permit, and authorizing occupancy of a building, structure, or land. It may either be a separate document or part of the normal documents associated with a Certificate of Occupancy, Occupational License, Building Permit, or the like.

Child Care Center.

Any establishment that provides supervision and care for children on a regular basis for more than five children unrelated to the operator for a period of less than twenty-four hours a day and which receives a payment, fee or grant for any of the children receiving care, wherever operated, and whether or not operated for profit, except that the following are not included: public schools and non-public schools which are in compliance with the compulsory school attendance law, summer camps having children in full-time residence; summer day camps, and Bible schools normally conducted during vacation periods. The term includes kindergartens, nurseries, nursery schools, day care centers and day nurseries.

Church/Synagogue.

Tax exempt buildings used for non-profit purposes by a recognized and legally established sect for purpose of worship, including educational buildings when operated by such church/synagogue.

College/University.

A degree-granting establishment, accredited or qualified for accreditation, providing formal academic education and generally requiring for admission at least a high school diploma or equivalent academic training, including colleges, community colleges, universities, technical institutes, seminaries, and professional schools. Accessory uses under this definition include but are not limited to dormitories, cafeterias, bookstores, libraries, classrooms, administrative offices, research facilities, sports arenas, and auditoriums.

Commercial Vehicle.

Any vehicle, licensed by any state of the United States or Mexico or Province or Territory of Canada, other than domestic vehicles, as defined in this Ordinance, or over one ton in weight or 20 feet in length.

Communication Facilities.

The use of land, buildings or structures for uses such as but not limited to motion picture studios; radio and television receiving antenna and dishes; accessory, radio and television studios; and radio and television transmitting and receiving facilities.

Community Center.

The use of a structure or building by members of a community, as opposed to the general public, for social, cultural or recreational purposes and which are generally utilized by local clubs or groups, homeowners or civic associations or other such community groups.

Community Recreational Uses.

Parks and playgrounds, community centers, recreation clubs, such as Boys and Girls Clubs; golf clubs; swimming clubs; tennis clubs; country clubs; and paddle, racquetball, handball courts and greenways.

Condominium. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. (*Boise City, Idaho*)

Congregate Living Facility.

Any building, buildings, section of a building, or distinct part of a dwelling unit, boarding/rooming house, home for the aged or other place, whether operated for profit or not, which provides for a period exceeding twenty-four hours, housing, food services, and one or more personal care services to persons not related to the owner or operator by blood, marriage, or adoption and licensed, certified or approved by the N.C. Department of Social Services. ["Personal Services," for the purpose of this definition, means services in addition to housing and food service which include, but are not limited to, personal assistance with bathing, dressing, ambulation, supervision of self-administered medication, transportation, emotional security, and other related service. Personal service does not include nursing or medical treatment.]

Such facilities shall contain congregate kitchen, dining and living areas only, with separate sleeping rooms. Further, such facilities shall not be used for those persons in need of a structured

environment, as it is defined herein. For purposes of this Ordinance, Congregate Living Facilities shall not be deemed to include boarding/rooming houses; fraternities/sororities; monasteries; convents; hotels/motels; professional residential facilities; or nursing, convalescent and extended care facilities.

Contractors Office.

An establishment engaged in the provision of construction activities including but not limited to plumbing, electrical work, building, paving, carpentry and other such contracting activities. All materials kept on site must be stored in completely enclosed buildings.

Convenience Goods, Retail

Commercial establishments that generally service day-to-day commercial needs of a residential neighborhood, including, but not limited to, convenience stores, tobacco shops, newsstands, bakeries, candy, nut and confectionery stores, delicatessens, dairy products, meat and seafood markets, produce markets, food stores with less than ten thousand square feet in floor area, and eating establishments.

Correctional Facility.

A public facility for the housing of persons convicted of a crime; it is not a jail.

Crematorium.

An establishment for the burning of human or animal remains.

Critical Digital Infrastructure Facilities

The operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. This activity, which is also termed “proof of work,” involves solving algorithms as part of the development and maintenance of a blockchain, which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining includes the commercial “creation” (“mining”) of virtual currency, but does not include the exchange of cryptocurrency, the use, creation, or maintenance of all types of peer-to-peer distributed ledgers. This definition does not include the use of one or not more than five computers from which cryptocurrency is mined in an enclosed structure, provided the cryptocurrency is not mined for commercial purposes.

Cultural Facility.

The use of land, buildings, or structures to provide educational and informational services to the general public, including but not limited to aquariums, arboreta, botanical and zoological gardens, art galleries, museums, and libraries.

Determination.

A written, final, and binding order, requirement, or determination regarding an administrative decision.

Developer.

A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

Development.

Unless the context clearly indicates otherwise, the term means any of the following:

- a) The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
- b) The excavation, grading, filling, clearing, or alteration of land.
- c) The subdivision of land as defined in G.S. 160D-802.
- d) The initiation or substantial change in the use of land or the intensity of use of land

Development Approval.

An administrative or quasi-judicial approval made pursuant to this Chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to this Chapter, including plat approvals, permits issued, development agreements entered into, and building permits issued.

Development Regulation.

A unified development ordinance, zoning regulation, subdivision regulation, erosion and

sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to this Chapter, or a local act or charter that regulates land use or development.

Discotheque.

A nightclub for dancing to live or recorded music.

Domestic Vehicles.

Any vehicle, licensed by any state of the United States or Mexico or Province or Territory of Canada, as a private vehicle for operation on streets and may include but not be limited to automobiles, private pickup trucks and vans.

Dormitory.

A building used as group living quarters for a student body, religious order or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, or other similar use. Dormitories do not include kitchen facilities except a group kitchen to serve all residents.

Drinking Establishment.

An establishment where alcoholic beverages are served and where such beverages are consumed on the premises. If the facility also sells food and the sale of food products represent more than fifty percent of the facility's total sales, the facility shall be considered an Eating Establishment.

Drive-In Theater.

A facility designed for the outdoor projection of motion pictures onto a permanent screen to be viewed from the patron's automobile.

Drive-In Window.

A window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers in motor vehicles by means that eliminate the need for such customers to exit their motor vehicles.

Dry Cleaners.

An establishment engaged in providing laundry, dyeing and dry cleaning services to individual customers.

Dry Cleaning Plant.

An establishment engaged in providing laundry, dyeing and dry cleaning services on a large scale for institutions, businesses or other such establishments.

Dwelling.

Any building, structure, manufactured home, modular, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and

appurtenances belonging thereto or usually enjoyed therewith. For the purposes of this Chapter, the term does not include any manufactured home, modular, mobile home, or temporary shelter, if used solely for a seasonal vacation purpose.

Dwelling, Accessory: *see Accessory Dwelling Unit*

Dwelling, Multiple Family.

A structure containing four or more dwelling units.

Dwelling, Single Family.

A structure containing a single dwelling unit.

Dwelling, Two Family.

A structure containing two dwelling units.

Dwelling, Three Family.

A structure containing three dwelling units.

Dwelling Unit.

A room or group of rooms forming a single independent habitable unit used for, or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one family only; for owner occupancy or for rental, lease, or other occupancy on a weekly or longer basis; and containing independent kitchen, sanitary and sleeping facilities.

Eating Establishment.

An establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready to consume state.

Sit-down eating establishments are those at which food and/or beverages are served by waitresses or waiters to patrons seated at booths or tables. Walk-in/Drive-in eating establishments are those at which the customers receive but do not consume the food and/or beverages at a counter, bar, or from a drive-in window.

Electrical and Electronic Repair, Large.

An establishment engaged in the repair of electrically powered equipment or electronic equipment such as but not limited to large appliances, large computers, radio and television broadcasting equipment, and similar items.

Electrical and Electronic Repair, Small.

An establishment engaged in the repair of electrically powered equipment or electronic equipment such as but not limited to small appliances, televisions, radios, non-commercial stereo equipment, personal or mini computers, and similar equipment. As a general rule, if the item is too large to be hand carried by one or two people, it is not considered small equipment.

Evidentiary Hearing.

A hearing to gather competent material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this Chapter.

Family.

Any number of people related by blood, marriage or adoption or not more than five unrelated persons living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes. The term "family" shall not be construed to include a fraternity or sorority, club, rooming house, institutional group or the like.

Family Care Home - Group Home

A home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six resident handicapped persons.

Family Day Care Home.

A residence within which child care and supervision is provided for no more than five children, unrelated to the caregiver, for less than a twenty-four hour period.

Floor Area.

The sum of enclosed areas on all floors of a building or buildings measured from the outside faces of the exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, enclosed porches and balconies, and any below-grade floor area used for habitation, access and storage. Not countable as floor area are garages, carports, screened porches, covered decks, open terraces, patios, atriiums, balconies, breezeways, and outside open space devoted to commercial and service uses. Also not included are tool sheds, special purpose areas for common use (for instance, recreation and social rooms) and open basement areas not used for habitation.

Floor Area Ratio.

The ratio of permitted floor area to the gross land area of the lot.

Floor Area Ratio, Maximum Permitted.

The floor area ratio permitted as of right in the several districts, excluding any bonus or transferred floor area.

Funeral Parlor.

An establishment engaged in preparing human remains for burial and conducting funerals.

Furniture Refinishing and Repair.

An establishment engaged in the stripping, cleaning, painting, staining, sealing, varnishing, or other like refinishing of the wood or metal components of furniture or the replacement or repair of broken or missing portions of a piece of furniture.

Garage, Private.

A part of a building designed and used to contain no more than the number of vehicles in use in the principal structures, including not more than one commercial vehicle.

Gas Station.

An establishment where gasoline or diesel fuel is supplied and dispensed at retail and where no servicing or repair of vehicles is permitted. Convenience goods may be sold at such facilities but the sales shall be accessory to the sale of gasoline or diesel fuel.

Gross Land Area.

Gross land area shall be computed as all area, except that devoted to non-residential purposes.

Handicapped Person

A person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in NC G.S. 122C-3(11)b.

Health Practitioner's Office.

An establishment offering diagnostic and routine health care on an outpatient basis by licensed practitioners such as but not limited to physicians, dentists and chiropractors.

Health Services.

The use of land, buildings and structures for uses such as but not limited to health practitioners, animal hospital or veterinarian clinic, hospitals, medical and dental laboratories, nursing, convalescent and extended care facilities, rehabilitation centers and sanitarium/mental institutions.

Height.

The vertical distance from the mean elevation at the finished grade along the front of the structure to the highest point of the structure or to the highest point of a flat or mansard roof or to the mean height between the eaves and ridge for a pitched roof in the case of buildings. See Article 6 and Table 5-2.

Home Occupation.

An accessory use within a primary dwelling unit for the livelihood of the person(s) living in the dwelling unit. See Articles 7 and 11.

Hospital.

An institution providing physical and mental health services primarily for human in-patient medical or surgical care for the sick or injured, including related facilities such as laboratories, out-patient services, training facilities, central service facilities, emergency services and staff offices.

Hotel or Motel.

A building or group of buildings containing lodging units intended primarily for rental or lease to transients by the day or week, and which often provides additional services such as restaurants, meeting rooms and recreation facilities, available to general public and guests.

Junk.

Old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, motor vehicles and parts thereof.

Junkyard.

Land used for the storage, keeping, handling, or display of junk.

Kennel.

Any lot or premises on which six or more household or exotic animals, more than six months of age, are housed, groomed, bred, boarded, trained, or sold.

Land Excavation.

Removal of five hundred cubic yards or more of sand, soil, peat, much, clay, stone, shell and the like, for disposal off-site.

Landfill.

Land used for the disposal of waste excluding hazardous waste. Landfills are classified into two different types based upon the type of wastes received at the landfill.

1. Sanitary Landfills - A facility used for the disposal of solid waste . Sanitary landfills are divided into two classes based on the amount of wastes received.
2. Clean Material Landfills - Minor - Land used for the disposal of stumps, limbs, leaves, concrete, brick, wood, and only non-water soluble, non-decomposable, inert material and uncontaminated earth which is less than one (1) acres in size and is in operation for less than one (1) year.

Legislative Decision.

The adoption, amendment, or repeal of a regulation under this Chapter or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of Article 10 of this Chapter.

Legislative Hearing.

A hearing to solicit public comment on a proposed legislative decision.

Library.

A building in which literary, musical, artistic or reference materials are kept for use but not generally for sale.

Liquor Store.

An establishment engaged in the retail sale of packaged alcoholic beverages for consumption off-premises.

Livability Space.

Livability space is part of total open space appropriately improved and located as outdoor living

space for residents and for aesthetic appeal. Such space includes lawns and other landscaped areas, walkways, paved terraces and landscaped portions of street rights-of-way. Such space shall not be used for vehicles, except for incidental service, maintenance or emergency access.

Loading, Off-Street.

Space located outside of any street right-of-way easement and designed to accommodate the temporary parking of vehicles used for bulk pickups and deliveries. See Article 11.

Lodging Places.

The use of land, structures, or buildings for the provision of lodging, such as but not limited to Boarding/Rooming Houses, Camps, Dormitories, and Hotels/Motels.

Lodging Unit.

A room or group of rooms forming a separate habitable unit used or intended to be used for living and sleeping purposes by one family only, without independent kitchen facilities; or a separate habitable unit, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or lease basis for periods of less than one week.

Lot.

Land bounded by lines legally established for the purpose of property division. As used in this Ordinance, unless the context indicates otherwise, the term refers to a Zoning Lot.

Lot Line.

A line that marks the boundary of a lot.

Lot Line, Interior.

Any lot line that is not a street lot line; a lot line separating a lot from another lot.

Lot Line, Street.

Any lot line separating a lot from a street right-of-way or general access easement. Where a lot line is located within such street right-of-way or easement, the right-of-way or easement boundary adjacent to the lot shall be considered the street lot line.

Lot of Record.

A lot which is part of a subdivision, the plat of which has been recorded in the appropriate office of the Register of Deeds, or a lot described by metes and bounds, that has been officially recorded by a deed in said office, provided such lot was of a size which met the minimum dimensions for lots in the district in which it was located at the time of recording or was recorded prior to the effective date of this ordinance.

Lot Width.

The horizontal distance measured along a straight line connecting the points where the minimum front yard line meets the interior lot lines or, if on a corner, the other front yard line.

Lumber and Other Building Materials Sales.

An establishment engaged in the retail sale of finished lumber, packaged roofing materials, doors, and other materials used by individuals or builders. All materials shall be stored and sold from a completely enclosed building with the exception of the lumber which may be stored in buildings with a roof and at least three sides.

Lumberyard.

An establishment engaged in the cutting, dressing, finishing and wholesale sale of lumber.

Manufactured or Mobile Home.

A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) is a minimum of forty (40) feet in length and eight (8) feet in width; 3) is constructed in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of North Carolina Uniform Residential Building Code for One - and Two-Family Dwellings.

- (a) Class AA: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U. S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfied the following additional criteria:
1. All homes must measure at least 1,150 square feet of enclosed and heated living space.
 2. Length shall not exceed 2.5 times width.
 3. Placement of homes: all homes shall be placed on the lot in harmony with the existing site-built structures. Where no neighboring structures are available for comparison, it shall be sited with the front running parallel to the street providing access to the site. On corner lots the side with the greatest road frontage shall be considered the front. On corner lots with equal road frontage, the Zoning Enforcement Officer shall make the decision. On cul-de-sacs the home shall be sited with the front running parallel to the street access.

4. Only multi-section units permitted, no single-wides.
5. The roof originally manufactured with the manufactured home shall have a minimum vertical rise of at least 2.75 feet for each 12 feet of horizontal run and the roof finished with a Class C or better roofing shingle that is commonly used in standard residential construction.
6. All roof structures shall provide an eave projection of no less than six inches, which may include a gutter.
7. Be permanently placed on a brick, concrete block or other masonry foundation. If any masonry other than brick is used, then it must be painted or stucco sided. The foundation shall be continuous and unpierced except for ventilation required by the NC State Building Code. A crawl space a minimum of 2 feet in height to the base of the frame shall be provided and an access crawl space door shall be required with the minimum dimensions of 22"h x 30"w. The exposed ground surface below the foundation shall be protected with a polyvapor barrier. Installation shall include a positive surface water drainage away from the home and installed according to the NC Department of Insurance and the North Carolina State Building Code.
8. The exterior siding consists predominantly of vinyl or aluminum lap siding (whose reflectivity does not exceed that of gloss white paint), wood, or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential site-built construction.
9. Any moving hitch, wheels and axles, and transporting lights shall be removed.
10. At least two (2) standard 9 feet x 18 feet off-street parking spaces shall be provided. The spaces shall not be closer than 15 feet away from the right-of-way in order to protect sight distances of the driving public. A driveway at least 10 feet in width shall be provided to access the parking spaces. The parking spaces and driveway shall be paved or graveled with not less than four (4) inches of crushed stone or other equally effective landscaping material on a well compacted subbase. If an applicant wishes to construct a concrete drive in weather conditions that would not allow the construction, for example the cold of January, then a security deposit or letter of credit may be issued to the Town as in the manner of a subdivision for guaranteeing required improvements.
11. All areas not used for parking, the manufactured home or required porches shall be grassed or otherwise suitably landscaped to prevent erosion. No exposed soils shall be permitted after issuance of the Certificate of Occupancy, except for agricultural activities.
12. All homes shall have either a deck, porch or a concrete patio with a minimum square footage for the entrance facing the street providing access (Refer to "Placement of homes" in this Section.) of at least 75 square feet. The foundation shall be constructed

with compatible materials with the masonry underpinning on the outer perimeter of the foundation. Stairs, porches, entrance platforms, ramps and other means of access to all other entrances shall measure at least 3 feet by 5 feet and be installed or constructed at each entrance of the home in accordance with the standards set by the North Carolina Department of Insurance, attached firmly to the primary structure and anchored securely to the ground.

13. The manufactured home must be in full compliance with Long View's Minimum Housing Standards.
 14. Proper anchoring shall be in compliance with N.C. State Building Codes as adopted by reference or amended by the Building Code from time to time.
 15. Permits Required: All standards must be met prior to the issuance of a Certificate of Occupancy on final inspection approval by the Town of Long View Code Enforcement Officer. A building permit must also be secured. Once installation and construction is complete and necessary inspections have been performed, and before occupancy and use, a certificate of occupancy must be secured. The certificate shall state that the property owner is responsible for assuring that all applicable conditions and requirements continue to be satisfied, and that appropriate enforcement actions will be taken if violations occur. This shall be in addition to all other permits.
- (b) Class A: Manufactured housing units which meet both State of North Carolina and U.S. Department of Housing and Urban Development Mobile Home Construction Standards and Federal design and construction standards but which do not meet Town of Long View appearance criteria, as determined by the Zoning Administrator. All Class A homes shall be equipped as follows:
1. The wheels and axles, transporting lights, and removable hitch shall be removed. If the hitch is not bolted on but welded, it shall be covered with the same material as the pre-fabricated skirting kit.
 2. It shall be skirted with a pre-fabricated skirting kit fabricated for this purpose and approved by the Zoning Enforcement Officer.
 3. Permanent stairs shall be constructed at all exterior doors. They shall be attached firmly to the primary structure deck or porch and anchored securely to the ground. The stairs must be in compliance with the North Carolina State Building Code and the Long View Minimum Housing Code.
 4. The manufactured home shall be set up in accordance with standards set by the North Carolina Department of Insurance.

5. The roof, manufactured with the home, shall have a minimum vertical rise of at least 2.75 feet for each 12 feet of horizontal run.
 6. Permits Required: All standards must be met prior to the issuance of a Certificate of Occupancy of final inspection approval by the Town of Long View Code Enforcement Officer. A building permit must also be secured. Once installation and construction is complete and necessary inspections have been performed, and before occupancy and use, a certificate of occupancy must be secured. The certificate shall state that the property owner is responsible for assuring that all applicable conditions and requirements continue to be satisfied, and that appropriate enforcement actions will be taken if violations occur. This shall be in addition to all other permits.
- (c) Class B: Manufactured housing units which do not meet State of North Carolina and U.S. Department of Housing and Urban Development (HUD) Mobile Home Construction Standards. The HUD codes were not effective until July 1, 1976; therefore, all homes built prior to July 1, 1976 do not meet the standards for a Class B home. The manufactured home shall be in full compliance with the Town of Long View's Minimum Housing Code.

Manufactured Home Park

A parcel of land divided into two or more manufactured home lots for sale or rental.

Manufactured Home Park, Existing.

This is a parcel of land, divided into two or more lots for the placement of manufactured homes either for sale or rental, for which the construction of facilities to service the manufactured home on the lot, including as a minimum the installation of utilities is completed before the January 8, 1991 Manufactured Home Amendments.

Manufacturing, Processing and Assembling.

The mechanical or chemical transformation of materials or substances into new products. The land uses engaged in these activities are usually described as plants, factories, or mills and characteristically use power-driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered under this definition, if the new product is neither a fixed structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastics, resins or lacquers.

Medical and Dental Laboratory.

An establishment engaged in the testing and analysis of material for medical or dental services or for the patient on prescription of a health practitioner.

Membership Organizations.

A membership establishment operated by a corporation or association of persons for activities which include but are not limited to business, professional, social, literary, political, educational, fraternal, charitable or labor activities, but which are not operated for profit or to render a service which is customarily conducted as a business.

Mining of Earth Products.

Removal of one acre or more of sand, soil, peat, muck, clay, stone, shell and the like, for disposal off-site.

Modular Home.

For the purposes of this ordinance, a modular home is a stick built home.

Motor Vehicle Repair - Minor.

- (a) Sale and service of spark plugs, batteries, and distributor and ignition system parts.
- (b) Sales, service and repair of tires, but not recapping or regrooving.
- (c) Replacement of mufflers, tail pipes, water hose, fan belts, brake fluids, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearing, mirrors, and the like.
- (d) Radiator cleaning, flushing, and fluid replacement.
- (e) Greasing and lubrication.
- (f) Providing and repairing fuel pumps, oil pumps, and lines.
- (g) Minor adjustment and repair of carburetors.
- (h) Emergency repair of wiring.
- (i) Adjusting brakes and installing exchange brake shoes.
- (j) Minor motor adjustment not involving removal of the head or crankcase and grinding valves.
- (k) Wheel balancing.
- (l) Battery recharging.
- (m) Warranty maintenance and safety inspections.
- (n) Other minor servicing of a similar intensity to those listed above.

Motor Vehicle Repair - Major.

Any automotive repairs or servicing not listed under Minor, above.

Museum.

An establishment engaged in the procurement, care, study and display of objects of historical, educational and cultural value and interest.

New Construction.

Structures for which the start of construction commenced on or after the effective date of this Ordinance.

Nonconformity.

Lots, uses of land, uses of structures, structures, or characteristics of uses, which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance. The following constitute types of nonconformities:

- (a) Lots;
- (b) Uses of land without structures or with minor structures only; (c) Uses of major structures and premises;
- (c) Structures; and
- (d) Characteristics of use which were lawful when established but would be prohibited, regulated or restricted by this Ordinance or a subsequent amendment.

Nonconformity may also be created where lawful public taking or actions pursuant to a court order have the same effect as violations of this Ordinance, if undertaken privately. (See Article 9.)

Nursing, Convalescent and Extended Care Facility.

Any facility which provides nursing services as defined in the North Carolina Statutes Annotated. Facility means any institution, building, residence, private home, or other place, whether operated for profit or not, including those places operated by a county or municipality, which undertakes through its ownership or management to provide nursing care, personal care, or custodial care for persons not related to the owner or manager by blood or marriage, who for reason of illness, physical infirmity, or advanced age require such services, but shall not include any place providing care and treatment primarily for the acutely ill.

Off-Premises.

Not located on the zoning lot with the principal use or structure.

Open Space.

Any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements for purposes other than open space conservation. Unless specifically allowed by this ordinance

Open Storage.

The storage outside of a building, or within buildings with less than three sides, of materials, stuff, supplies, merchandise, equipment, non-motorized commercial vehicles and like items, but excluding junk.

Parking, Off-Street.

Space located outside of any street right-of-way or easement and designed to accommodate the parking of motorized domestic and commercial vehicles.

Personal Care Services.

The furnishing of services to residents including but not limited to individual assistance with, or supervision of, essential activities of daily living, such as eating, bathing, grooming, dressing and ambulation; the supervision of self-administered medication and other similar services. Personal care services shall not be construed to mean the provision of medical, nursing, dental or mental health services.

Personal Services.

An establishment that primarily provides services generally involving the care of a person or a person's apparel, including but not limited to barber shops, beauty salons, seamstress shops, dry cleaning and laundry pickup facilities.

Place of Assembly.

A place designed to accommodate the assembly of persons attending athletic events, musical performances, dramatic or dance performances, speeches or ceremonies, and other such entertainment events, and including but not limited to coliseums, athletic centers, concert halls, and auditoriums.

Planned Development.

Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is built according to general and detailed plans which include not only streets, utilities, lots and building location, and the like, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned development includes a program for the provision, operation, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated, or maintained at general public expense.

Professional Services.

An establishment containing practitioners of a calling or vocation in which a knowledge of some department of science or learning is used in its application to the affairs of others. Such activities would include but not be limited to accounting, auditing and bookkeeping services, architectural services, engineering and surveying services, interior design services and legal services. Physicians and dentists are classified as Health Practitioners. See Health Services and Health Practitioners.

Public Service Facilities.

The use of land, buildings, or structures by a public utility, railroad, or governmental agency, including water treatment plants, sewage treatment plants, telephone exchanges, resource recovery facilities, and other similar public service structures, but not including land, buildings, or structures devoted solely to the storage and maintenance of equipment and materials.

Public Use Facility.

The use of land, buildings, or structures by a municipal or other governmental agency to provide protective, administrative and social services directly to the general public, including police and fire stations, municipal buildings, community centers, and any other public facility providing the above services, but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and not including public cultural facilities or public service facilities.

Public Utility Facility.

Electric transmission and distribution lines, gas and water pumping stations, transformer stations, but not including land used for storage of materials and maintenance of equipment.

Publishing and Printing.

An establishment primarily engaged in preparing, publishing, and printing newspapers, periodicals, books and pamphlets.

Radio and Television Studio.

A facility for the production and broadcast of radio and television shows, including such things as offices, dressing rooms, broadcast and taping studios, file rooms, set storage and related installations, but not including radio and television transmitting and receiving facilities, as defined in this Ordinance.

Radio and Television Receiving Antenna and Dish, Accessory.

An antenna or dish designed for the above-ground reception of airborne radio or television signals and serving only the needs of the occupants of a single building or of a single residential development.

Radio or Television Transmitting or Receiving Facility.

The use of land, buildings, or structures for the above-ground transmission or reception of airborne radio or television signals, including all transmitting and receiving towers, dishes and antennas except accessory radio or television receiving antennas and dishes.

Recreation Services.

Privately owned outdoor amusement facilities such as golf and country clubs, swimming and tennis clubs, equestrian centers, marinas; not built as part of a residential development. The term also includes publicly owned and operated facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, marinas and similar uses not associated with a school.

Recreation Facility, Private - Clubs or recreation facilities for which a membership charge may be made and which are open only to bona fide members and their guests. A private recreational facility may not be open or available to members of the general public.

Recreation facility, public - Publicly owned or operated recreation facilities.

Recreational Vehicle.

A vehicular type portable structure which can be towed, hauled or driven and is primarily designed as temporary living accommodations for recreational, camping and travel use and includes but is not limited to travel trailers, motor homes, camping trailers, campers, auto truck, and recreational vans.

Recreational Vehicle Park.

The provision of two or more recreational vehicle spaces on a single zoning lot.

Recreational Vehicle Space.

An area of land designated for the location of a recreational vehicle while said recreational vehicle is in use as a dwelling unit.

Rehabilitation Centers.

An establishment engaged exclusively in the provision of outpatient services to correct, cure or assist an individual in adjusting to a physical disability. Such services include but are not limited

to physical therapy, occupational therapy, speech therapy, audiology, radiology and respiratory therapy, but excluding therapy for mental illness, drug or alcohol dependency, or rehabilitation of criminals.

Rental and Leasing of Light Equipment.

An establishment engaged in the renting or leasing of equipment including but not limited to wedding supplies, party supplies, small appliances, hand tools, furniture, and like items.

Repair Services.

The use of land, structures or buildings for the purposes of mending or restoring items after decay, damage, dilapidation or partial destruction. Such services include but are not limited to motor vehicle repairs, bicycle repair, electrical and electronic repairs, gunsmiths, locksmiths, reupholster services, furniture, refinishing and repair, small motor repair, and watch, clock and jewelry repair. Construction activities shall not be included in repair services.

Research Activity.

Research, development, and prototype testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration, or odor detectable outside the buildings.

Residential Land Area.

All land for residential development and related uses, including open space, within the district in the case of PD-H zoning, or on the lot where residential uses in other locations are established. Such land area shall be construed to include streets entirely within residential portions of the development, common open space, and lands accepted for dedication to public use. Residential land shall not be construed to include lands not beneficial to residential use due to character or location, or areas used predominately for commercial or other non-residential purposes. As a further guide, where floor area of a building is predominately in residential use, the building site shall be included in residential land area (as, for example, in the case of a multiple family building with 10 percent of its floor area in accessory commercial and personal service uses).

Retail.

The use of land, buildings or structures for the sale of merchandise to the consumer of the merchandise which may include but not be limited to convenience goods, shoppers goods', bicycle sales, gas stations, liquor stores, lumber and other building material sales, mail order pickup facilities, mobile home sales, motor vehicle sales, service stations, and sales of used merchandise. See also, Convenience Goods, Retail and Shoppers' Goods, Retail.

School.

A facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, and high schools.

Service Station.

An establishment where gasoline and/or diesel fuel is supplied and dispensed at retail and where, in addition, the following services only may be rendered and sales made accessory to the sale of gasoline and/or diesel fuel:

- (a) Sales and service of spark plugs, batteries, and distributor and ignition system parts;
- (b) Sales, service, and repair of tires, but not recapping or regrooving;
- (c) Replacement of mufflers, tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like;
- (d) Radiator cleaning, flushing, and fluid replacement;
- (e) Washing and polishing, and sale of automotive washing and polishing supplies;
- (f) Greasing and lubrication;
- (g) Providing and repairing fuel pumps, oil pumps and lines;
- (h) Minor adjustment and repair of carburetors;
- (i) Emergency repair of wiring;
- (j) Minor motor adjustment not involving removal of the head or crankcase;
- (k) Sale of beverages, packaged food, tobacco products, and similar convenience goods for customers, as accessory and incidental to principal uses;
- (l) Provision of road maps and other travel information to customers;
- (m) Provision of restroom facilities;
- (n) Warranty maintenance and safety inspections.

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts; painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations.

Setback

The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

Setback, Built to Line

A line extending through a lot which is generally parallel to the front property line and marks the location from which the principle vertical plane of the front building elevation, exclusive of

porches, bay windows and similar appurtenances, must be erected; intended to create an even building façade line on a street. The build-to line shall be included on the record plat (final plat).

Shoppers' Goods, Retail

Commercial establishments that, supply the more durable and permanent needs of a community, including but not limited to, apparel and footwear stores; appliance stores; art supplies stores; automotive supply stores; book and stationery stores; camera and photography supplies stores; department stores; discount stores; drug stores; drinking establishments; farm supplies stores; florists; furniture and home furnishing stores; gift shops; gun and ammunition sales; hardware stores; hobby, toy and crafts stores; jewelry stores; lawn and garden supply stores; novelty and souvenir shops; office equipment stores; optician and optical supplies stores; paint and wallpaper stores; pet shop; radio and television sales stores; sporting goods stores; supermarkets; trading stamps redemption stores; and variety stores.

Sign.

Any structure designed to inform or attract the attention of persons not on the premises on which the device is located.

Sign, Area.

The area of a sign shall be computed as including the entire surface area within a parallelogram, triangle, circle, semi-circle or other regular geometric figure, including all of the elements of the display, but not including, display of identification or licensing officially required by any governmental body, or any supporting framework or bracing that is clearly incidental to the display itself and bearing no advertising matter. In the case of signs mounted back-to-back or angled away from each other, the surface area of each sign shall be computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area.

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign. See Figure 8-1 on number and area of signs in Article 8.

Sign, Freestanding.

A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.

Sign, Portable.

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

Sign, Temporary.

Any sign that is used only temporarily and is not permanently mounted.

Signs, Number of.

For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units, where strings of lights are used, or where there is a reasonable doubt about relationship of elements, each element or light shall be considered to be a single sign, where sign surfaces are intended to be read from different directions (as in the case of back-to-back signs or those angled from each other) each surface shall be considered to be a single sign. See Figure 8-1 on number and area of signs, Article 8.

Slaughterhouse.

An establishment where animals are killed, butchered and prepared for further processing.

Solid Waste.

Garbage, rubbish, refuse or other discarded solid or semi-solid material resulting from domestic, commercial, industrial, agricultural activities and governmental operations, excluding solids or dissolved materials in domestic sewage or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

Special Use.

A use which would not be appropriate generally or without special study throughout the zoning district but which, if controlled as to number, size, location or relation to the neighborhood, would promote the public health, safety and general welfare. See Article 11.

Start of Construction.

The first placement of permanent construction of a structure (Including a manufactured home) on a site, such as pouring of slabs or footings or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the

installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Street, Private.

A roadway, not dedicated to the public, providing primary access to adjacent properties and meeting the regulations of the Town of Long View for private street development.

Street, Public.

A dedicated and accepted right-of-way maintained by the State of North Carolina or the Town of Long View and providing access to adjacent property.

Structural Alteration.

Any change, except for repair or replacement, in the supporting members of a structure, such as, but not limited to, bearing walls, columns, beams or girders.

Structure.

Anything constructed or erected which requires location on the ground or attachment to something having a fixed location on the ground, including but not limited to principal and accessory buildings, manufactured homes, signs, fences, walls, bridges, monuments, flagpoles, antennas, transmission poles, towers, and cables.

Structure, Accessory.

A subordinate structure detached and at least five feet from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Tractor trailers and manufactured homes are not accessory buildings.

Structure, Principal.

A structure or, where the context so indicates, a group of structures in or on which is conducted the principal use of the lot on which such structure is located.

Structured Environment.

A residential setting within which persons, progressing from relatively intensive treatment for crime, delinquency, mental or emotional illness, as distinguished from mental or physical handicaps, alcoholism, drug addiction or similar conditions to full participation in community life, are provided professional staff services, as well as board, lodging, supervision, medication and other treatment.

Substantial Improvement

Any repair, reconstruction, expansion, or improvement of a structure, the cost of which exceeds 50 percent of the assessed value of a structure as determined either before the expansion or improvement begins or before the damage occurred giving rise to there pair or reconstruction. "Substantial improvement" shall not include, however, any repair or improvement required to bring the structure into compliance with existing state or Town health, sanitary, safety, or building code specifications necessary to ensure safe habitation of the structure.

Supermarket.

A retail grocery store with 10,000 or more square feet of gross floor area.

Technical Schools.

The use of land, structures or buildings for the provision of training in various skills and may include but not limited to business schools, trade schools and vocational schools.

Townhouse.

A single-family dwelling constructed in a series or group of attached units, allowed in districts permitting multiple family dwellings, with property lines separating the units and meeting the requirements of the North Carolina Building Code.

Use.

The specific activity or function for which land, a building, or a structure is designated, arranged, occupied, or maintained.

Use, Accessory.

A use on the same lot or in the same structure with, and of a nature and extent customarily incidental and subordinate to, the principal use of the lot or structure. **Only one accessory use per lot or structure.**

Use, Principal.

The primary use and chief purpose of a lot or structure.

Used Merchandise.

An establishment engaged in the sale of previously owned goods, except the sale of used motor vehicles.

Variance.

A relaxation by the Board of Adjustment of the dimensional regulations of this Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Ordinance would result in unnecessary and undue hardship. See Article 12.

Warehouse.

A building or group of buildings for the storage of goods or wares belonging either to the owner of the facility or to one or more lessees of space in the facility or both, with access to contents only through management personnel. Warehouse does not include the storage of dangerous or offensive items such as atomic waste or its byproduct-plutonium or any other hazardous waste classified as such by the state or federal governments. Operations existing as of date of adoption of this code and documented within one year with the Town Clerk, will be exempted from this requirement.

Warehouse, Mini.

A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of goods belonging to the individual lessees of the stalls and accessible to the lessees through individual doors.

Wholesale Distribution.

Establishments engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users or to other wholesalers. Wholesale distribution does not include the storage of dangerous or offensive items such as atomic waste or its byproduct-plutonium or any other hazardous waste classified as such by the state or federal governments. Operations existing as of date of adoption of this code and documented within one year with the Town Clerk, will be exempted from this requirement.

Yard.

An open space unoccupied and unobstructed by any structure or portion of a structure from thirty-six inches above the general ground level of the graded lot upward (except as otherwise provided by these regulations), provided, however, that fences and walls may be permitted in any yard subject to height limitations established herein., and further provided that poles, posts and other customary yard accessories, ornaments, and furniture shall be permitted in any required yard, if they do not constitute substantial impediments to free flow of light and air across the yard to adjoining properties. See Article 6.

Yard, Front.

A yard extending between the side lot lines across the portion of a lot adjacent to a street in residential or office and institutional districts or a yard extending between lot lines across the portion of a lot determined to be the front yard in commercial, industrial, and economic development districts as provided in Article 6.

Yard, Rear.

A yard extending across the rear of a lot between the side yard lines. The rear yard shall be at the opposite end of the lot from the front yard, excepting in the case of through lots, corner lots and waterfront lots. See Article 6.

Yard, Side.

A yard extending along the side of a lot between the front yard and the rear yard except on corner lots where the side yard is the yard along any interior lot line which intersects with a street lot line. See Article 6.

Zoning Compliance Permit.

A permit issued by the Zoning Administrator authorizing the recipient to make use of property in accord with the requirements of this Ordinance. This permit may either be a separate document or part of the normal permits associated with Certificates of Occupancy, Occupational License applications, Building Permits, or the like.

Zoning Districts.

Areas of land or water, whose boundaries are indicated on the Official Zoning Map, within which all properties are regulated by the general regulations of this Ordinance and the specific regulations of the individual district.

Zoning Lot.

A lot or combination of lots shown on application for a Zoning Compliance Permit.

ARTICLE 3

APPLICATION OF REGULATIONS

3.1 Area of Coverage.

The regulations of this Ordinance shall apply throughout the Town of Long View.

3.2 Ordinance Affects All Lands, Water, Structures, Uses and Occupancies; Affects Height and Bulk of Buildings, Population Density, Lot Coverage, Yards and Other Open Spaces, Off-Street Parking and Loading, Signs and Other Matters.

No building, structure, land or water shall hereafter be used or occupied, and no building, structure, or part thereof shall hereafter be erected, constructed, reconstructed, moved, located, or structurally altered except in conformity with the regulations set out generally herein and for the district in which it is located, or limited so as:

- (a) To exceed the permitted height, bulk or floor area;
- (b) To accommodate or house a greater number of families or other occupants, or to provide a greater number of dwelling units;
- (c) To occupy a greater percentage or portion of lot area;
- (d) To provide less lot area per dwelling unit or to occupy a smaller lot;
- (e) To provide narrower or smaller yards or other open spaces, or spaces or separations between buildings or portions thereof;
- (f) To provide less off-street parking or off-street loading space;
- (g) To display more signs, signs of greater area; or signs of a different character;
- (h) To permit the use of the building or structure for a use not permitted in the district in which it is located;
- (i) To be in any other manner contrary to any provisions of this Ordinance.

3.4 Yard, Area, Open Space, Off-Street Parking and Off-Street Loading Space For One Structure or Use Not to be Used to Meet Requirements for Another.

No part of a yard, area, open space, or off-street parking or off-street loading space required for one structure or use shall be included as meeting requirements for another, except where specific provisions therefore are made in this Ordinance. Private action shall not reduce or eliminate; except when an alternative or shared parking and loading plan is meeting the intent of the ordinance and has been approved as a modification by the zoning administrator.

3.5 Creation of New Lots; Reduction of Lot or Yard Dimensions Below Minimum Requirements Prohibited.

No new lot shall be created after the effective date of this Ordinance except in conformity with the requirements of applicable regulations. No yard or lot existing at the time of passage of these

regulations shall be reduced by private action in width, depth, or area below the minimum requirements set forth herein.

3.6 Required Accessory Uses on Same Zoning Lot with Same Zoning.

All required accessory uses for any principal use, including but not limited to off-street parking and loading areas, retention or drainage areas, and private sewer or water systems shall be located on the same zoning lot as the principal use and shall have the same zoning district designation as the principal use, except as permitted elsewhere in this Ordinance.

3.7 One Principal Structure Per Lot.

Only one principal structure is allowed per lot, except in the case of Planned Developments.

3.8 Calculation of Combined Requirements or Limitations; Rounding in Total Only

When making calculations as directed by this ordinance (for example, off-street parking requirements and dwelling units), fractions from .1 to .4 shall be rounded down and fractions from .5 to .9 shall be carried rounded up to the next whole number.

3.9 Division of Zoning Jurisdiction of the Town of Long View into Zoning Districts and Identification in Official Zoning Map.

The zoning jurisdiction of the Town of Long View is divided by this Ordinance into Zoning Districts, the boundaries and designations of which is shown on a map covering the entire zoning jurisdiction of the Town of Long View, and identified as the Official Zoning Map of the Town of Long View, hereafter referred to as the Official Zoning Map.

ARTICLE 4

OFFICIAL ZONING MAP

4.1 Adoption of Official Zoning Map.

The Official Zoning Map, together with all lawfully adopted explanatory material shown thereon or therewith, is hereby adopted by reference and declared to be part of this Ordinance. [The Zoning Map shall be maintained for public inspection in the office of the local government clerk. The maps may be in a paper, or a digital format approved by the local government \(G.S. 160D-105\).](#)

4.2 Other Supplements.

Other supplements, in the form of maps, indexes, guides, illustrations, records, reports, interpretive material and standards may be officially adopted, directly or by reference, to facilitate administration and public understanding of the Official Zoning Map, or of regulations adopted for the zoning districts or other division established thereby.

4.3 Rules Where There is Uncertainty as to Boundaries.

Where uncertainty exists as to boundaries of districts, or other areas delineated for regulatory purposes in the Official Zoning Map, shall be construed as being parallel to or extensions of such features; the following rules shall apply:

- (a) Boundaries or centerline of Streets, Alleys, other public or private property lines, Rights-of-Way, or Easements; Variation Between Actual and Mapped Location and Effect on Zoning Status of Property when closed or vacated shall remain in its location
- (b) Boundaries Indicated as Approximately Following Mean High-Water Lines or Centerline of Rivers or Other Bodies of Water shall be determined by center of water source or survey. Boundaries indicated as entering any body of water, but not continuing to intersect with other zoning boundaries or with the limits of the jurisdiction of the Town, shall be construed as extending, in the direction in which they enter the body of water, to intersect with other zoning boundaries or with the limits of Town jurisdiction
- (c) Where distances are not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- (d) Action in Cases of Remaining Uncertainty, Conflicts.

In other circumstances not covered above, or where existing natural or man-made features are at variance with those shown in the Official Zoning Map, or where it is illegible or unclear, or where interpretation based on the above rules appears to produce contradiction or conflict with

the intent of this Code, or upon request from the Zoning Administrator or from any affected property owner, the Board of Adjustment shall make a finding and interpretation concerning the boundaries involved in accord with the intent and purpose of this Ordinance.

In cases where such finding and interpretation involves only correction to the Official Zoning Map or any official supplement and does not change the zoning of any lot, the Board may direct corrections without proposing an amendment to the map involved. In cases where the zoning of any lot would be changed by such correction, the Board shall initiate a proposed corrective amendment.

4.4 Zoning Map Replacement

In the event that the Zoning Map becomes damaged, lost, destroyed or difficult to interpret, the Board of Aldermen may direct the preparation of a new Official Zoning Map or portion thereof and upon approval by the Board of Aldermen, it shall replace the previous Official Zoning Map or portion thereof.

The new Official Zoning Map or portion may correct drafting and clerical errors or omissions in the prior Official Zoning Map or portion, but no such correction shall have the effect of amending this Ordinance without following the procedure contained in Article 13.

4.5 Official Zoning Map; Authentication and Location

(a) Authentication.

The Official Zoning Map shall be authenticated by the signature of the Mayor; attested by the signature of the Town Clerk and bear the seal of the Town, under the following words:

"This is to certify that this is the Official Zoning Map referred to and adopted by reference by Ordinance No. of the Town of Long View, N.C., approved , 20 ."

(b) Location.

The Official Zoning Map shall be located in the Town of Long View Town Hall. [The Zoning Map shall be maintained for public inspection in the office of the local government clerk. The maps may be in a paper or a digital format approved by the local government \(G.S. 160D-105\).](#)

4.6 Official Zoning Map; Amendment.

The Official Zoning Map is subject to amendment by ordinance as set out in Article 13.

4.7 Official Zoning Map; Final Authority.

Regardless of the existence of purported copies of all or part of the Official Zoning Map which may from time to time be made, published, or reproduced, the Official Zoning Map shall be the final authority as to the current zoning status of all lands and waters within the zoning jurisdiction of the Town of Long View.

ARTICLE 5

SCHEDULES OF DISTRICT REGULATIONS

5.1 Introduction

There are three purposes to this Article. One, it is to establish types of zoning districts for grouping similar and compatible land uses throughout the Town of Long View. Secondly, it is to set forth a table of the permitted and permissible uses that lists types of land uses and their use status in each district, Table 5-1, Schedule of Permitted and Permissible Uses by District. Thirdly, it is to set out the table of dimensional regulations for height, area, bulk and placement, Table 5-2, Official Schedule of Area, Height, Bulk and Placement Regulations by District, which together with all lawfully adopted explanatory material shown therein, are hereby adopted and declared to be part of this Ordinance

Amendments to Official Schedules of District Regulations shall be updated by the Town Clerk or designee within 30 working days of the effective date of an amendatory ordinance.

5.2 Schedule of Statements of Intent.

The following array presents for the several districts the Schedule of Statements of Intent applicable to each district:

(a) Medium Density.

1. R-2 District - Residential

The Residential (R)-2 District is established to provide a low intensity area for the development of single-family dwellings under conventional or planned development controls, and serviced by public or community water and/or public sewer systems, plus the governmental and other support facilities necessary to service urban levels of development. The overall gross density in R-2 will typically be 3 units per acre or less.

2. R-3 District - Residential

The Residential (R)-3 District is intended to accommodate low to moderate intensity residential areas, including single-family and two-family dwellings under conventional or planned development controls, and serviced by public or community water and/or public sewer systems, plus the governmental and other support facilities necessary to service urban levels of development. The overall gross density in R-3 will typically be 6 units per acre or less.

(b) High Density

1. R-4 District - Residential

The Residential (R)-4 District is intended to accommodate moderate intensity residential areas, including single-family, two-family and three-family dwellings under conventional or planned development controls, and serviced by public or community water and public sewer systems, plus the governmental and other support facilities necessary to service development. It is also to accommodate multiple two and three-family structures in group or planned development where adequate land is available to provide the necessary open space, thoroughfare access, buffering and screening from different land uses, efficient storm water drainage designs, and paved parking, planned development controls, and serviced by public water and sewer systems, plus the governmental and other support facilities necessary to service urban levels of development. The overall gross density in R-4 will typically be 8 units or less per acre.

2. R-5 District - Residential

The Residential (R)-5 District is intended to accommodate a variety of moderate to high intensity residential uses, including single-family, two-family and multiple-family dwelling types, under conventional or planned development controls. Land designated as R-5 shall normally be located with access to major or minor thoroughfares with access through local residential streets discouraged and shall be serviced by public water and sewer services, plus the governmental and support services necessary for urban levels of development. The overall gross density in multiple-family developments shall be 12 units or less per acre.

(c) Office

OI-1 District - Office and Institutional

The Office and Institutional (OI)-1 District is intended to provide a transition zone between residential and business or industrial districts and to accommodate a moderate to high intensity mixture of residential, office and institutional uses. Within this district, regulations shall provide for lower intensities of development in the areas in closest proximity to low and moderate-intensity residential districts. Land designated O-1 shall normally be served with public water and sewer services and be located with access to major or minor thoroughfares with access through local residential streets discouraged.

(d) Commercial

1. C-3 District - Neighborhood Business

The Commercial (C)-3 District is intended to provide for the sale of convenience goods and a limited number of personal services to the residents of the surrounding neighborhood. These districts shall normally be located at intervals along major or minor thoroughfares, and these regulations shall provide standards for development of such retail and service uses on either free-standing parcels or in small commercial centers which shall be designed to protect the integrity of the surrounding residential neighborhood. This is meant to serve as a transitional district and residential dwellings are permitted in this district; residential lots will be governed by the HDR parameters in Table 5-1 and Table 5-2.

2. C-4 District - General Business

The Commercial (C)-4 District is intended to establish suitable development standards for the provision of convenience goods, shoppers goods and services at locations along major transportation routes to the motoring public, both local and transient. The C-4 District should always be located with access directly from major or minor thoroughfares, never local residential streets.

3. C-5 District - Mixed Used in Specified Existing Areas

The Commercial (C)-5 District is established to provide for a wide variety of retail, service, manufacturing and warehousing activities in areas where past land development practices have produced a mixed pattern of land uses and irregular lotting. It is the intent of the ordinance that the C-5 District shall not normally be extended or new areas of C-5 zoning established.

(e) Economic Development

ED District - Economic Development

The purpose of the Economic Development (ED) District is to provide regulations for the development of areas generally devoted to light manufacturing, processing and assembly uses, warehousing, distribution and servicing enterprises and office activities controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts. Development in this district under the planned development process will be encouraged.

(f) Industrial

I District - Industrial District

The intent of the Industrial (I) District is to produce areas for intensive manufacturing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts.

(g) Overlay Districts

1. Planned Unit Development (PUD): The uses permitted or permissible in the Planned Development Districts are listed in Article 14.1

Purpose. The Planned Unit Development District is established to encourage the master planning of large scale, multiple and/or mixed use development patterns that allow for the development of fully integrated pedestrian-oriented neighborhoods. Applicants who propose planned unit development have more flexibility and creativity in design than is possible under conventional zoning regulations. The planned unit development process:

- a. Allows for the layout of uses and open space that promote high standards in design and construction;

- b. Encourages well-planned, efficient development to promote economical and efficient land uses and to minimize suburban sprawl, traffic congestion, infrastructure costs and environmental degradation;
- c. Allows planned and coordinated mix of land uses which are well-balanced but were previously discouraged by conventional zoning procedures;
- d. Encourages the development of contiguous large lot parcels into an integrated and orderly pattern with particular attention to developing an efficient and coordinated network of internal streets;
- e. Promotes the clustering of structures and other uses in order to preserve unique and natural features such as woodlands, wetlands, natural drainage systems, bodies of water and scenic areas; and
- f. A carefully designed, well-ordered mix of land uses and/or housing types which serve to lessen traffic congestion, provide for the efficient use of land and travel patterns, and bring variety and diversity to communities.

2. Downtown Overlay District (DOD): The uses permitted or prohibited uses in the DOD are listed in Article 14.2

Purpose. The Downtown Overlay District is designed to create an aesthetically pleasing corridor along the downtown area in keeping with the Town's policy of protecting our safe, family-friendly, attractive business environment. The Downtown Overlay District does not affect land use regulations or development standards of the underlying Zoning Districts except as specified in this section.

The specific purposes of the DOD District are to:

- a. Encourage appropriate residential and commercial development;
- b. Preserve, enhance, and improve the visual quality, function, safety, and enjoyment of the Downtown streetscape corridor; for citizens, business owners, and visitors.
- c. Promote orderly development and safe and efficient movement of all modes of transportation within the business thoroughfare.

3. Water Supply Watershed Protection District (WSP District): the uses permitted or permissible in the Water Supply Watershed Protection District are listed in Article 15.

General Purpose & Intent.

The purpose of this division is to regulate the development and land use density in order to limit water supply watershed exposure to non-point source discharge and pollution. The non-point source discharge can contribute biological contamination, sediment from soil erosion, nutrient enhancement and heavy metal pollution; all of which endanger the water supplies.

As required by the Water Supply Watershed Protection Act of 1989, the State of North Carolina has reclassified each of North Carolinas drinking water supply watersheds to appropriate classification. Lake Hickory watershed, a portion of which is in the Long View

jurisdiction, is classified as "WS IV" and are protected water supplies that are generally moderately to highly developed.

This effort is a proactive approach, rather than reactive, to assure a clean, safe, and healthy water supply for the citizens and businesses of North Carolina.

5.3 Schedule of Permitted and Permissible Special Uses by District.

(a) Legend Interpretation

Except as specifically provided in this Ordinance, regulations governing the use of land, water and structures within the various districts within the zoning jurisdiction of the Town of Long View shall be as shown in the Schedule of Permitted and Permissible Uses by District. (Table 5-1)

The meanings of the entries in the Schedule of Permitted and Permissible Uses by District are as follows:

1. "X" indicates the use is permitted principal use by right.
2. "S" indicates that the uses requires approval of a Special Use Permit Approved by the Board of Adjustment and development standards are met as set forth in Chapter 7
3. "C" permitted with conditions, subject to the Zoning Administrator's finding that additional development standards as set forth in Chapter 7 are met.
4. " Blank" indicates that this use is a Prohibited Use.

Uses listed as Permissible Special Uses may be established in that district only after approval of an application for a Special Use Permit in accordance with the procedures and requirements in Article 11.

TABLE 5-1

SCHEDULE OF PERMITTED AND PERMISSIBLE USES BY DISTRICT

X = Permitted Principal Uses

S = Special Use Approved by Board of Adjustment

C = Permitted with conditions met: See applicable Supplemental Regulations Article 7.

Blank = Prohibited Use

USE	Medium Density Residential: <u>R2 and R3</u>	High Density Residential: <u>R-4 and R-5</u>	Office: <u>O&I</u>	Commercial: <u>C-3, C-4 and C-5</u>	Economic : <u>ED</u>	Industrial: <u>I</u>
AGRICULTURAL						
Animal Husbandry						
Bonafide Farms						
Greenhouses					X	X
Nurseries/Landscaping				X	X	X
Forestry	X	X	X	X	X	X
Gardening	X	X	X	X	X	X
Hatcheries						
Livestock Sales						
Pasturage						
Private Greenhouses	X	X	X	X	X	X
Roadside Stand - C						
Roadside Stand - Residential						
Stable						
COMMUNICATIONS FACILITIES						
Ham Radio Antenna	C	C	C	C	C	C
Radio and TV Studio			X		X	X
Communication Tower, Radio and TV Transmitting and Receiving Facility			C		C	C
Radio and Television Receiving - Antenna Dish, Accessory/ Satellite Dish	C	C	C	C	C	C

USE	MDR	HDR	OI	C	E D	I
COMMUNITY RECREATION USES						
Community Centers	C	C	X	X	X	X
County Clubs	C	C				
Golf Courses (18-hole)	C	C				
Greenways	X	X	X	X	X	X
Parks & Playgrounds	X	X	X	X	X	X
Recreation Clubs	C	C				
CULTURAL FACILITIES						
Art Galleries	C	C				
Libraries	C	C				
Museums	C	C				
MANUFACTURING, PROCESSING AND ASSEMBLY						
Asphalt Products						
Bedding and Carpet Manufacturing				X = C-5	X	X
Bottling Plants				X = C-5	X	X
Brick, Tile & Pottery Yards					X	X
Cabinet Shops						
Canvas Goods Manufacturing				X = C-5		X
Cardboard Containers				X = C-5	X	X
Case Goods				X = C-5	X	X
Chemical Manufacturing				X = C-5		X
Chrome Plating						
Clothing and Textiles				X = C-5	X	X
Concrete Products Production						
Critical Digital Infrastructure Facilities						S
Electrical Appliances & Equipment				X = C-5	X	X
Farm Machinery				X = C-5	X	X
Fertilizers						
Fiberglass				X = C-5		X
Flour and Feed Mills						
Food & Food Products				X = C-5	X	X
Foundries				X = C-5		X

USE	MDR	HDR	OI	C	ED	I
Glass Products Assembly				X = C-5	X	X
Furniture (except case goods & frames)				X = C-5	X	X
Headquarters of Manufacturing, Processing & Assembly Firms			X	X	X	X
Hosiery Mills				X = C-5	X	X
Ice Manufacturing				X = C-5	X	X
Knitting Mills				X = C-5	X	X
Leather Products Assembly				X = C-5	X	X
Leather Tanneries						
Luggage				X = C-5	X	X
Machine Tools				X = C-5	X	X
Manufacturer's Showrooms, Accessory				X = C-4/5	X	X
Meatpacking Plants						
Metal Fabricating Plants				X = C-5	X	X
Monument Works & Sales				X = C-5	X	X
Paints, Varnishes, Finishes				X = C-5		X
Paper Goods, Assembly				X = C-5	X	X
Pharmaceuticals				X = C-5	X	X
Pillow Manufacturing				X = C-5	X	X
Plastic Products, Manufacturing				X = C-5		X
Plastic Products, Assembly				X = C-5	X	X
Precision Instruments				X = C-5	X	X
Sawmills						
Sheetmetal Shops				X = C-5	X	X
Springs Manufacturing				X = C-5	X	X
Stone and Clay Products						
Textile Finishing & Dying				X = C-5	X	X
Transportation & Heavy Equipment Manufacturing				X = C-5	X	X
Upholstering Shops				X = C-5	X	X
Wooden Box Factories				X = C-5		X
Woodworking Shops				X = C-5		X

USE	MDR	HDR	OI	C	ED	I
MISCELLANEOUS						
Accessory Uses	C	C	C	C	C	C
Armories				X = C-4/5	X	X
Bakeries (wholesale)				X = C-3/4/5		
Construction Trailers	C	C	C	C	C	C
Electrical Equipment Sales				X = C-4/5	X	X
Equipment, Rental				X = C-4/5	X	X
Firing Range, Outdoor						
Flea Markets, Indoor				C = C-4/5		
Flea Markets, Outdoor						
Heating and Refrigeration Shops				X = C-5	X	X
Industrial Supplies and Equipment				X = C-5	X	X
Kennel						
Livestock Sale Barns						
Lumberyard						
Membership Organizations		X = R-5	X			
Music Studios				X = C-4/5		
Oil and Gasoline Bulk Storage				X = C-5		X
Places of Assembly			X	X		
Plumbing and Heating Supplies				X = C-5	X	X
Publishing and Printing				X = C-4/5	X	X
Research Activities				X = C-4/5	X	X
Slaughterhouse						
Technical Schools			X	X = C-4/5		
Tire Recapping Shops				X = C-5		X
Utility Company Operation Centers				X = C-5	X	X
Vending Companies				X = C-4/5		X
OPEN USES OF LAND						
Cemetery, Human	C	C				
Junkyards						
Landfill-Clean Material-Minor				X = C-5	X	X
Landfill-Sanitary						
Mining of Earth Products (sand, soil and clay)						
Open Storage (Accessory Use)				C = C-5	C	C
PUBLIC FACILITIES						
Public Service Facilities	C	C	C	X	X	X
Public Use Facilities	C	C	C	X	X	X
Public Utility Facility	X	X	X	X	X	X

USE	MDR	HDR	OI	C	ED	I
RESIDENTIAL						
RESIDENTIAL SUPPORT FACILITIES						
Adult Care Center (more than 9)	C	C	C	C	C	C
Child Care Center (more than 5)	C	C	C	C	C	C
Church/Synagogue	X	X	X	X		
College/University/Tech College			X			
Home Occupation	C	C	C	C	C	C
Garage Sales Residential	C	C				
Schools (Elementary, Middle, High)	X	X	X	X		
Swimming Pools	C	C				
RESIDENTIAL USES						
Congregate Living Facility		S				
Dwelling Units						
Multiple Family (includes condominiums)		X	X	X = C-3		
Single Family, including modular	X	X				
Two Family, including modular	X=R-3	X				
Three Family		X				
Family Care Home (Group Home)	X	X				
Accessory Dwelling Unit						
Accessory Building	X	X				
Manufactured Homes						
Class "AA" (8), mobile	X = R-3	X				
Class "A" (9) (Single), mobile						
Class "B", mobile, RV Motorhomes						
Mobile Home Parks, Planned Development. See Article 14		X				
Single Family Townhouse Subdivision	C = R-3	C				

USE	MDR	HDR	OI	C	ED	I
RETAIL						
Convenience Goods						
Bakeries				X		
Candy, Nut & Confectionery Stores				X		
Convenience Store				X		
Dairy, Meat & Seafood Market				X		
Delicatessen				X		
Drug Stores (under 3,000 sq.ft.)			X	X		
Newsstands			X	X		
Eating Establishment						
Drinking Establishments				C= C-4/5		
Mobile Food Truck				C		
Sit-down				X		
Walk-in/Drive-in				X		
Shoppers Goods						
Antique Shops				X=C-4/5		
Apparel and Footwear				X=C-4/5		
Appliances				X=C-4/5		
Art Supplies				X=C-4/5		
Automotive Supplies				X=C-4/5		
Auto, Truck, Boat and Motorcycle Sales				X=C-4/5		
Bicycle Sales and Service				X=C-4/5		
Book and Stationery Stores				X=C-4/5		
Camera & Photography Supplies				X=C-4/5		
Department Stores				X=C-4/5		
Discount Stores				X=C-4/5		
Drug Stores				X=C-4/5		
Fabric Stores				X=C-4/5		
Farm and Heavy Equipment Sales and Rental				X=C-4/5	X	X
Farm Supplies				X=C-4/5		

USE	MDR	HDR	OI	C	ED	I
Floor Covering Stores				X=C-4/5		
Florists				X=C-4/5		
Furniture & Home Furnishings				X=C-4/5		
Furriers				X=C-4/5		
Gas or Service Station				X=C-4/5		
Gift Shops				X=C-4/5		
Glass and Mirror Shops				X=C-4/5		
Gun & Ammunition Sales				X=C-4/5		
Hardware Stores				X=C-4/5		
Hobby, Toy & Craft Stores				X=C-4/5		
Jewelry Stores				X=C-4/5		
Lawn and Garden Supply				X=C-4/5		
Liquor Store				X=C-4/5		
Lumber & Building Materials-Sales				X=C-4/5		
Manufactured Home Sales				X=C-4/5		
Recreational Vehicle Sales				X=C-4/5		
Monument Sales				X=C-5	X	X
Music Stores				X=C-4/5	X	X
Office Equipment Stores				X=C-4/5		
Optician & Optical Supply Stores				X=C-4/5		
Paint & Wallpaper Stores				X=C-4/5		
Parking - Off Street	X	X	X	X	X	X
Pawn Shops				X=C-4/5		
Pet Shops				X=C-4/5		
Radio & TV Sales				X=C-4/5		
Rental & Leasing of Light Equipment				X=C-4/5	X	
Rental of Domestic Vehicles				X=C-4/5		
Saddleries				X=C-4/5		
Second Hand Stores & Swap Shops				X=C-4/5		

USE	MDR	HDR	OI	C	ED	I
Service Station				X=C-4/5		
Sporting Goods				X=C-4/5		
Supermarkets				X=C-4/5		
Tailoring & Dressmaking Shops				X=C-4/5		
Variety Stores				X=C-4/5		
RECREATIONAL / EDUCATIONAL / INSTITUTIONAL						
Amusement Services						
Amusement Arcades				X=C-4/5		
Amusement Park				X=C-4/5		
Batting Ranges				X=C-4/5		
Billiards or Pool Halls				X=C-4/5		
Bowling Lanes				X=C-4/5		
Circus, Carnival, Fair	C	C	C	C	C	C
Dance Schools/Studios or Classes				X=C-4/5		
Discotheques				X=C-4/5		
Drag Strip/Race Track						
Golf Driving Ranges				X=C-4/5		
Gymnasiums				X=C-4/5		
Health Clubs				X=C-4/5		
Miniature Golf				X=C-4/5		
Movie Theaters (Drive-in)				C=C-4/5		
Par 3 Golf				X=C-4/5		
Skating Rinks				X=C-4/5		
SERVICES						
BUSINESS SERVICES						
Advertising Agency			X	X=C-4/5	X	
Arts & Graphics Services			X	X=C-4/5	X	
Automatic Bank Teller				X		
Banks & Finance Companies				X=C-4/5		

USE	MDR	HDR	OI	C	ED	I
Blueprints & Drafting Supplies			X	X=C-4/5	X	
Building Cleaning & Maintenance Services			X	X=C-5	X	X
Computer & Data Processing Services			X	X=C-4/5	X	
Detective Agencies			X	X=C-4/5		
Insurance Agencies			X	X=C-4/5		
Linen & Uniform Supply Services				X=C-4/5	X	X
Management Consultants			X	X=C-4/5	X	
News Syndicates			X	X=C-4/5	X	
Personnel Services			X	X=C-4/5	X	
Photocopying Services			X	X=C-4/5	X	
Photofinishing Laboratories			X	X=C-4/5	X	
Photography Services & Studios			X	X=C-4/5	X	X
Public Relations Services			X	X=C-4/5	X	
Real Estate Services			X	X=C-4/5	X	
HEALTH SERVICES						
Animal Hospital/Vet Clinic				X=C-5		X
Health Practitioner's Office			X	X	X	
Hospital			X	X=C-4/5	X	
Medical & Dental Labs			X	X=C-5	X	X
Medical/Dental Clinics			X	X	X	
Nursing, Convalescent & Extended Care Facilities	C	C	X			
Rehabilitation Center			X	X	X	
Sanitarium & Mental Institutions (accessory use to a hospital)			X			
LODGING PLACES						
Board/Rooming House & Bed & Breakfasts		C				
Hotels/Motels				X=C-4/5		
MISCELLANEOUS SERVICES						
-Adult Uses				S = C-5		

USE	MDR	HDR	OI	C	ED	I
Automotive Towing and Storage Services						C
Car Wash				X=C-4/5		
Contractor's Office				X=C-5	X	X
Dry Cleaners				X=C-4/5		
Dry Cleaning Plants				X=C-4/5	X	X
Exterminators				X=C-5	X	X
Food Catering				X=C-4/5	X	
Funeral Parlor			X	X=C-4/5		
Landscapers				X=C-5	X	X
Lawn & Garden Care				X=C-4/5		
Machine & Welding Shops				X=C-5		X
Mail Order Office				X=C-4/5		X
Sign Painting				X=C-5	X	
Tailoring & Dressmaking Shops				X=C-5	X	
Truck, Farm Equipment & Heavy Equipment Sales & Service				X=C-4/5	X	X
PERSONAL SERVICES						
Barber Shop/Beauty Shop			X	X		
Coin Operated Laundry				X		
Dry Cleaning & Laundry Pick-up Facilities			X	X		
Seamstress Shop			X	X		
Shoe Repair and Shining				X		
PROFESSIONAL SERVICES						
Accounting			X	X=C-4/5	X	
Architects			X	X=C-4/5	X	
Auditors & Bookkeepers			X	X=C-4/5	X	
Engineers			X	X=C-4/5	X	
Interior Designers			X	X=C-4/5	X	
Legal Services			X	X=C-4/5	X	

USE	MDR	HDR	OI	C	ED	I
Surveyors			X	X=C-4/5	X	
Repair Services						
Bicycle Repair				X=C-4/5		
Electronic & Electronic Repair (large)				X=C-5	X	X
Electronic & Electronic Repair (small)				X=C-4/5		
Furniture Refinishing & Repair				X=C-5		
Gunsmith				X=C-5		
Locksmith				X=C-5		
Motor Vehicle Repair-Major (excludes the open storage of wreck cars)				X=C-4/5	X	X
Motor Vehicle Repair-Minor (excludes the open storage of wreck cars)				X=C-4/5		
Reupholstery				X=C-5	X	X
Small Motor Repair				X=C-5	X	X
Jewelry/Clock Repair				X=C-4/5		
INDUSTRIAL						
Airport						S
Airstrip						S
Truck Terminal				X=C-4/5	X	X
Mini-warehouse				C=C-4/5	C	C
Moving/Transfer Companies				X=C-4/5	X	X
Warehouse				X=C-4/5	X	X
Wholesale Distribution				X=C-4/5	X	X

Table 5-2

Official Schedule of Area, Height, Bulk, and Placement Regulations by District

See Also Article 6 and Article 7

	Minimum Lot Area Per Dwelling Unit (Feet)				Minimum Setback (Feet)					
District	Single Family	Two Family (First/ Additional)	Multi-family (First/ Additional)	Minimum Lot Width (Feet)	Front	Side	Street Side Yard	Rear	Max. Lot Coverage (%) *WS LD/HD	Max Bldg Height (Feet)
R2, R-3 Medium Density	15,000	10,000 5,000	N/A	70	30	10	12	30	*36/70	35
R-4,R-5 High Density	8,000	8,000 3,600	8,000 5,000	60	BTL 10-30	5	10	20	*36/70	35

**Watershed requirement – maximum lot coverage is dictated by watershed regulations.*

			Minimum Setbacks (Feet)				
District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (Feet)	Front	Side	Street Side Yard	Rear	Max Bldg Height (Feet)
C-3,C-4,C-5 Commercial	8,000	60	20	10	15	15	50
ED	15,000	100	20	10	15	20	50
I	15,000	100	20	10	15	20	50

(b) Determination for Unlisted Uses.

If a use is not listed in the Schedule of Permitted and Permissible Uses by District (Figure 5-1), the Zoning Administrator shall classify it with that use in the table most similar to it. The SIC Manual shall serve as a guide in classifying any unlisted use, the Zoning Administrator shall rely primarily upon similarity of operational characteristics and similarity of impacts upon adjacent properties. If the Zoning Administrator should determine that a use is not listed and is not similar to a use in the Schedule, then such use is not permitted.

ARTICLE 6

APPLICATION OF AREA, HEIGHT AND PLACEMENT REGULATIONS

6.1 Introduction.

Article 6 provides the methods for applying the area, height and placement regulations found in table 5-2, the placement of accessory uses and other regulations that apply to land across the board. in addition, this article provides the exceptions to these regulations and those found in article 3.

6.2 Regulations Encumbering Land Required to Satisfy Ordinance Requirements.

No portion of a lot, used in connection with an existing or proposed building, structure or use, and necessary for compliance with the area, height and placement regulations of this Ordinance shall, through sale or otherwise, be used again as part of the lot required in connection with any other building, structure, or use.

6.3 Height Regulation, Generally.

(a) Structures Permitted Above Height Regulations.

Except as specifically provided herein, the height limitations of this Ordinance shall not apply to any roof structures for housing elevators, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required to operate and maintain a building, provided that such structures shall not cover more than thirty-three percent of roof area or extend over 10 feet in height; nor to church spires, steeples, belfries, cupolas, domes, monuments, water towers, skylights, flag poles, vents, construction or mining cranes or draglines, or similar structures, which may be erected above the height limit, nor to fire or parapet walls, provided, however, that such walls shall not extend more than five feet above the roof and that no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential use.

(b) Aviation Hazards

No building or other structure, regardless of exclusions set forth at subsection (a) above, shall be located in a manner or built to a height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards.

6.4 Permitted Encroachments into Required Setbacks

(a) Encroachments Permitted in Required Setbacks: the following are permitted in required setbacks provided there is no interference with any sight area:

1. Landscaping features, including but not limited to, ornamental pools, planting boxes, sculpture, arbors, trellises, and birdbaths; and
2. Pet shelters; at-grade patios; play equipment; outdoor furniture; ornamental entry columns and gates; flagpoles; lampposts; address posts; mailboxes; outdoor fireplaces; public utility wires, poles, pumps and boxes; wells; fences or retaining walls subject to the requirements of Article 6.7 (Fences); or similar structures.
3. Handicapped ramps

(b) Structures Permitted in required Setbacks: The following structures may encroach into any required setback:

1. Cornices, steps, overhanging eaves and gutters, window sills, bay windows or similar architectural features, chimneys and fireplaces, fire escapes, fire balconies, and fire towers may project not more than three feet into the required front setback, five feet into the required rear setback and two and one-half feet (2 1/2) into the required side setback, but in no case shall be closer than three (3) feet to any property line.
2. Mechanical equipment, such as air conditioning units, heat pumps, heating equipment, solar panels, and similar installations, may not project into the required front setback, but may project five feet into the required rear setback and two and one-half feet (2 1/2) into the required side setback.
3. Porches and decks may encroach into the required front and rear setbacks as follows:

Type	Setback	Maximum Encroachment	Maximum Area
Covered or Uncovered	Front	5 feet	35 sq ft
Uncovered Only	Rear	50% of setback	

(c) Canopy Projections: Gas station and convenience store gasoline service island canopies may be located in the required street setback provided that no equipment or part of a canopy is located closer than fifteen (15) feet to a street right-of-way line.

(d) Utility Easement Encroachment: Utility substation buildings and structures may be located within utility easements.

6.5 Averaging Existing Residential Front Setback Line

Where the average of the front setbacks for all adjacent lots, which are located within two hundred feet of either side of a lot, is less than the minimum required front setback, the required setback line may be reduced to this lesser average depth, but in no case to less than 10 feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for the zoning district.

6.6 Accessory Use, Building and Structure Requirements

The following requirements are for accessory uses, buildings and structures. Other accessory buildings and structures, such as open storage, listed in Article 5.3, (Permitted Use Schedule) may have additional development requirements found in Article 7 (Supplemental Regulations.)

(a) Maximum Area

1. The maximum total area of all accessory buildings shall not exceed fifty percent (50%) of the gross floor area of the principal building.

(b) Location

1. Residential Districts: All accessory buildings and structures shall be located behind the front building line or side building line, facing a public street, of the principal structure.
2. Nonresidential Districts: Accessory buildings and structures may be located in front of the front building line of the principal structure, but shall follow the same street setbacks as the principal building.
3. All Districts: No accessory building or structure, except for utility substations, shall be erected in any easement.
4. Minimum Building Separation: The distance between accessory buildings, or between accessory and principal buildings, shall be as follows:

Accessory Building/Structure Size

	<u>≤ 600 sq. ft.</u>	<u>≥ 600 sq. ft.</u>
Building Separation	5 feet	10 feet

(c) Setback Requirements

1. Street Setbacks: Accessory buildings and structures shall meet required street setbacks except as otherwise allowed in Article 6.4 Permitted Encroachments into Required Setbacks).
2. Side and Rear Setbacks: Accessory buildings and structures shall be setback at least 10 feet from any lot line, not street line, except as otherwise allowed in Article 6.4 (Permitted Encroachments into Required Setbacks).

(d) Height Requirements

1. Accessory Buildings and Structures: The height of all accessory buildings and structures, except for communication towers and as provided in Article 6.3(a) (Structures Permitted Above Height Limits), shall conform to the height limits of the zoning district in which they are located.
2. Accessory Communication Towers: Accessory communication towers may exceed the height limit of the district in which they are located with approval of from the Zoning Administrator and meeting of requirements in Article 7.

6.7 Fences

(a) Applicability

This Section shall regulate all fences unless otherwise stipulated in this Ordinance. Fences are permitted in required setbacks according to Article 6.4(a)(2) (Encroachments Permitted in Required Setbacks), provided the requirements of this Section are met and Article 6.8 Visibility at Intersections.

(b) Temporary Fences

Nothing in this Section shall preclude the installation of temporary fences around construction works, erected or maintained pursuant to the NC Building Code.

(c) Permitted Fence Types

The following fence types are permitted in all zoning districts:

1. Masonry or stone walls;
2. Ornamental iron;
3. Chain-link or woven wire.
4. Wood; or

5. Similar materials.

(d) Prohibited Fence Types

The following fence types are prohibited:

1. Fences constructed primarily of barbed or razor wire, except for the purpose of enclosing livestock in existing agricultural uses.
2. Fences carrying electrical current, except for the purpose of enclosing livestock in existing agricultural uses.
3. Fences constructed of readily flammable material such as paper, cloth, or canvas;
4. Fences topped with barbed wire or metal spikes in residential districts, except those serving a public institution for public safety or security purposes; and
5. Fences constructed of concertina wire.

(e) Maintenance

Fences shall be maintained in a safe manner plumb (vertical) to the ground. Fences no longer maintained in a safe manner through neglect, lack of repair, manner of construction, method of placement, or otherwise shall be repaired, replaced, or demolished.

(f) Height - The following height requirements shall apply to fences as well as Article 6.8, Visibility at Intersections.

1. Residential Uses:

- a. Within Required Front Yard: No fence shall exceed four (4) feet in height within the required front setback.
- b. Within Required Side Yard: No fence shall exceed six (6) feet in height within the required side setback.
- c. Within Required Rear Yard and Otherwise: No fence shall exceed eight (8) feet in height.

2. Recreational and Existing Agricultural Uses: No fence shall exceed eight (8) feet in height unless the fence observes the required principal building setbacks or is at least fifteen (15) feet from all property lines. Otherwise, no fence shall exceed twelve (12) feet in height.

3. Commercial, Industrial, Institutional, Office, or Other Non-Residential Uses: No fence shall exceed eight (8) feet in height unless the fence observes the required principal building setbacks or is at least fifteen (15) feet from all property lines.

No fence shall exceed four (4) feet in height within the front yard unless the fence is at least 15 feet from the front and side property line.

4. Exceptions: Fence height limitations do not apply to fences built in conjunction with electric or gas substations; municipal solid waste disposal facilities; water or sewage treatment plants or facilities; municipal water storage facilities; public correctional and mental institutions; military facilities; or hazardous or radioactive waste storage or disposal facilities.

5. Measurements

- a. Fence height shall be measured at the highest point, not including columns or posts, of the fence section as measured from the grade on the side nearest the abutting property or street.
- b. Columns or posts shall not extend more than eighteen (18) inches above the built height of the fence. Columns or posts shall be separated by a horizontal distance of at least four (4) feet, except at gates.
- c. As measured in Subsection a. above, any retaining wall or berm below the fence shall be considered as part of the overall height of the fence. Safety railings required by the NC Building Code shall not be included in height measurements.

6.8 Visibility at Intersections

No structure or portion of any structure shall be placed or erected, no motor vehicle, trailer or equipment shall be allowed to park, stand, stop or be stored, and no vegetation shall be maintained, planted or allowed to grow in a manner which materially impedes the visibility from a street, alley or driveway of lawfully oncoming traffic from any direction in the intersecting public street, between the heights of two and one-half feet and ten feet, as measured from the pavement edge of the adjacent roadway, across triangles described as follows:

- (a) Start at the intersection of the rights-of-way of the two intersecting roadways or at the intersection of the pavement edges, if no right-of-way exists;
- (b) Measure from said intersection 70 feet along the major right-of-way or pavement edge, if none exists,; and ten feet along the minor; and
- (c) Connect the ends of the measurements to form a triangle.

- (d) This section does not apply to utility poles, vehicle parking facilities authorized by the Town Code of Ordinances and essential highway oriented signs installed by the Town of Long View and the North Carolina Department of Transportation.

6.9 Lots; Dimensional, Access, and Related

(a) Lots, Measurement of Width

The width of a lot shall be measured across the required front setback line, provided, however, that width between side lot lines where they intersect with the street line shall not be less than eighty percent of the required minimum lot width except in the case of lots on the turning circles of cul-de-sacs or at similar points of street curvature where the radius of the right-of-way line (or a circle approximately following the right-of-way line and intersecting the foremost points of the side lot lines) is less than ninety feet.

(b) Lot, Area

The area of a lot shall be construed as the total area within its boundaries, excluding all rights-of-way.

(c) Minimum Lot Area

Minimum lot area is the minimum square footage required for a lot by this Ordinance. The minimum area shall not include submerged lands. Roadways or rights-of-way provided by the owner or developer of the lot may be included with the zoning lot for the purposes of calculating density or floor area ratio, but may not be included in calculating compliance with the minimum lot area for individual lots.

(d) Street Access

The lot shall have access to a public street. No dwelling shall be erected on a separate lot of record which does not abut on at least one public street for a distance of at least fifty feet (50), except if a lot abuts the circle of a cul-de-sac the distance may be reduced a minimum of thirty-seven and one-half (37 1/2) feet.

(e) Area Per Dwelling Unit

Area per dwelling unit is the minimum square footage required within a zoning lot for each dwelling unit on the lot. For single-family dwelling units, the area required is the same as the minimum lot area; for two-family, three-family and multiple-family dwellings, the area per dwelling unit is equal to the minimum area divided by the maximum number of dwelling units permitted on the lot. The same requirements for calculating the area listed for Minimum Lot Area above apply when calculating Area per Dwelling.

6.10 General Requirements Concerning Arrangement and Location of Structures and Landscaping; Access

In addition to minimum yard and building spacing requirements specified in this Ordinance, all buildings and other structures, land preparation, and landscaping shall be so located and arranged on lots as to provide safe and convenient access for emergency purposes, fire protection, servicing, and off-street parking and loading located on the premises. As to access through such premises, the following limitations shall apply:

Prohibition of Use of Residentially Zoned Property for Access to Uses Not Permitted in Residential Districts; Exceptions

No private land which is residentially zoned shall be used for vehicular or pedestrian access to land or structures in other districts used for any purpose not permitted in residential districts, except as provided below or otherwise authorized by this Ordinance or other lawful regulations:

- (a) Where provision does not exist for safe access for emergency and public service vehicles and such access is not reasonably feasible except through privately owned residentially zoned land, access reserved for and limited to such vehicles may be authorized by the Board of Adjustment, subject to conditions and safeguards designed to protect the tranquility and character of the residential land so traversed.
- (b) Where convenience and safety would be promoted, walkways and bicycle paths to non-residentially zoned land may be authorized by the Board of Adjustment across privately owned residentially zoned land, with the consent of the affected property owners, subject to conditions and safeguards to protect the tranquility and character of the residential land so traversed.

6.11 Buffers and Screening

In order to reduce the impact of a use of land on adjacent uses which are of a significantly different character, density or intensity, buffers and screening shall be required in accord with the following:

(a) Buffer Required

Buffer strips shall be provided upon any side or rear lot line where non-residential use and/or non-residential zoning districts abut residential zones, where multi-family use abuts single-family use and between manufactured homes parks and adjacent properties. No such buffer strip shall, however, extend nearer to a street right-of-way line than the established building line of the adjoining lot and no such buffer shall be required upon any yard which abuts a public street.

A buffer strip shall be equal to one the following:

1. A planting strip at least ten (10) feet in width, composed of deciduous or evergreen trees or a mixture of each, spaced not more than ten (10) feet apart and not less than one (1) row of dense shrubs, spaced not more than five (5) feet apart and five (5) feet in height after one (1) growing season;
2. A six-foot high solid picket type fence with the pickets being placed facing the adjoining property;
3. A six-foot high, open type fence with dense evergreen shrubs planted facing the adjoining property, spaced not more than five (5) feet apart and five (5) feet or more in height after two (2) growing seasons;
4. A six-foot high chain link type fence with panel inserts;
5. A six-foot high masonry, brick, or stucco wall;
6. A earthen berm and planting combination, at least fifteen (15) feet in width, with the berm an average of three feet in height and dense plantings, which will, when combined with the berm, achieve a minimum height of eight (8) feet within two growing seasons;
7. In lieu of compliance with the above buffer requirements, an applicant may submit to the Zoning Enforcement Officer, a detailed plan showing the retention of existing vegetation and natural forest growth that will satisfy one of the above requirements.

(b) Screening Required

Uses which provide dumpsters or similar trash containers shall provide screening according to the following requirements, with the exception of single-family residential uses and temporary construction dumpsters. However, upon completion of construction, all construction dumpsters shall be removed.

1. Dumpsters and similar trash containers shall be hidden by an opaque fence or wall of sufficient height to screen the container, but not less than six (6) feet in height.
2. The wall or fence shall enclose the dumpster on all four sides. Gates or doors for access on one side are permitted.
3. The fence or wall shall match the color and be constructed of materials similar to the main building.

Non-residential uses with outdoor storage of materials, equipment, vehicles, etc shall provide screening according the following requirements. Areas for retail sales display are exempt from this requirement.

1. A six-foot high, opaque fence with dense evergreen shrubs planted facing the adjoining property, spaced not more than five (5) feet apart and five (5) feet or more in height after two (2) growing seasons.

(c) Alternative Buffers and Screening

In lieu of compliance with the above buffer and screening requirement, an applicant may submit to the Zoning Administrator for his review and approval a detailed plan and specifications for landscaping and screening. The Zoning Administrator may approve the alternative buffering and screening, with the consent of the affected property owner(s), in writing, upon finding that the proposal will afford a degree of buffering and screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements.

(d) Existing Vegetation

The retention of existing vegetation shall be maximized to the extent practicable, wherever such vegetation contributes to required buffering and screening or to the preservation of significant trees. Exotic, nuisance trees, as listed in the Manual of Practice, are not considered significant trees and their removal is encouraged. Where tree replacement is necessary or desired, the selection of significant trees to replace those removed is recommended.

(e) Maintenance and Irrigation of Landscaping

All landscaping and screening which provides required buffering and screening shall be maintained so as to continue their effectiveness. All buffer yards shall be properly maintained, and dead and diseased plants shall be replaced by the owner or occupant within 30 days of notice from the Zoning Administrator.

6.12 Perennial Stream Buffer not in WSP District

A minimum thirty (30) foot wide vegetated buffer is required for all new development along perennial streams indicated on the most recent version of USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. For perennial waters located in the Water Supply Watershed Protection District (WSP District), see Article 15.7.

6.13 Lighting.

Lights that illuminate any commercial, industrial or recreational facility (and any associated parking facilities) and/or separate parking facilities not associated with any commercial, industrial or recreational facility shall be arranged so as to reflect the light away from adjacent residential properties, streets or highways. A lighting plan shall be shown on the site plan and approved by the planning department.

6.14 Additional Requirements for Districts:

(a) Developments with 4 or more dwelling units.

1. Each dwelling unit shall be connected to municipal water and sewer systems.

2. To permit adequate fire protection, all portions of every building shall be located within three hundred (300) feet of a public street that furnishes direct access to the property unless the fire marshal determines that fire hydrants and service drives will offer adequate protection.
 3. All common driveways shall have approved traffic circulation and shall be kept available for emergency and service use by any public vehicle.
 4. Off-street parking spaces shall be located within 100 feet of each building in an amount proportional to the number of dwelling units in each building. No parking area with five (5) or more spaces shall be located closer than ten (10) feet to a dwelling wall with windows or doors.
 5. Walkways shall be provided between parking areas and building entrances. Any walkway serving only one dwelling unit, other than a handicapped unit, shall have a minimum width of three (3) feet. All other walkways shall have a minimum width of four (4) feet. Walkways shall be constructed of concrete, asphalt, paving stone, brick or other similar all-weather surfaces approved by the Zoning Administrator.
 6. Open Space and/or Recreation Facilities:
 - a. The minimum open space shall be 70 percent of the total site area.
 - b. At least 25 percent of the minimum 70% open space shall be open space designed and developed for use by the occupants of the development or others for recreation, courts, gardens, or household service activities, such as clothes drying, which space is effectively separated from automobile traffic and parking and is readily accessible. This 25 percent open space shall not include space devoted to street and parking.
 7. Stationary refuse containers (i.e. dumpsters or compactors) shall be provided in a number and size conforming with the requirements of the Town. No container location shall interfere with sight distance or the free movement of vehicles on streets or access drives. Such locations shall also allow collection trucks adequate maneuvering space to empty the containers (without interference from utility lines or other structures) and to leave the property without excessive backing. Concrete pads constructed in accordance with standards of the Town shall be located beneath and in the approach to each container.
- (b) Additional Performance Standards for Manufacturing, Processing and Assembly Operations
1. All off-street parking areas, and loading and unloading areas, shall be paved. All such areas located in the front yard must be curbed, guttered, and landscaped according to

Article 10.12. Location of loading areas are discouraged on the side of a building facing a public street.

2. Outside storage or assembly shall be fully screened from ground level view from adjacent non-manufacturing, processing and assembly operation properties or public streets.
3. Outside manufacturing or processing shall not be permitted.

(c) Non-residential Single Building Developments containing more than 30,000 square feet.

Non-residential single building developments containing more than 30,000 square feet shall use the Planned Unit Development process for development, even if under one roof and one structure.

ARTICLE 7

PERMITTED WITH CONDITIONS: SUPPLEMENTAL REGULATIONS

7.1 Introduction

The regulations in this Article shall apply generally or in groups of districts as indicated, unless district regulations or regulations for particular uses specifically provide to the contrary. They qualify or supplement other regulations appearing in this Ordinance. The regulations applying generally to the Town, such as Buffer requirements, are in the front section of the ordinance. The performance standards applying to specific uses listed in Table 5-1, such as Ham Radio Antennas, follow the general regulations.

7.2 Maintenance of Automobiles or Motor Vehicles in Residential Districts

The repair of an automobile or a motor vehicle in any residential zoning district is subject to the following restrictions:

- (a) Only minor maintenance may be performed which, for purposes of this Section, are defined as the changing and replenishment of fluid levels, such as hydraulic fluid, windshield washer fluid, and lubricating oil, the replacement of sparkplugs, ignition points, the rotation of tires and the checking of adequate pressure; and the replacement of drive belts and hydraulic lines.
- (b) Any other repairs on a motor vehicle or automobile shall be restricted to totally enclosed spaces and only accomplished on privately registered vehicles having current State of North Carolina license plates, or motor vehicles designated by the State of North Carolina as qualifying for an antique or horseless carriage designation.

7.3 Parking of Domestic, Recreational and Commercial Vehicles

(a) Domestic and Recreational Vehicles

An owner of domestic and recreational vehicles may park or store such vehicles on his private residential property, subject to the following limitations:

1. At no time shall such vehicles be occupied or used for living, sleeping or housekeeping purposes.
2. If a domestic vehicle or recreational vehicle is parked or stored outside of an enclosed garage, it shall be parked or stored not less than twenty feet from any street line, and not less than five feet from any interior lot line.
3. At no time shall such vehicles be connected to any utility service.

(b) Commercial Vehicles

The parking of more than one commercial vehicle per lot in any residential district is prohibited, except where such vehicles are located within entirely enclosed structures which meet the regulatory requirements for the applicable zoning district. This requirement shall not be interpreted to prohibit vehicles from loading and unloading in any residential district for a period not exceeding 24 hours.

Tractor-trailer combinations in any residential district is prohibited, except where such vehicle is located entirely within an enclosed structure which meets the regulatory requirements for the zoning district.

- (c) The automobile or motor vehicles referred to in (a) and (b) above shall be registered showing the address at which the limited maintenance or other repairs are to be performed.

7.4 Reserved.

7.5 Reserved.

7.6 Reserved.

7.7 Automotive Towing and Storage Services

- (a) The automotive storage area shall be surrounded by a minimum eight (8) foot high opaque fence of acceptable screening material approved by the Zoning Administrator -- this does not include inserts on a chain link fence.

- (b) No outdoor disassembly or no salvaging shall be permitted.

7.8 Animal Hospital and Veterinary Clinics

- (a) All activities, with the exception of animal exercise yards, shall be conducted within an enclosed building.

- (b) Buildings housing animal hospitals or veterinary clinics shall be located no closer than one hundred feet from an adjacent residential district.

- (c) Exercise and confinement yards shall be not less than two hundred feet from any dwelling unit on adjacent property.

7.9 Communication Towers and Antennas, Radio and Television Towers, etc.

The following specific standards shall be used in deciding applications for such uses:

- (a) All towers and antennas shall have setbacks equal to or greater than the height of the proposed structure.
- (b) Distance of any guy anchorage or similar device shall be at least ten (10) feet from any property line and an additional 15 (15) feet must be provided if the site abuts a residential district.
- (c) Suitable protective anti-climb fencing and a landscape planting screen shall be provided and maintained around the structure and accessory attachments.
- (d) The applicant shall present documentation of the possession of any required license by any federal, state or local agency.
- (e) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest overhead electrical power line which serves more than one dwelling or place of business, less five (5) feet.
- (f) Application for the permit must include construction drawings showing proposed method of installation, structural engineering analysis, and site plan depicting structures and plantings on the property and all adjacent properties. At the request of administrative authority, documentation of a maintenance program may be required.
- (g) If any modifications are made to the structure, the zoning administrator shall have the authority to require proof that said addition, change or modification is in conformity with the permit and the Long View Building Code.
- (h) The owners of such a structure shall assume complete liability in case of personal property damage.

7.10 Construction Trailers as Temporary Offices

- (a) A contractor, engaged upon a construction project for which a Building Permit has been issued by the Town of Long View, may temporarily use a construction trailer for office facilities in the location where the work is being done; provided such construction trailer shall not be placed upon a public street, but only upon the property on which the Building Permit authorizes the construction. The construction trailer shall be removed within 30 days of completion of the work for which the permit has been issued.
- (b) A Zoning Compliance Permit may be issued by the Zoning Administrator for a one-year period for the use of a manufactured home, or a modular home, as a temporary office while business properties are being remodeled, provided that it is placed upon the property for which there is a Building Permit issued by the Town of Long View for the remodeling. The permit shall be for a period of one year or until the remodeling is completed, whichever is the shorter period.

7.11 Discotheques

- (a) The use shall not be within 1,000 feet of any Residential District. Distance shall be measured from property line to property line, along shortest distance between property lines, without regard to the route of normal travel.
- (b) The property must abut and have its primary access to a major or minor thoroughfare as designated on the Hickory-Newton-Conover Urban Area Thoroughfare Plan adopted at time of application.
- (c) Nothing in this subsection shall be construed to permit the operation of any business or the performance of any activity prohibited under any other section of this Ordinance or the laws of the Town of Long View or the State of North Carolina.

7.12 Drinking Establishments

- (a) The use shall not be within 1,000 feet of any Residential District. Distance shall be measured from property line to property line, along shortest distance between property lines, without regard to the route of normal travel.
- (b) The property must abut and have its primary access to a major or minor thoroughfare as designated on the Hickory-Newton-Conover Urban Area Thoroughfare Plan adopted at time of application.
- (c) Nothing in this subsection shall be construed to permit the operation of any business or the performance of any activity prohibited under any other section of this Ordinance or the laws of the Town of Long View or the State of North Carolina.

7.13 Flea Markets, Indoor.

Each vendor must show necessary permits including Federal Tax ID number and one (1) parking space for each vendor to provide for employee parking.

7.14 Garage, Yard, etc. Sales

Garage, yard, tag, patio and apartment sales are specifically permitted as an accessory use in all residential districts. Such sales shall be limited to two during each twelve month period, for a maximum duration of two days per sale, sixty days apart.

7.15 Ham Radio Antenna

The following specific standards shall be used in deciding applications for such uses:

- (a) The occupant shall possess a valid FCC license to operate radio transmitting and receiving equipment associated with the antenna.
- (b) The antenna shall not be located in any required front and side yards and, if located in the required rear yard, shall not be located closer than 20 feet from any rear lot line.
- (c) The antenna shall be so located, constructed and maintained as to avoid menacing adjacent property by collapse, overturning or by falling ice.

7.16 Home Occupations

A home occupation is that accessory use of a dwelling unit which shall constitute, either entirely or partly, the livelihood of a person living in the dwelling unit. Home occupations shall be subject to the following limitations:

- (a) No home occupation shall be permitted that:
 - 1. Changes the outside appearance of the dwelling unit or is visible from a street;
 - 2. Generates traffic, parking, sewage or water use in excess of that which is normal in a residential district;
 - 3. Creates a hazard to persons or property or is a nuisance per se or per accidens;
 - 4. Results in outside storage or display of anything;
 - 5. Is conducted in any structure other than the principal structure;
 - 6. Employs or uses persons who are not residents of the premises;
 - 7. Devotes more than 25 percent of the usable floor area of the dwelling unit to the home occupation;
- (b) The following are permitted home occupations in all residential districts, provided that they meet the requirements of (a), above:
 - 1. Dressmaking, sewing and tailoring;
 - 2. Painting, sculpturing and writing;
 - 3. Telephone answering service;
 - 4. Home crafts, such as weaving, lapidary, potting;
 - 5. Tutoring of no more than four students at a time;
 - 6. Computer programming;
 - 7. Barber shops and beauty parlors;
 - 8. Cooking and baking.

(c) The following are prohibited as home occupations:

1. Animal hospitals;
2. Physicians, dentists and chiropractors;
3. Dance studios;
4. Exercise studios;
5. Mortuaries;
6. Nursery schools;
7. Private clubs;
8. Repair shops;
9. Restaurants;
10. Stables and kennels;
11. Automobile repair and paint shops.

(d) Any proposed home occupation that is neither specifically permitted by paragraph (b) nor prohibited by paragraph (c) shall, in order to be established, obtain a Class B Special Use Permit from the Board of Adjustment in accordance with Article 11.

7.17 Manufactured Home Sales Lot

Manufactured Homes Sales Lots are permitted when selling new (not previously owned) homes in good repair after review of the detailed site plan by the Zoning Administrator for such measures as parking, traffic flow and meeting of setback requirements.

7.18 Mini-Warehouse

Mini-warehouse facilities shall meet the following requirements:

- (a) Such facilities shall be used only for dead storage of materials or articles and shall not be used for assembly, fabrication, processing or repair.
- (b) The storage of dangerous or offensive items is prohibited.
- (c) The requirements of Article 7.9 shall be met unless the storage is located 200 feet from the zoning lot boundaries.

7.19 Model Dwelling Units

(a) In any residential district, the developers, builders or their agents may operate three model dwelling units as a sales office for the specific project under construction, subject to the following restrictions:

1. The model dwelling unit shall meet all district requirements for lot and yard dimensions.

2. Signs shall not be illuminated.
 3. The model dwelling unit shall not be used for any business activity, other than showing and sales.
 4. At least five off-street parking spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project.
 5. The model dwelling unit shall be discontinued when the specific residential project is sold out and shall comply with regulations generally applicable within the district.
 6. The model dwelling unit shall not be approved for occupancy unless the site conditions and access are free from hazards to the public.
- (b) Model dwelling units may be erected or displayed in districts which exclude residential uses, provided that such models shall not be used for residential purposes, but only for display as a means to sell homes in districts in which they are permitted and provided that all other requirements of the district in which the model dwelling unit is erected shall be met.

7.20 Open Storage - Accessory Use

In addition to any buffer requirements, open storage areas shall be screened from view of any public street by a row of evergreen shrubs or trees planted to form a continuous hedge at least six feet high within two years of installation.

7.21 Satellite Radio and Television Receiving Dishes, Location Requirements

Any radio or television receiving dish in a residential district shall only be located within the rear yard.

7.22 Swimming Pools

- (a) Setbacks: Pools shall be located to comply with the minimum setback requirements for accessory buildings, and structures in Article 6.6 (c), (Setback Requirements for Accessory Uses).
- (b) Use Separation: Pools which are not an integral part of the principal building shall be located a minimum of ten (10) feet from the principal building.
- (c) Security Fencing: Swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

7.23 Townhouse Subdivisions

A Townhouse Subdivision consists of lots that have been divided for the purpose of conveyance of fee simple title after the construction thereon of a single-family townhouse residence which meets the standards of townhouse construction established by the North Carolina Building Code. Townhouse lots with dimensions smaller than those specified in Figure 5-2 may be created in conjunction with construction of single-family townhouses in zoning districts permitting the construction of multi-family dwellings in accordance with the following provisions:

- (a) The minimum area required for creation of a townhouse subdivision of three or more lots shall be determined by the minimum lot size and dimensions required for multi-family housing in the zoning district. A two lot subdivision for townhouse dwellings may be created on tracts meeting the requirements for two-family development in the zoning district.
- (b) In each district permitting townhouse development the lot size for each attached dwelling may be reduced from the general lot area of that district. Each townhouse lot shall have access to a public street through a portion of the lot or through commonly owned property in accordance with 6.10(j) of this ordinance. The minimum width of a townhouse lot shall be twenty feet. The minimum required front, rear and side street setbacks of the district shall apply to townhouse lots. The minimum interior side lot setback required by the zoning district may be reduced to zero feet between adjoining attached townhouse units. Minimum interior side yard setbacks between groups of attached townhouse dwellings shall be as required by the underlying zoning district.
- (c) The plat creating the townhouse subdivision shall state that individual lots are limited to townhouse construction.
- (d) All areas within the townhouse subdivision other than public streets and individual townhouse lots shall be shown and designated as common areas, the fee simple title to which shall be conveyed by the developer to a non-profit corporate homeowners association, the members of which shall be all of the owners of residential sites within the development. Such common area shall not be subsequently subdivided or conveyed by the homeowners association.
- (e) The homeowners association shall be organized and in legal existence prior to the sale of any residence in the development; membership in the homeowners association shall be mandatory for each original purchaser and each successive purchaser of a townhouse lot; the homeowners association shall be responsible for the maintenance of all facilities located on the common areas. Easements over common areas for access to public streets, recreation areas, parking, walkways, and for maintenance purposes shall be granted to each owner of a townhouse lot. Prior to approval of a townhouse subdivision, proposals for the establishment, operation and maintenance of common area facilities and improvements shall be reviewed by the Town Attorney who shall provide an opinion as to the legal sufficiency of the devices for insuring that the land shall be held and improved and maintained for the purposes set forth.

- (f) The minimum land area for multi-family housing within the zoning district shall apply to townhouse subdivisions as a whole.
- (g) Townhouses subdivisions shall provide buffers and screening in accordance with Article 7 with the dwelling unit densities required to determine the type of buffers and screening required to be established for the subdivision as a whole.
- (h) Driveways for townhouse subdivisions must have the written approval of the Town Engineer.
- (i) Building plans for the construction of the townhouse units shall be submitted prior to the final subdivision plat. The final plat may not be approved until construction plans are approved by the building inspector.

7.24 Reserved

7.25 Mobile Food Vendors.

(a). Intent

1. The Town of Long View finds that allowing Mobile Food Vendors to operate in the Town would promote diversification of the town's economy and employment opportunities and would support the incubation and growth of entrepreneurial/start-up businesses.
2. North Carolina General Statute 160A-174 grants cities the power to define, prohibit, regulate, acts, omissions, or conditions, detrimental to the health, safety or welfare of its citizens and the peace and dignity of the city through the creation of ordinances.
3. Mobile Food Vendors bring benefits to communities; however, they also bring unique regulations and challenges.

(b). Permit

1. A Town of Long View Commercial Zoning Permit for a Mobile Food Vendor shall be required prior to the operation of a vendor.
2. A Mobile Food Vendor permit is valid through December 31 of the year upon which the permit was issued.
3. A Mobile Food Vendor permit allows permittee to operate up to three (3) different properties. Vendors may operate on private property with written permission from the property owner that the food vendor may operate on his/her private property.
4. A Mobile Food Vendor permit does not include peddler, solicitor, or transient vendor as defined by Town Code.
5. No permit issued shall authorize a Mobile Food Vendor to operate on or from a public street.

(c). General Requirements

1. Vendors shall provide documentation of approval from the Burke or Catawba County Health Department and/or North Carolina Department of Health. A valid health permit must be maintained for the duration of the Mobile Food Vendor permit and shall be placed in a conspicuous location for public inspection.
2. A mobile food vendor permit shall be placed in a conspicuous location for public inspection.
3. Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be in accordance with the State Building Code.
4. No liquid, grease or solid wastes may be discharged from the Mobile Food Vendor. Absolutely no waste may be disposed of in tree pits, storm drains, the sanitary sewer system or public streets.
5. All areas within 5 feet of the Mobile Food Vendor must be kept clean
6. Dining accessories are permitted within a 10-foot radius of the unit.
7. Trash receptacles shall be provided for customers to dispose of all waste associated with the Mobile Food Vendor. The Mobile Food Vendor shall be responsible for removing all trash, litter, and refuse from the site at the end of each 24-hour period. This includes all waste improperly discarded by customers. Public trash receptacles shall not be used for compliance with this section.
8. The noise level from the Mobile Food Vendor shall comply with the municipality's noise ordinance.
9. No signage shall be allowed other than signs permanently attached to the movable trailer or motorized vehicle and a portable menu sign no more than six (6) square feet in display area on the ground in the customer waiting area
10. No vendor shall remain on site at one property for more than forty-eight consecutive hours, with exception of a holiday weekend if holiday falls on Friday or Monday.
11. A Mobile Food Vendor shall not operate as a drive-through.
12. Mobile Food Vendors shall not connect to electric receptacles that are owned by the Town of Long View.
13. Vendors must be located 1000' from any approved events permitted by the Town of Long View except a qualified vendor at that event.
14. The town manager reserves the right to temporarily suspend Mobile Food Vendor permits during times of special events in the downtown area.

(d) Location Requirements

1. Mobile Food Vendors may only conduct business in the following locations:

- ii. On all privately owned property in the following zoning districts: Commercial Districts, O&I, ED, and Industrial; subject to the approval of the property and/or business owner. No Mobile Food Truck can operate on a residential lot, even if the residential lot is in a mixed-use commercial district.
 - iii. On any zoning lot, when performing solely catering function for owner and not selling food to the general public.
 - iv. On any zoning lot, when authorized by the owner, and when participating in a special event or specialty market when such activity is authorized as an accessory use to property's current use.
 - v. Location requirements shall not apply in any respect to food vending at any non-profit fundraising event, a market, festival, or activity, arts and crafts, exhibit or event sanctioned by the town.
2. A Mobile Food Vendor may locate on a vacant lot or on a lot with another principal use.
3. The Mobile Food Vendor shall not block drive aisles, other access to loading/services areas, or emergency access and fire lanes. Mobile Food Vendors shall be positioned at least three feet away from any fire hydrants, any fire department connection, utility box or vault. The Mobile Food Vendor shall not locate within any area of the lot that impedes, endangers, or interferes with pedestrian or vehicular traffic. A Mobile Food Vendor shall not impede ingress and egress from driveway entrances, handicapped parking spaces & ramps, building entrances and exits

(e) Penalties and Enforcement

- 1. Any violations of this Section shall be subject to penalties enumerated in Article 19.
- 2. A Mobile Food Vendor permit may be denied, suspended, or revoked for fraud or misrepresentation in the application for the permit or in the conduct of the business, or constitute a danger to the public health, safety, welfare, or morals, or for conduct that is contrary to the provisions of this division. Notice of revocation shall be made in writing to the permit holder.

7.26 Bed and Breakfast Operation and Boarding and Rooming House

(a). General Requirements

The following specific standards shall be used in deciding an application for these uses:

- 1. All required off-street parking shall be located outside of required yards.
- 2. No more than four bedrooms shall be donated to accommodation of transients.
- 3. The operators shall be full-time residents of the premises.

4. Signs shall be limited to one non-illuminated sign of not more than six square feet.
5. The serving of meals to transients shall be limited to breakfast only.
6. A minimum lot size of 2 acres in residential zone.

7.27 Cemetery, Human

(a). General Requirements

The following standards shall be used in deciding an application for approval of this use:

1. All requirements of the North Carolina General Statutes, regarding the interment of the human dead, shall be met.
2. A minimum lot size of 85,000 square feet shall be provided.
3. There shall be adequate space within the site for the parking and maneuvering of funeral corteges.
4. No interment shall occur within 30 feet of any lot line.
5. All structures shall be set back a minimum of 25 feet.
6. All structures over 25 feet in height must be set back a minimum of 25 feet plus two feet for each foot, or fraction thereof, of height above 25 feet to the maximum height permitted in the district in which it is located or 50 feet, whichever is more restrictive.

7.28 Child and Adult Care Center

(a). General Requirements

The following specific standards shall be used in deciding an application for approval of these uses:

1. A paved circular driveway, 20 feet in width with a minimum inside radius of 20 feet, shall be provided.
2. A fenced outdoor playing area for children shall be provided in the rear yard.
3. Uses designed to accommodate more than 30 children shall be located upon and have direct access to an arterial or collector street as shown on the Hickory-Newton-Conover Thoroughfare Plan.

4. Uses designed to accommodate more than 30 children shall have a minimum lot size of 30,000 square feet.
5. Such use should, as a usual practice, be located so that it forms part of a group of community service uses, such as churches, schools, parks, etc.
6. Evidence that the requirements and standards of the N.C. Department of Human Resources have been and shall continue to be met.

7.29 Circus, Carnival and Fair

(a). General Requirements

The following specific standards shall be used in deciding an application for approval of this use:

1. The site shall have direct access to a major or minor thoroughfare as shown on the Hickory-Newton-Conover Thoroughfare Plan.
2. All required state and local licenses and permits have been obtained.
3. The maximum duration of the use shall be ten days.

7.30 Community Recreational Uses

(a). General Requirements

The following standards shall be used in deciding an application for approval of this use:

1. Where membership is not limited to residents of adjacent residential areas, the site shall have direct access to a major or minor thoroughfare as shown on the Thoroughfare Plan.
2. All required yards shall be 40 feet.
3. A minimum lot size of 40,000 square feet shall be provided.
4. The light source of outdoor lighting fixtures shall not be directly visible from property outside the zoning lot on which the fixture is located. Additionally, the maximum illumination permitted at the zoning lot line shall be 0.20 foot candles.

7.31 Congregate Living Facility

(a). General Requirements

The following specific standards shall be used in deciding an application for approval of these uses:

1. No such use shall be established within 1,200 feet of another such use or a professional residential facility.
2. The requirements and standards of the North Carolina Department of Human Resources have been and shall continue to be met.
3. No external evidence of such use, distinguishing the Congregate Living Facility from a regular dwelling, shall be visible from adjacent property, public or private.
4. Each facility shall be designed and built to appear as similar to a residential structure as possible.

7.32 Cultural Use Facility; Libraries, Museums

(a). General Requirements

The following standards shall be used in deciding applications for approval of this use:

1. The use shall have direct access to an arterial or collector street, as shown on the Thoroughfare Plan.
2. A minimum lot size of 40,000 square feet shall be required.
3. Retail sales of historical, educational and cultural objects shall be limited to 5% of the total usable floor area of the use.
4. No external evidence of retail sales shall be permitted.

7.33 Drive-In Theaters

(a). General Requirements

1. No part of any theater screen, projection booth, or other building shall be located closer than three hundred feet from any residential district nor closer than fifty feet from any lot line.
2. The image on the theater screen shall not be visible from any arterial or collector street or from any residential district.
3. Queuing space within the zoning lot shall be provided for patrons awaiting admission in an amount equal to twenty percent of the vehicular capacity of the theater.

7.34 Reserved

7.35 Reserved

7.36 Nursing, Convalescent and Extended Care Facilities

(a). General Requirements

The following specific standards shall be used in deciding applications for approval of such uses:

1. All nursing, convalescent and extended care facilities shall have direct access to a collector or arterial street, as shown on the Thoroughfare Plan.
2. Minimum lot size shall be 40,000 square feet with a minimum frontage of 150 feet.
3. Front, rear and side setbacks shall be a minimum of fifty feet.
4. Buffers and screening shall be as required by Article 6.11, Buffers and Screening.
5. Signs shall be limited to one non-illuminated sign with a maximum area of six feet. Said sign shall be attached either flush to the wall of the building or else shall be located at ground level with a maximum height of 4 feet from the ground. No other external evidence of the use for identification or advertising purposes shall be permitted.
6. Evidence that all the requirements of the State of North Carolina have been and shall continue to be met.
7. Paved circular driveway access for ease of pick-up and delivery.

7.37 Reserved.

7.38 Public Service Facility

(a). General Requirements

The following specific standards shall be used in deciding applications for approval of such uses:

1. Operating requirements shall necessitate locating in the district.
2. Buffers and screening shall be provided as required by Article 6.11, Buffers and Screening.
3. Front, rear and side setbacks shall be a minimum of 50 feet.

4. Whenever possible, such facilities shall be designed and constructed to have the same height and bulk as adjacent structures.
5. When operating requirements necessitate heights above the district maximum, an additional one foot setback shall be required for each foot of height above the district maximum.

7.39 Public Use Facility

(a). General Requirements

The following specific standards shall be used in deciding applications for approval of such uses:

1. The facility shall have direct access to a collector or arterial street as shown on the Thoroughfare Plan.
2. Buffers and screening shall be as required by Article 6.11, Buffers and Screening.
3. Front, rear and side setbacks shall be a minimum of 50 feet.
4. Whenever possible, such facilities shall be designed and constructed as to have the same height and bulk as adjacent structures.

ARTICLE 8

SIGNS

8.1 Intent

It is the general intent of this Ordinance to regulate the number, size and location of signs in all districts -- to prohibit signs of a commercial nature in districts in which commerce is barred; to limit signs in the commercial districts in relation to the intensity of the use of the district and its surroundings; and to control the number, area and location of signs in other districts. These regulations are designed, among other purposes, to stabilize and protect property values, maintain the visual attractiveness of the Town of Long View and its environs and promote public safety.

8.2 Administration.

No sign shall be constructed, enlarged, moved, replaced or altered until a zoning permit has been issued by the zoning enforcement officer, except for those signs specifically permitted in zoning districts without a zoning permit. All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code and North Carolina State Electrical Code and shall obtain applicable permits prior to construction. The building inspector or zoning enforcement officer shall order the immediate removal of any signs or supporting structures that are not constructed or maintained safely in good repair in accordance with the provisions of this section or in accordance with the applicable provisions of the North Carolina State Building Code. Unauthorized signs posted in the public right-of-way may be removed without notice by the zoning enforcement officer or his/her designee.

8.3 Definition of Sign.

Any structure, object, device or part thereof which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, state, city or any fraternal, religious or civic organizations, works of art which in no way identify an object, person, institution, organization, business, product, service, event or location by any means, or scoreboards located on athletic fields.

8.4 Nonconforming signs.

Any sign existing on the effective date of this section which does not conform to the requirements set forth herein will be allowed to remain if in good repair but shall not be changed to another nonconforming sign. If a nonconforming sign is altered, removed, moved or changed in any way, the sign shall be brought into compliance with the regulations of this section.

8.5 Measurement of sign area.

The area of a sign shall be measured to include the entire sign, including its display area, frame, border, incidental decoration and foundation of any kind except a pole. Where a sign consists of letters, figures or other devices individually mounted to a building wall, the sign area shall be the smallest circle or rectangle that can be inscribed around the sign. Only one (1) side of a double-faced sign shall be included in calculating the display area.

8.6 Sign location.

No sign requiring a permit shall be placed closer than ten (10) feet from a street right-of-way line or five (5) feet from an interior lot line. Where no right-of-way exists signs shall be placed at least fifteen (15) feet from the edge of the pavement. Signs shall not block visibility from three-to-eight (3-8) vertical feet within twenty (20) feet of any road intersection. Additional setbacks may be required by the Town of Long View or the North Carolina Department of Transportation so as not to obstruct visibility at a street or driveway. Signs that do not require a permit may be located closer than ten (10) feet from a street right-of-way line or five (5) feet from an interior lot line, provided they do not obstruct the visibility of the traveling public and are not located in the public right-of-way.

8.7 Illumination.

Where permitted, illuminated signs may be either directly lit from inside the sign or may have an indirect light source that shines on to the surface of the sign. Any illuminated sign shall be so designed or placed so as to prevent direct or reflected light from being cast upon adjacent properties, the public right-of-way or the night sky. Flashing, blinking or pulsating signs shall not be permitted except as part of a digital or LED (Light Emitting Diode) sign.

8.8 Sign types.

(a) Ground sign. A sign attached directly to the ground by means of one (1) or more upright pillars, braces, posts, poles or foundations placed directly upon or in the ground and not attached to any part of the building. Ground signs must conform to the following provisions:

1. The maximum area for the sign is one (1) square foot per lineal foot of building frontage not exceeding one hundred (100) square feet, except as stated below.
 - Businesses located on parcels fronting on Interstate 40 are permitted one (1) square foot per lineal foot of lot frontage not exceeding one hundred (100) square feet.
 - Ground signs located in the C-3 District are permitted one (1) square foot per lineal foot of building frontage not exceeding fifty (50) square feet.

2. No ground sign shall be more than twenty (20) feet tall, measured from the natural ground line to the top of the sign frame. No ground sign located in the C-3 District shall be more than eight (8) feet tall.
3. The sign shall not be placed closer than ten (10) feet from the right-of-way line.
4. Only one (1) ground sign may be erected per building, regardless of the number of tenants, except as provided for in Article 8.10(c).
5. The sign may be illuminated.

(b) Wall sign. A sign attached or painted directly on the building wall, generally on the façade, with the exposed display surface of the sign in a plane parallel to the wall. Wall signs must conform to the following provisions:

1. The maximum area for the sign is one (1) square foot per lineal foot of building frontage.
2. No wall sign shall be mounted more than twenty (20) feet above the natural ground line.
3. One or more wall signs may be used on a building, as long as the total area of the signs does not exceed the maximum permitted.
4. On multiple-occupancy buildings, each occupant with a separate outside entrance serving the public may have a separate wall sign.
5. No part of a wall sign shall extend more than eighteen (18) inches from the wall.
6. The sign may be illuminated.

(c) Projection sign. A hanging, suspended, shingle, blade or any other type of sign that is mounted to and projects perpendicularly from a building wall. Projection signs must conform to the following provisions:

1. The maximum area for the sign is one (1) square foot per lineal foot of building frontage not exceeding forty (40) square feet.
2. The sign shall not project more than six (6) feet from the building.
3. The sign shall not extend higher than three (3) feet above the roof of the building.
4. The sign shall have nine (9) or more feet of vertical clearance from the ground or sidewalk level.
5. The sign may be illuminated.

(d) Roof sign. A sign which is attached to or painted on the roof of a building. Roof signs must conform to the following provisions:

1. The maximum area for the sign is one (1) square foot per lineal foot of building frontage not exceeding forty (40) square feet.
2. The sign shall be placed a minimum of five (5) feet from the edge of the roof.
3. The sign shall not exceed six (6) feet in height.
4. Only one (1) roof sign shall be permitted per business.
5. The sign may be illuminated.

(e) Canopy sign. A sign painted or otherwise affixed directly to a canopy or awning. The signage area shall not exceed twenty-five (25) square feet. The sign shall identify only the name of the business and logo and may be illuminated.

(f) Window sign. A sign directly attached to windows or doors. A business may use one or more window signs but the total sign area shall not exceed fifty (50) percent of the glass area. The sign may be illuminated.

(g) Temporary On-premise sign. A sign that is not permanently installed in the ground or affixed to any structure or building and designed to be mobile or movable. This includes, but is not limited to, portable signs, sandwich boards, banners, wire-frame signs or signs on parked vehicles. Temporary on-premise signs must conform to the following provisions:

1. The maximum area for the sign shall not exceed twenty-five (25) square feet.
2. The sign is allowed without a permit but must be located in compliance with the provisions of Article 8.6.
3. The sign must remain in good repair at all times.
4. Obsolete temporary on-premise signs advertising special events must be removed within forty-eight (48) hours after the termination of the advertised events. Property owners are responsible for the removal of the obsolete signs.
5. No sign exceeding four (4) square feet shall be placed closer than ten (10) feet to the right-of-way line. A sandwich board sign may be placed in on the sidewalk; however, any person erecting such a sign shall indemnify and hold harmless the Town of Long View and its employees from any claims arising from the presence of the sign in the right-of-way.
6. The sign may be illuminated.

(h) Temporary Off-premise sign. A sign or banner that meets all of the following:

1. Must be for special community events, open to the general public, and the event must be within the Town of Long View.
2. Events must be sponsored by non-commercial civic, charitable, community, or similar organizations.
3. Signs or banners shall be located in accordance with Article 8.6.
4. Signs or banners may be posted up to thirty (30) days prior to the event and must be removed within seven (7) days following the event.
5. Nothing in this provision shall be construed to authorize the posting of such signs or banners upon trees, utility poles, traffic control signs, lights or devices in any place or manner prohibited by the provisions herein.

(i) Off-premises sign. A sign, billboard or other permanent outdoor advertising structure that directs attention to a business, commodity or service sold, conducted or offered at a location

other than the premises on which the sign is erected. Off-premises signs shall not be permitted in the Town of Long View, except signs identifying the location of a church or house of worship. Such signs shall not exceed four (4) square feet and may not be illuminated. The continued use of existing off-site outdoor advertising signs shall be allowed consistent with the provisions of Article 8.4.

(j) Subdivision/group development sign. A sign used to identify the entrance to a subdivision, planned unit development, apartment or townhouse complex, manufactured home park or other group development. The area of the face of the sign shall not exceed thirty-six (36) square feet but may be mounted on a larger masonry wall. The sign may be illuminated.

8.9 Number and type of permitted signs in non-residential zoning districts.

- (a) A single-occupancy building in the O-I, C-3, C-4, C-5, ED, or I zoning district is permitted to choose three (3) signs from the following list: ground, wall, projection, canopy, window, roof or temporary. The selection of more than one (1) sign of each type is not permitted except as stated in Article 8.8(a)3, 8.8(b)4, and 8.8(f).
- (b) Each business or entity in a multiple-occupancy building in the O-I, C-3, C-4, C-5, ED, or I zoning district is permitted to choose three (3) signs from the following list: ground (1 per building), wall, projection, canopy, window, roof or temporary. The selection of more than one (1) sign of each type is not permitted except as stated in Article 8.8(a)3, 8.8(b)4, and 8.8(f).
- (c) In addition to the number of signs permitted in Article 8.9 (a). and (b). above, a building in the O-I, C-3, C-4, C-5, ED, or I zoning district situated on a corner lot or a lot bounded by more than one street shall be permitted to choose one (1) additional sign per building front from the following list: ground, wall, projection, canopy, window, roof or temporary, provided that the additional sign area does not exceed the sign area permitted for the building front. Additional sign area shall be used specifically for the side or rear of the building and may be illuminated.

8.10 Number and type of permitted signs in residential zoning districts.

- (a) Any church, school, long-term care facility, or day care facility located in a residential zoning district is permitted to choose three (3) signs from the following list: ground, wall, projection, canopy, window, roof or temporary. The selection of more than one (1) sign of each type is not permitted.
- (b) In addition to the number of signs permitted in Article 8.10(a). above, a church, school, long term care facility, or day care facility situated on a corner lot or a lot bounded by more than

one street shall be permitted to choose one (1) additional sign per building front from the following list: ground, wall, projection, canopy, window, roof or temporary, provided that the additional sign area does not exceed the sign area permitted for the building front. Additional sign area shall be used specifically for the side or rear of the building and may be illuminated.

- (c) A subdivision or group development is permitted one (1) subdivision/group development sign per entrance. Subdivision or group development signs shall not be less than eight hundred (800) feet apart if located on the same street.

8.11 Signs permitted in all zoning districts.

The following signs are permitted in all zoning districts without a zoning permit, provided they are kept in good condition, do not obstruct the visibility of the traveling public, are not located in the public right-of-way and comply with the provisions below:

- (a) Any sign erected by a government agency to convey information about a public facility or service or to regulate, control or direct vehicular or pedestrian traffic. Such signs may be illuminated, flashing or moving as necessary for public safety.
- (b) Signs which warn of safety hazards. Such signs may be illuminated.
- (c) One (1) real estate sign per street frontage on property for sale, lease or rent. The sign(s) shall be a maximum of four (4) square feet in size in residential zoning districts and thirty-two (32) square feet in non-residential zoning districts. The sign(s) shall not be illuminated.
- (d) Signs not exceeding four (4) square feet in area. Such signs shall not be illuminated.
- (e) Construction site identification signs on active construction sites. The sign(s) shall be a maximum of four (4) square feet in size in residential zoning districts and thirty-two (32) square feet in non-residential zoning districts. The sign(s) shall not be illuminated and shall be removed within thirty (30) days of the completion of the project.
- (f) Incidental signs not exceeding four (4) square feet in size or three (3) feet in height if located closer than five (5) feet from the right-of-way line. An incidental sign is defined as one which carries no advertising message, directs traffic flow, indicates the location of ingress and egress points, directs certain activities to certain areas (e.g. parking or waiting) or provides other incidental information. The sign(s) may be illuminated.
- (g) Streamers, pennants, balloons and similar devices. Such devices shall not be illuminated.
- (h) Temporary Off-premise Signs which comply with Article 8.8 (h).
- (i) Political and election signs displayed on private property provided such signs shall not exceed sixteen (16) square feet in area and may not be illuminated. Such signs shall be

removed within forty-eight (48) hours after the election or time which the purpose of the sign ceases to exist. Political signs shall not be located on public property, except at polling places on the day of the election, or in any right-of-way. Signs that do not conform to the terms of this section may be removed and discarded by the zoning enforcement officer without notice.

8.12 Signs prohibited in all districts.

The following signs shall be prohibited in all districts:

- (a) Signs or other devices that resemble traffic signals, traffic signs, emergency vehicle flashing lights, or which are likely to be misconstrued by the traveling public as being an official governmental sign or emergency warning.
- (b) Animated, rotating or other moving or apparently moving signs.
- (c) All other signs not expressly permitted.

ARTICLE 9

NONCONFORMITIES

9.1 Classification

Nonconformities are classified as

- (a) Land;
- (b) Buildings;
- (c) Manufactured Homes and Manufactured Home Parks;
- (d) Characteristics of uses which were lawful but would be prohibited, regulated or restricted by the enactment of this Ordinance or a subsequent amendment thereto.

Nonconformity may also be created where lawful public taking or actions pursuant to a court order have the same effect as violations of this Ordinance, if undertaken privately.

9.2 Intent Concerning Nonconformities Generally

It is the intent of this Ordinance to require the cessation of certain nonconformities and to permit others to continue until they are removed or cease.

It is further the intent of this Ordinance that nonconformity shall not be used as grounds for addition of other prohibited uses or structures on the site or in the area, nor the enlarging by means of extension or expansion, except as specifically provided by this Ordinance.

All rights and obligations associated with a nonconforming status run with the land and are not personal to the present ownership or tenant of the land, and are not affected by a change in ownership or tenancy, unless abandoned.

9.3 Special Uses Not to be Considered Nonconforming

Any existing use that would require Special Use Permit approval under the terms of this Ordinance shall be deemed a conforming use. However, enlargement, replacement, or modification of such a use shall require approval of a Special Use Permit application, as though it were a new use.

9.4 Continuing Nonconforming Uses of Land.

- (a) Extensions of Use. Nonconforming uses or land shall not hereafter be enlarged or extended in any way.

(b) Change of Use. Any nonconforming uses of land may be changed to a conforming use, or with the approval of the Board of Adjustment, to any use more in character with the uses permitted in the district in question.

(c) Cessation of Use. When nonconforming uses of land are discontinued for a continuous period of one hundred eighty (180) days the property involved may thereafter be used only for conforming purposes. All nonconforming uses of land involving minor structures such as junkyards, signs, or any nonconforming uses similar to those enumerated, shall be eliminated within two years from the date of adoption of this Ordinance. A record of these nonconforming uses shall be compiled by the Planning Board and kept on permanent file in the Town Hall. Involved property owners shall be notified of this provision within six (6) months of the adoption of this Ordinance.

9.5 Continuing the Use of Nonconforming Buildings.

(a) Extensions of Use. Nonconforming buildings and nonconforming uses of buildings shall not hereafter be enlarged. Additionally, no nonconforming structure or use may be enlarged or altered in any way which increases its dimensional deficiencies.

(b) Change of Use. The lawful use of a building existing at the time of the adoption of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, and such building may be reconstructed or structurally altered and nonconforming use therein changed subject to the following regulations:

1. The order of classification of uses from highest to lowest for the purpose of this section shall be as follows: single-family residential uses, multi-family residential uses, commercial uses, and industrial uses as permitted by this Ordinance.
2. A nonconforming use may be changed to a use of higher classification but not to a use of lower classification, nor shall a nonconforming use be changed to another use of the same classification unless the new use shall be deemed by the Board of Adjustment, after public notice and hearing, to be less harmful to the surrounding neighborhood, from the standpoint of the purposes of this Ordinance, than the existing nonconforming use.
3. A nonconforming commercial or industrial use may not be extended, but the extension of a use to any portion of a building, which portion is at the time of the adoption of this Ordinance primarily or designed for such nonconforming use, shall not be deemed to be an extension of a nonconforming use.
4. Nor shall the building be enlarged, unless the use therein is changed to a conforming use, provided however, that a nonconforming building damaged by fire, explosion, tornado, earthquake, or similar uncontrollable cause to the extent of not more than sixty percent (60%) of its assessed value at the time of the damage may be repaired or rebuilt within one year of the date of such damage, but not thereafter. Such determination shall be made by the Board of Adjustment.

5. Existing single-family residential structures in business or industrial districts may be enlarged, extended or structurally altered, provided that no additional dwelling units result there from. However, any enlargements, extensions or alterations shall comply with the dimensional requirements set forth by this Ordinance.

(c) Cessation of Use. If active operations are discontinued for a continuous period of one hundred eighty (180) days with respect to a nonconforming use of a building, such nonconforming use shall thereafter be occupied and used for a conforming use.

9.6 Continuing the Nonconforming Use of Manufactured Homes and Manufactured Home Parks.

(a) Extension of Use. Nonconforming manufactured homes and manufactured home parks existing at the time of the adoption of this Ordinance shall be allowed to continue to their present existence. Existing mobile home parks shall not hereafter be enlarged or extended in any way, unless the park comes into compliance, in which case all enlargements or extensions must comply with Article 2.

(b) Nonconforming manufactured homes on individual lots in the R-4 and R-5 zoning districts or in a manufactured home park existing prior to January 8, 1991, may be replaced with a Class AA manufactured home meeting the appearance criteria set out in Article 2.

(c) Replacement of Manufactured Homes in Existing Manufactured Home Parks. Manufactured home parks that are operating as existing parks as of the effective date of this Ordinance may continue to operate. The replacement of nonconforming manufactured homes in manufactured home parks is allowed and must meet the criteria of Article 2.

9.7 Nonconforming Characteristics of Use

(a) Nonconforming characteristics of use, which may include, by way of illustration but not limitation, inadequate parking and loading facilities, landscaping, lighting, emissions, etc., may continue to operate, but shall not be expanded, altered, changed or relocated in such a manner to increase the degree of nonconformity without approval by the Board of Adjustment.

(b) Open Storage- Exception. At a minimum, the screening requirements of Article 7.20, Open Storage - Accessory Use, shall be met within 1 year of the passage of this ordinance.

9.8 Unsafe Nonconforming Structures

Nonconforming structures or portions thereof, which are declared unsafe by the Building Inspector or other competent authority, may be repaired and restored.

9.9 Repairs and Maintenance of Structures Containing Nonconforming Use(s)

Repairs and maintenance on any structure devoted, in whole or in part, to a nonconforming use, may be done in any period of twelve consecutive months by ordinary repairs, or by repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding ten percent of the current replacement value of the building.

Nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

ARTICLE 10

OFF-STREET PARKING AND LOADING

10.1 Intent

It is the intent of these regulations to encourage the appropriate location of off-street parking and off-street loading to provide the needed levels of service to the citizens of and visitors to the Town of Long View and its environs, to avoid undue congestion on the streets, to protect the capacity of the street system to move traffic, to avoid unnecessary conflicts between vehicles and pedestrians, to preserve and enhance the designated pedestrian activity areas within the Town and to facilitate access from streets to off-street parking lots and structures and off-street loading spaces.

10.2 Off-Street Parking Required

In all districts in connection with every industrial, commercial, institutional, residential or any other use, at the time any new structure is erected or any use of a structure or land is enlarged or increased in density or intensity, off-street parking shall be provided for motor vehicles in accordance with requirements contained in this Article. Conformance with the new parking requirements herein shall be for the new use or the enlarged portion of the use(s) or structure(s) only and not the existing use or structure.

10.3 Compliance with Regulations

The requirements for off-street parking space and off-street loading space applicable to newly erected or altered structures and uses shall be a continuing obligation of the owner of the real estate upon which any such structure is located, so long as the structure or use is in existence and its use requiring parking or loading, or both, continues. It shall be unlawful for an owner of any structure affected by this Ordinance to discontinue, change or dispense with, or cause the discontinuance or change of the required vehicle parking or loading space apart from the discontinuance of such structure, without establishing alternative parking and loading space which meets the requirements of and is in compliance with this Ordinance.

10.4 Methods of Providing Required Parking

All required parking shall be located on the same zoning lot as the principal use(s) it serves, except as provided below.

(a) In lieu of actual construction of required on-site parking spaces, all or any portion of the off-street parking required in this Article may be provided as follows:

1. Required parking for a use on a zoning lot may be located on another zoning lot, either by itself or combined with parking for other uses, subject to certification by the Zoning

Administrator that the following requirements have been met:

- a. The use being served by the off-site parking shall be a permitted principal use as established in Article 5, in the zoning districts within which the zoning lot containing such parking is located, or parking is a permitted principal use in the district where the offsite parking is located;
- b. The off-site parking spaces shall be located within four hundred feet walking distance of a public entrance to the structure or land area containing the use for which such spaces are required. A pedestrian route shall exist or be provided between the off-site parking and the use being served;
- c. The continued availability of off-site parking spaces, necessary to meet the requirements of this Article, shall be ensured by an appropriate agreement, with the Town of Long View as one of the parties with the right of enforcement, satisfactory to the Office of the Town Attorney, filed with the Zoning Administrator, and recorded with the Register of Deeds of the county in which the use is located.
- d. For purposes of determining applicable minimum and maximum intensities, the land area devoted to off-site parking shall be added to the land area of the zoning lot containing the use being served by such parking and shall be subtracted from the area of the zoning lot containing the off-site parking.
- e. Off-site required off-street parking shall not be separated from the use it serves by a street with more than four lanes, or other similar physical barriers to convenient access between the parking and the use, unless a controlled pedestrian crossing is provided or exists.
- f. The zoning compliance permit covering such approval shall include the requirement that the permit is valid only so long as the conditions described in the application for the permit exist.

10.5 Joint Use Facilities and Shared Parking

- (a) Nothing in this Ordinance shall be construed to prevent the joint use of off-street parking or off-street loading space for two or more structures or uses, if the total of such spaces, when used together, will not be less than the sum of the requirements of the various individual uses computed separately in accordance with the requirements of this Ordinance.

An agreement for such joint use, in a form acceptable to the Town Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for the county in which the use is located.

(b) No part of an off-street parking area or off-street loading area required for any structure or use for the purpose of complying with the provisions of this Ordinance shall be included as a part of an off-street parking area or off-street loading area similarly required for another structure or use, unless the Zoning Administrator determines that the period(s) of peak demands for off-street parking for such structures or uses will not be simultaneous with or overlap each other.

An agreement, with the Town of Long View as one of the parties with a right of enforcement, for such joint use, in an agreement acceptable to the Office of the Town Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for the county in which the use is located.

The Zoning Compliance Permit covering such approval shall include the requirements that the permit is valid only so long as the conditions described in the application for the permit exist.

10.6 Number of Required Off-Street Parking Spaces

(a) Required Off-Street Parking Spaces

Parking shall be provided a rate indicated in the following Table of Parking Ratios

<i>Table of Parking Ratios</i>	
Use	Parking Requirement
Single family, two family, multi-family dwellings	2 per dwelling unit
Mixed Use Building	see Article 14.1(b)7
Animal hospitals, veterinary offices & clinics	1 per 250 sqft gross floor area (gfa)
Animal pound or shelter	1 per 350 sqft gfa
Appliance & Electronics repair	1 per 300 sqft gfa
Auto, boat, recreation vehicle & motorcycle sales	1 per 7,000 sqft of outdoor display, plus 1 per 250 sqft of indoor sales area, plus service & repair requirement if applicable
Automobile service, repair & body shops	3 per bay or similar facility
Bakery (production & distribution)	1 per 500 sqft gfa
Banks & other financial establishments	1 per 300 sqft gfa or 5 spaces, whichever is great
Barbershops & salons	2 per chair or station
Spas	1 per 250 sqft gfa
Bed & breakfast establishments	1 per guest room, plus single-family requirement
Boat service & repair	1 per service stall or similar facility
Bus station	1 per 200 sqft of waiting area
Car wash	2 per stall, plus 3 stacking spaces in front of stall

Use	Parking Requirement
Cemeteries	1 per 250 sqft gfa of office
Churches & other places of worship	1 per 30 sqft of seating area, including balconies
Clubs & lodges	1 per 150 sqft gfa
Commercial indoor recreation establishments	1 per 300 sqft gross floor area (gfa)
Commercial outdoor recreation establishments	1 per 200 sqft gfa, plus 1 per 550 sqft of site area open to public (excluding parking area)
Community centers	1 per 200 sqft gfa
Public community swimming pools	1 per 100 sqft of water surface area, plus 1 per 80 sqft of patio area
Convenience store or gas station	1 per 150 sqft gfa
Child Care Facility	1 per 375 sqft gfa
Dry cleaning	1 per 300 sqft gfa
Emergency response facilities	1 per vehicle involved in operation, plus 1 per 300 sqft (excluding bays or service area)
Family care & group homes	2 per dwelling unit
Funeral homes & mortuaries	1 per 200 sqft gross floor area gfa
Golf courses	4 spaces per hole
Heavy equipment service & repair	3 per service bay or similar facility
Heavy equipment sales & rental	1 per 500 sqft gfa plus 1 per 2,000 sqft of outdoor display
Hospitals	3 per bed
Hotels, inns & motels	1.25 per guestroom, plus 1 per 100 sqft of meeting, dining or banquet facilities
Institutional facilities, such as libraries & other nonprofits	1 per 300 sqft gfa
Laundromat	1 per 200 sqft gfa
Manufacturing & Industrial uses	1 per 2 employees during the maximum work shift
Mini-storage	1 per 25 storage units, plus office requirement
Movie theaters & performing theaters	1 per 3 seats
Museums & art galleries	1 per 700 sqft gfa
Offices, government, medical, business, professional & public	1 per 250 sqft gfa
Pet grooming	2 per chair or station
Photography services	1 per 250 sqft gfa
Photography, dance, art & music studios	1 per 250 sqft gfa

Use	Parking Requirement
Printing & copy services	1 per 250 sqft gfa
Radio & TV broadcasting	1 per 400 sqft gfa
Railroad station	1 per 200 sqft of waiting area
Recycling establishment	2 per collection container, plus office requirement for office area
Restaurants (all types)	1 per 80 sqft gfa, including outdoor seating area
Retail sales	1 per 200 sqft gfa – if less than 3,000 sqft or 1 per 300 sqft gfa – if 3,000-10,000 sqft or 1 per 400 if greater than 10,000 sqft
Elementary & secondary schools	2.5 per room used for classroom or administration
High schools & colleges	7 per classroom
Shopping centers	see Article 14.1(b)7
Long term care facilities	1 per 3 beds
Towing service	1 per 350 sqft gfa, plus 1 per 4,000 sqft of outdoor storage area
Winery	Manufacturing and warehousing area – 1 per 1000 sqft gfa Sales and tasting area – 1 per 250 sgft gfa
Warehousing & distribution	1 per 4000 sqft gfa
Wholesale establishments	1 per 2000 sqft gfa

10.7 Determinations for Unlisted Uses

The Zoning Administrator shall make a determination, in the cases of uses not listed in the Table of Parking Ratios, of the required off-street parking spaces.

In reaching the determination, the Zoning Administrator shall be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the proposed uses and studies of the parking requirements of such uses in other jurisdictions.

10.8 Off-Street Parking Space Standards

Every building or structure used for business, trade or industry hereafter erected shall provide space as indicated herein for the loading and unloading of vehicles off the street or public alley.

- (a) Off-street loading and unloading spaces shall have access to an alley, or if there is no alley available, then to a street.

- (b) Off-street loading and unloading spaces shall have a minimum dimension of 12 feet by 40 feet and overhead clearance of 14 feet in height above the alley or street grade.
- (c) Loading and service areas shall be designed to ensure the safety of pedestrians and private property.
- (d) Such areas shall have sufficient space to be properly accessed and the use of these areas shall not block public road rights-of-way nor hinder access or traffic flow.
- (e) Loading and service areas should be designed out of view from public roads.

Retail Operations: One loading space for each 5,000 square feet of gross floor area (gfa) or fraction thereof.

Wholesale and industrial: One loading space for each 10,000 square feet of operations gross floor area (gfa) or fraction thereof.

10.9 Shopping Center Parking Requirements.

Commercial developments with a mixture of tenants and uses shall provide parking according to the following standards.

Shopping Centers with less than 20,000 square feet:	1 per 180 square feet of gfa.
Shopping Centers with 20,000 to 50,000 square feet:	1 per 200 square feet of gfa.
Shopping Centers with greater than 50,000 square feet:	1 per 225 square feet of gfa.

10.10 Mixed Use Building Parking Requirements.

Buildings with a mixture of uses shall provide parking according to the following standards. The portion of the building used for residential purposes shall provide parking at the rate of two (2) spaces per dwelling unit. The portion of the building used for non-residential purposes shall provide parking according to the rates for the non-residential use, as listed in the “*Table of Parking Ratios*” above.

10.11 Stacking/ Drive-Thru Reservoir Requirements.

For uses utilizing drive-thrus stacking/ reservoir space shall be provided for a minimum of five (5) vehicles. For automatic teller machines stacking/ reservoir space shall be provided for a minimum of three (3) vehicles.

10.12 Landscaping Requirements.

The following landscaping requirements shall apply:

- (a) Within parking areas, tree planting areas shall be provided for every 10 parking spaces. Tree planting areas shall be at least eight (8) feet wide, a minimum of 200 square feet in area, include at least one (1) shade tree, and be designed to minimize damage to trees by

parking or moving vehicles. The remaining area shall be landscaped with plantings (bushes, shrubs, flower beds, rain gardens). Pedestrian ways are permitted within parking landscaped areas but do not count towards the landscaping area requirement.

- (b) A vegetative strip shall be provided between public right-of-ways and interior parking areas and where two parking areas abut. The vegetative strip shall be at least ten (10) feet wide and shall include a minimum of one (1) large canopy tree per fifty (50) feet. Grass, shrubs, bushes, flower beds, pedestrian amenities, decorative walls and fences, stormwater retention areas, and sidewalks may be placed in this area. Only where existing overhead utility lines prevent use of large maturing trees may small maturing trees be substituted. Landscaping may be provided within the required parking setback but shall not impede visibility at corners and intersections.

10.13 General Parking Requirements.

The following general parking requirements shall apply:

- (a) No parking space shall be more than three hundred (300) feet from a building entrance.
- (b) Parking areas shall provide spaces in sufficient number and design that are accessible for persons with disabilities in a manner compliant with the Americans with Disabilities Act (ADA) requirements or other federal, state and local laws.
- (c) Parking shall not be closer than ten (10) feet from the front property line, any dedicated street or railroad right-of-way line. When no right of way exists, then a 50-foot distance will be used to determine the setback (25-feet on each side from the center of the road). This distance is measured from the middle of the existing road or street.
- (d) Parking shall not be closer than five (5) feet from any side or rear property line, not a street line.
- (e) Parking spaces shall be striped to designate stalls.
- (f) Angle parking stall dimensions: 30-90 degree shall be a minimum eight (8) feet by eighteen (18) feet.
Parallel parking stall dimensions: shall be a minimum eight (8) feet by twenty-two (22) feet.
- (g) Parking shall be accessed by adequate egress and ingress, drives, and maneuvering space.
- (h) Parking egress and ingress, drives, and maneuvering space shall be paved with asphalt or concrete. Pervious paving, such as porous asphalt, porous concrete, or grass pave is permitted where appropriate as determined by a certified engineer.

- (i) Parking areas shall be designed and constructed to dispose of all surface water accumulated within the area in a manner that will not contribute to the subsidence, erosion, or sedimentation of the development site or offsite
- (j) To ensure safe sight distances where streets intersect and where driveways intersect streets, a minimum clear vision area shall be provided at the corners of the intersections according to NC DOT standards. No structure, planting, sign, fence, wall or obstruction to vision that would impede visibility shall be established in the clear vision area. Grading of land may be required where topography impedes the required clear vision area.
- (k) Vehicular access points to the development shall be designed according to NC DOT standards to encourage smooth traffic flow with minimum hazards to pedestrians, bicycles and vehicular traffic. Accommodation for controlled turning movements into and out of the development and improvement of the approach street shall be provided according to NC DOT requirements.
- (l) Lighting shall be provided for the safety of individuals within the parking area. In order to reduce the impact of lighting on neighboring residential uses, potential safety hazards to the traveling public, and effect on viewsheds and nightscapes, lighting shall meet the following requirements:
 - 1. Exterior lighting shall be fully shielded and directed to avoid illuminating the night sky.
 - 2. Lighting shall not illuminate neighboring residential properties.
 - 3. Lighting shall not be directed towards or illuminate the I-40 Interstate right-of-way or be directed in a manner as to distract or harm the traveling public on road rights-of-way.
 - 4. On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of building(s).
 - 5. In order to promote safety and security in developments, lighting should be used at intersections, development entrances, and in parking areas.

ARTICLE 11

SPECIAL USES

11.1 Intent

It is the intention of the Board of Aldermen to create, and from time to time amend, a list of Special Uses within the Table of Permitted Uses which, because of their inherent nature, extent and external effects, require special care in the control of their location and methods of operation. The Board of Aldermen is aware of its responsibility to protect the public health, safety and general welfare and believes that certain uses which, now or in the future, may be included on this list are appropriately handled as Special Uses, subject to review in relation to general and specific requirements, rather than as uses permitted by right.

In addition to the listing of such uses, the Board of Aldermen intends that the general standards, established in Article 11.2, and the more specific requirements, established below shall be used by the Board of Adjustment, the Planning Board and the Board of Aldermen, as appropriate, to direct deliberations upon applications for the approval of Special Uses. It is the express intent of the Board of Aldermen to delineate the areas of concern connected with each Special Use and to provide standards by which applications for such Special Use shall be evaluated.

11.2 General Standards

The following general standards shall be met by all applicants for approval of Special Uses:

- (a) The use will promote the public health, safety and general welfare, if located where proposed and developed and operated according to the application;
- (b) The use, which is listed as a Special Use in the district in which it is proposed to be located, complies with all required regulations and standards, including the provisions of Articles 5, 6 and 7 of this Ordinance, unless greater or different regulations are contained in the individual standards for that Special Use;
- (c) That the use will maintain or enhance the value of contiguous property, or that the use is a public necessity;
- (d) That the use is in compliance with the general plans for the physical development of the City as embodied in these regulations.

The Board of Adjustment or the Board of Aldermen, as appropriate, shall make these general findings based upon substantial evidence contained in its proceedings. It shall be the responsibility of the applicant to present evidence in the form of testimony, exhibits, documents, models, plans and the like to support the application for approval of a Special Use.

11.3 Establishment of Classes of Special Uses; Authority to Approve or Disapprove

There are hereby established two classes of Special Uses which shall be approved or disapproved as shown:

Class A - Approved or disapproved by Board of Aldermen

Class B - Approved or disapproved by Board of Adjustment.

11.4 Procedure for Submission and Consideration of Applications for Approval of Special Uses

(a) Application Submitted to Zoning Administrator

Application for approval of Special Uses shall be filed with the Zoning Administrator, who shall, before accepting any application, ensure that it contains all required information, as specified in Article 11.6.

Applications which are not complete or otherwise do not comply with the provisions of this Article, shall not be accepted by the Zoning Administrator, but shall be returned forthwith to the applicant, with a notation by the Zoning Administrator of the deficiencies in the application.

(b) Planning Director Prepares Analysis and Recommendation

The Town Planner shall cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board if it is a Special Use to be acted on by the Board of Aldermen; if it is a Special Use to be acted on by the Board of Adjustment then skip procedures (c) and (d) below.

(c) Recommendation Submitted to Planning Board Prior to Board of Aldermen Review.

If the Special Use requires review by the Board of Aldermen, within a minimum of 15 and a maximum of 45 days of the acceptance of the application for approval of a Special Use, the Town Planner shall submit the results of the analysis and recommendation required in (b) to the Planning Board.

(d) Planning Board Action prior to Board of Aldermen Review.

The Planning Board, within 30 days of the meeting at which the Town Planner's recommendation is submitted shall prepare and submit to the Board of Aldermen, in the case of Class A applications a recommendation concerning the disposition of the application.

In order to approve any special use petition a majority of the members of the Planning Board must vote in favor of the petition. For the purposes of this section, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the Board" for calculating the requisite majority.

Failure of the Planning Board to submit a recommendation within the required time shall be deemed a favorable recommendation, without conditions.

(e) Public Hearing Required; Notice Specified

Prior to consideration of the application for approval of a Special Use, a public hearing thereon shall be held by either the Board of Aldermen or the Board of Adjustment, as appropriate for the class of application involved.

The Zoning Administrator shall cause public notice to be given of the date, time and place of the public hearing to be held to receive comments, testimony and exhibits pertaining the application for approval of a Special Use.

Such notice shall be published in the newspaper of general circulation in the Town of Long View once a week for two successive weeks, with the first notice to be published not less than fifteen nor more than twenty-five days prior to the date of the hearing.

(f) Action on the Application

After completion of the public hearing, the Board of Aldermen or the Board of Adjustment, as appropriate, shall take action upon the application. This action shall be one of the following:

1. Approval;
2. Approval with conditions attached;
3. Denial.

In every case, the action of the Board of Aldermen or the Board shall include a summary of the evidence supporting the action taken by it on the application.

(g) Action Subsequent to the Decision

The Zoning Administrator shall cause notice of the disposition of the application to be sent by certified mail to the applicant and a copy of the decision to be filed in the office of the Town Clerk. The Zoning Administrator, in the case of approval or approval with conditions, shall issue the necessary permit in accord with the action.

11.5 Imposed Conditions

The Board of Aldermen or the Board of Adjustment, as appropriate, may impose such reasonable conditions upon approval of a Special Use as will afford protection of the public health, safety and general welfare, ensure that substantial justice is done and equitable treatment provided.

Such conditions shall run with the land and shall be binding on the original applicant(s) as well as all successors, assigns and heirs.

11.6 Contents of Application for Approval of Special Use

The application for approval of a Special Use shall be submitted on forms provided by the Zoning Administrator. Such forms shall be prepared so that, when completed, a full and accurate description of the proposed use, including its location, appearance, and operational characteristics shall be disclosed. Additionally, the forms shall, when completed by the applicant, disclose the name(s) and address(es) of the owner(s) of the property involved, the name(s) and address(es) of the applicant, if different from the owner(s), and all relevant information needed to show compliance with the general and specific standards governing the Special Use which is the subject of the application.

11.7 Minor Changes to be Approved by Zoning Administrator; Modifications Require Action by Approving Body

The Zoning Administrator is authorized to approve minor changes in the approved plans of Special Uses, as long as they are in harmony with action of the approving body, but shall not have the power to approve changes that constitute a modification of the approval. A modification shall require approval of the board having jurisdiction and shall be handled as a new application. The Zoning Administrator shall use the following criteria in determining whether a proposed action is a minor change or a modification:

- (a) Any change in location or any increase in the size or number of signs shall constitute a modification.
- (b) Any increase in intensity of use shall constitute a modification. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in number of dwelling or lodging units or an increase in outside land area devoted to sales, displays, or demonstrations.
- (c) Any change in parking areas resulting in an increase or reduction of 5% or more in the number of spaces approved by either the Board of Aldermen or the Board of Adjustment shall constitute a modification. In no case shall the number of spaces be reduced below the minimum required by this ordinance.
- (d) Structural alterations significantly affecting the basic size, form, style, ornamentation and the like of the building, as shown on the approved plan, shall be considered a modification.
- (e) Substantial change in the amount or location of open space, recreation facilities or landscape screens shall constitute a modification.
- (f) A change in use shall constitute a modification.

- (g) Substantial changes in pedestrian or vehicular access or circulation shall constitute a modification.

The Zoning Administrator shall, before making a determination as to whether a proposed action is a minor change or a modification, review the record of the proceedings on the original application for the approval of the Special Use.

The Zoning Administrator shall, if he determines that the proposed action is a modification, require the applicant to file a request for approval of the modification, which shall be submitted to the body which approved the original application. The approving body may approve or disapprove the application for approval of a modification and, prior to its action, may hold a public hearing thereon.

11.8 RESERVED

11.9 Standards Applicable to Individual Special Uses

In addition to the general standards contained in Section 11.2, the following specific standards for individual Special Uses shall be used in deciding upon applications for Special Uses.

11.9.1 Adult Uses

- (a) The following specific standards shall be used in deciding applications for approval of such uses:

1. All windows, doors, entries, etc., for all adult uses shall be so located, covered, screened or otherwise treated that views of the interior of the establishment are not possible from any public or semi-public area, street or way.
2. No adult use shall be located within a 1,000-foot radius of another adult use. Distance shall be measured from property line to property line, along the shortest distance between property lines, without regard to the route of normal travel.
3. No adult use shall be located within 1000 feet of any Residential District.
4. Nothing in this subsection shall be construed to permit the operation of any business or the performance of any activity prohibited under any other section of this Ordinance or the laws of the Town of Long View or the State of North Carolina.

11.9.2 Airport/Airstrip

- (a) The following standards shall be used in deciding applications for approval of this use.

1. No airport/airstrip shall be located on a parcel of land less than ten (10) acres.

2. All FAA (Federal Aviation Administration) regulations that apply shall be met and indicated to the Board prior to approval, if applicable.
3. The minimum length for the landing strip shall be 3,000 feet long.
4. Each end of the landing strip shall be at least 600 feet from any exterior property line of the parcel of land the airport/airstrip is located on.
5. The Board may require other conditions that would protect the property values and living standards of properties in the area, including but not limited to; sound barriers, hours of operation, size and type of aircraft, etc.

11.9.3 Critical Digital Infrastructure Facilities

(a) Purpose

The purpose of this section is to establish standards for Critical Digital Infrastructure Facilities, which are specialized industrial uses that may generate operational impacts related to noise, vibration, mechanical equipment, and emergency power generation. These standards are intended to ensure that such facilities are appropriately sited and operated in a manner that protects surrounding properties and the public health, safety, and welfare.

The critical digital infrastructure use is established to provide a location for facilities consisting of one or more buildings used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations.

Critical Digital Infrastructure Facilities shall include, but not be limited to:

- Data centers;
- Cryptocurrency mining facilities;
- Similar digital or data-intensive infrastructure uses with comparable operational characteristics.

Where permitted, such facilities shall comply with all requirements of this section in addition to all other applicable provisions of this ordinance.

(b) Requirements

Critical Digital Infrastructure Facilities are established through the Special Use application and approval process. An approved Special Use and the approved site plan shall govern all uses and development activities in the district. Additionally, these facilities must be in accordance with the requirements outlined in this section and the following criteria:

1. Site Plan.
 - a. Major Site Plan required.

2. Outdoor Containers.

- a. The use of cargo containers, railroad cars, semi-truck trailers, and other similar outdoor storage containers or open-air structures for any component of the operation is prohibited.

3. Setbacks.

- a. Structures must be set back at least 50 feet from all property lines.
- b. Critical Digital Infrastructure Facilities must be setback at least 500 feet from any residential dwelling units.
- c. A setback of 1,000 feet near land uses with sensitive populations such as schools, hospitals, and assisted living facilities.

4. Buffers and Screening.

- a. A continuous 20-foot wide, at a minimum, evergreen vegetative buffer designed to grow at least six feet in height will be maintained continuously along all property lines. All vegetative buffers shall be maintained in good standing and be recorded as a required landscape buffer on a recorded plat with the register of deeds.
- b. Any additional buffers and/or screening must comply with Article 6.

5. Performance Standards.

These performance standards for Critical Digital Infrastructure Facilities are intended to mitigate potential detrimental effects on adjacent properties and the neighborhood. These performance standards shall apply to all phases of development, including initial construction, expansion, and full build-out of the facility. All applications for site plan approval must be accompanied by a registered engineer's certification that the use complies with all of the performance standards. If, after occupancy of the structures, continuous or frequent (even if intermittent) violations of the performance standards occur, and after notice is given, bona fide and immediate corrective work is not performed which successfully prevents the violation(s) from reoccurring, the Zoning Administrator may suspend or revoke the Zoning Certificate and require the operations and occupancy to immediately cease. The Zoning Certificate will be reinstated after the property owner demonstrates to the Zoning Administrator's satisfaction that operation of the facilities is able to conform to these requirements.

Failure to submit, maintain, or comply with any required plans, studies, certifications, monitoring reports, or mitigation measures required by this section shall constitute a violation of this ordinance and shall be subject to enforcement in accordance with the Town's general zoning violation and enforcement provisions.

a. Noise Mitigation.

- i. The maximum sound pressure levels permitted from any source, including but not limited to electrical equipment, air handlers, generators, and other mechanical devices, cannot exceed 55 dBC and 40 dBA to be measured at any time at all property lines.
- ii. All applications for site plan approval must include a sound study that is prepared by a licensed professional engineer qualified in environmental

acoustics. The purpose of the detailed study is to assess the impact of all noise sources and determine the appropriate layout, design, and control measures. The study must include:

1. Details of assessment methodology.
 2. List of all air handlers, generators, and other mechanical devices that are included in the sound evaluation, including manufacture specifications.
 3. Predicted sound levels for three scenarios:
 - a. All mechanical and electrical equipment required for normal operation at 100% load.
 - b. Generator testing and maintenance.
 - c. Emergency scenario with all generators, mechanical equipment, and electrical equipment operating at 100%.
 4. When multiple buildings are proposed on the site plan application, the study must include sound levels for each phase of building construction to ensure that the sound levels listed in this section in (5)(a)(i) above are met during all phases of buildout.
 5. Summary of the results and recommended control measures.
- iii. Within 6 months of the date of occupancy of any completed Critical Digital Infrastructure Facility, and biennially thereafter, actual sound levels for scenarios a and b listed under subsection (5)(a)(ii)(3) above must be measured by a licensed professional engineer qualified in environmental acoustics and a final sound level report must be submitted to the Town for review and approval. If actual sound levels exceed the maximum sound pressure levels listed in (5)(a)(i) above, corrective actions must be executed as soon as reasonably possible, but no later than 180 days from the date of the submission of the report.
- b. Vibration.
- i. No vibration may be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the property line; nor may any vibration produce a particle velocity of 2 inches per second or exceed other applicable industry standards as approved by the Town, measured at or beyond the property line.
 - ii. All applications for site plan approval must include a vibration impact study that is prepared by a qualified individual with experience in vibration analysis.
 - iii. Within 6 months of the date of occupancy of any completed Critical Digital Infrastructure Facility, and biennially thereafter, actual vibration levels must be measured by a qualified individual, and a vibration report must be submitted to the Town for review and approval. If vibration levels exceed the maximum listed in (5)(b)(i), above, corrective action must be taken as soon as reasonably possible but no later than 180 days from the date of the submission of the report.
- c. Generators.
- i. Generators must meet or exceed Tier 4 or equivalent emission standards as defined by the United States Environmental Protection Agency.

- ii. Critical Digital Infrastructure Facilities shall be designed and operated such that on-site generators are not the primary or sole source of electrical power for normal facility operations. Generators may be used for emergency power, required testing and maintenance, and other limited operational scenarios consistent with applicable fire, building, and utility regulations.
 - iii. Generator testing shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Only one generator per building, or the minimum number necessary to meet operational standards, may be tested at a time and for a period not to exceed 60 minutes, unless federal or state law, rule or regulation, utility company restrictions prevent testing during such time, or unless otherwise approved by the Town.
 - iv. Generators shall be installed at ground level or on structurally supported platforms designed to meet applicable building and safety codes.
 - v. Sound-attenuated enclosures are required. All permanent generators shall be:
 - 1. Located within an enclosed building or
 - 2. Installed within a sound-proofed or acoustically treated enclosure designed to minimize noise impacts, as demonstrated in the approved sound study.
- d. Fuel Storage Tanks
 - i. Any on-site fuel storage tanks, whether stand-alone or integrated with stationary equipment, associated with a Critical Digital Infrastructure Facility shall comply with all applicable federal, state, and local regulations, including but not limited to the North Carolina State Fire Code and regulations administered by the North Carolina Department of Environmental Quality.
 - ii. Fuel storage tanks shall be located and maintained in a manner that minimizes visual and operational impacts on adjacent properties and shall comply with all applicable floodplain and watershed protection requirements of this ordinance.
- e. Water Use and Conservation
 - i. Critical Digital Infrastructure Facilities shall be designed and operated to minimize potable water demand and avoid adverse impacts to public water systems, groundwater resources, and downstream users.
 - ii. As part of site plan approval, applicants shall submit a water use and conservation plan that:
 - 1. Identifies anticipated water demand for normal operations and peak conditions;
 - 2. Describes measures to reduce potable water consumption, including the use of recycled water, non-potable water sources, or closed-loop or high-efficiency cooling systems, where feasible; and
 - 3. Demonstrates that the proposed water use will not adversely impact the Town's public water system or applicable watershed protection requirements.
 - iii. All Critical Digital Infrastructure Facilities shall comply with all applicable federal, state, and local regulations governing water withdrawal, discharge, stormwater management, wastewater treatment, and environmental

protection, including permitting requirements administered by the North Carolina Department of Environmental Quality and the United States Environmental Protection Agency. Approval under this ordinance shall not be construed as approval of any permit or authorization required by other regulatory agencies.

6. Utility Capacity Verification

a. Electrical Service

- i. Where a Critical Digital Infrastructure Facility utilizes electricity from a public electrical service provider, the applicant shall provide written verification from the applicable electrical service provider prior to issuance of a Zoning Permit, or at another point in the development review process as determined by the Town, demonstrating that:
 1. Adequate electrical capacity is available, or will be made available, to serve the proposed facility at peak operational demand while continuing to serve existing users within the service area;
 2. Existing electrical infrastructure and related equipment are sufficient to safely accommodate the proposed use; and
 3. The proposed use will not result in electrical interference, voltage fluctuations, or other service disruptions affecting off-site properties.

b. Potable Water Service

- i. Where a Critical Digital Infrastructure Facility utilizes potable water from a public water system, the applicant shall provide written verification from the applicable water service provider prior to issuance of a Zoning Permit, or at another point in the development review process as determined by the Town, demonstrating that:
 1. Adequate potable water capacity is available to serve the proposed facility at peak operational demand while continuing to serve existing users;
 2. Existing water supply infrastructure is sufficient to safely accommodate the proposed use; and
 3. The proposed use will not result in a reduction of water pressure necessary to maintain functional fire protection or service to off-site properties.

7. Security.

- a. The property boundary for all Critical Digital Infrastructure Facilities shall be fenced, with a minimum six-foot height, located along the property line.
- b. Chain-link fencing or barbed wire fencing are prohibited along public or private street frontages.
- c. Fencing shall be constructed of decorative metal, masonry, or other materials approved by the Town.

8. Parking.

- a. All off-street parking, loading, and landscaping must meet Article 10 of the zoning ordinance.
- 9. Lighting.
 - a. Lighting shall be fully shielded and directed downward so as not to create glare or illumination onto adjacent properties or public rights-of-way.
- 10. Signs.
 - a. Signs must be in conformance with the regulations established in Article 8.
- 11. Electronic Waste.
 - a. Verification must be provided that all electronic waste generated at Critical Digital Infrastructure Facilities will be handled by a North Carolina Department of Environmental Quality-licensed electronic waste recycling firm, pursuant to N.C.G.S.130 A-309.142.
- 12. Electrical Disconnection Switch.
 - a. The electrical disconnect switch shall be clearly marked and unobstructed. Switches are permitted to be secured within a fenced area or building. The electrical disconnect switch shall always be accessible to the applicable utility provider or emergency responders.
- 13. Power Grid Operations.
 - a. Duke Energy or any other power provider to the operation shall have the authority during select high power usage events to cut or significantly reduce or restrict power to any Critical Digital Infrastructure Facility. The power utility provider is requested to cut or reduce power to these operations before considering reducing power to residential homes or other commercial or industrial facilities.
- 14. Special Flood Hazard Area.
 - a. No structures, equipment, storage, or buildings shall be located within the Special Flood Hazard Area.
- 15. Watershed Protection.
 - a. This type of development is subject to all regulations within Article 15, Watershed Protection, in the zoning ordinance.
- 16. Expansion of Use.
 - a. Any expansion of a Critical Digital Infrastructure Facility that increases building floor area, electrical demand, mechanical equipment capacity, or operational intensity shall require review and approval in accordance with this section and shall not occur without prior authorization from the Town.
- 17. Discontinuation of Use.
 - a. If a Critical Digital Infrastructure Facility ceases operation for a continuous period of twelve (12) months, the use shall be considered discontinued. The property

owner shall remove all equipment, machinery, generators, fuel storage systems, and related operational infrastructure associated with the use within a timeframe approved by the Town. Any future reestablishment of the use shall require new approval in accordance with this ordinance.

11.9.4 Reserved.

11.9.5 Reserved.

11.9.6 Sanitarium/Mental Institution

(a) The following specific standards shall be used in deciding applications for approval of such uses:

1. All sanitarium/mental institutions shall have direct frontage onto a major or minor thoroughfare, as shown on the Hickory-Newton-Conover Thoroughfare Plan.
2. The minimum lot size shall be five acres with a minimum frontage of 200 feet.
3. The structures shall be located a minimum of 200 feet from any zoning lot boundary.
4. Signs shall be limited to one non-illuminated sign with a maximum area of six square feet. No other external evidence of the sanitarium for identification or advertising purposes shall be permitted.
5. At the time of the Special Use request, the operator of such a facility shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the patients. The more dangerous the patients are to the public, the more elaborate and certain the security measures shall be.
6. Buffers and screening shall be as required by Article 6.11, Buffers and Screening.
7. Parking shall be provided at the rate of .35 parking spaces per bed.
8. The facility shall comply with all applicable Federal, State and local requirements.

ARTICLE 12

BOARD OF ADJUSTMENT

12.1 Establishment of Board

There is hereby established the Long View Board of Adjustment, hereafter the Board, according to Section 160D-1-9(d) of the General Statutes of North Carolina.

12.1.1 Composition

The Board of Adjustment shall consist of five (5) members. Each Alderman shall have the opportunity to appoint a resident of their Ward or any other town resident to one of the five (5) regular board seats. This appointee must then be approved by a majority of the Board of Aldermen. The Board of Aldermen may appoint two (2) alternate members to serve on the Long View Board of Adjustment in the absence or temporary disqualification of any regular member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member while attending any regular or special meetings of the Board and serving in the absence of a regular member, shall have and may exercise all powers and duties of a regular member.

12.1.2 Tenure

Each of the members shall be appointed for a three-year term, although the initial terms may be staggered to avoid simultaneous expiration of terms. Members may be reappointed for consecutive terms. Members may be removed for cause by the Aldermen upon written charges after a public hearing.

12.1.3 Compensation and Reimbursement

Members of the Board shall serve without compensation, but may be reimbursed for direct expenses incurred in connection with the discharge of their duties.

12.2 Powers of Board

The Board shall have the following powers:

- (a) Hear and decide appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator in the performance of his duties.
- (b) Hear and decide applications for the approval of those Special Uses requiring Board of Adjustment approval, in accordance with the rules and conditions laid down in this Ordinance.

- (c) Hear and decide appeals for variances from the dimensional regulations of this Ordinance in accordance with Article 12.5. Nothing in this Section shall be construed to authorize the Board to permit a use in a district where that use is neither a permitted use nor a permissible Special Use.
- (d) Pass upon, decide or determine such other matters as may be required by this Ordinance.
- (e) To make interpretations of the meaning and intent of this Ordinance in accord with Article 12.7.
- (f) The Board of Adjustment shall have the power to authorize, in specific cases, minor variances from the terms of the Watershed Ordinance as will not be contrary to the public interests where, owing to special conditions, a literal enforcement of this Ordinance will result in practical difficulties or unnecessary hardship, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. In addition, the Town of Long View shall notify and allow a reasonable comment period for all other local governments having jurisdiction in the Lake Hickory watershed where the variance is being considered.

12.3 Organization

A Chairman and Vice-Chairman shall be elected by the Board of Adjustment members. Terms of the chairman and vice-chairman shall be for one year and shall begin June 1 each year. The board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this section.

12.4 Meetings; Quorum and Vote Required

- (a) All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, an indication of such fact. The final disposition of appeals shall be made by recorded resolution indicating the reasons of the board therefor, all of which shall be a public record.
- (b) A quorum of the Board, necessary to conduct any business of the Board, shall consist of a simple majority.
- (c) The concurring vote of $\frac{3}{4}$ of the members of the Board, excluding vacant seats and disqualified members, shall be necessary in order:
 1. to reverse any order, requirement, decision or determination of the Zoning Administrator;
 2. to decide in favor of the applicant any matter upon which it is required to pass by this Ordinance;

3. to approve any application for a variance.

(d) A simple majority vote of the quorum shall be necessary to conduct routine business of the Board and to deny applications and appeals.

(e) Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision (G.S. 160D-406).

12.5 Application of the Variance Power

A variance may only be allowed by the Board in cases involving practical difficulties or unnecessary hardships when substantial evidence in the official record of the application supports all the following findings:

(a) That the alleged hardships or practical difficulties are unique and singular as regards the property of the person requesting the variance and are not those suffered in common with other property similarly located;

(b) That the alleged hardships and practical difficulties, which will result from failure to grant the variance, extend to the inability to use the land in question for any use in conformity with the provision of this Ordinance and include substantially more than mere inconvenience and inability to attain a higher financial return.

(c) That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

(d) That the variance is in harmony with and serves the general intent and purpose of this Ordinance and the adopted Land Development Plan.

(e) That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Ordinance and the individual hardships that will be suffered by a failure of the Board to grant a variance.

All of these findings of fact shall be made in the indicated order by the Board, which is not empowered to grant a variance without an affirmative finding of fact on all five categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Ordinance.

12.6 Application of Special Use Power

Before any application for a Special Use shall be approved, the Board shall make written findings certifying compliance with the specific standards governing each individual Special Use and that the General Standards contained in Article 11.2 are met. The Board shall make appropriate findings, supported by evidence in its record, on each general and specific standard.

The Board may impose reasonable conditions upon the installation and operation of any Special Use to ensure that the public health, safety and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Ordinance.

12.7 Application of Interpretation Power; Appeals

An appeal from an order, requirement, decision or determination of the Zoning Administrator shall be decided by the Board, based upon its findings of fact and to achieve the intent of the Ordinance. In exercising this power, the Board shall act in a prudent manner so that the purposes of the Ordinance shall be served. The effect of the decision shall not be to vary the terms of the Ordinance nor add to the list of permitted or permissible uses in the districts.

The Board of adjustment shall fix a reasonable time for the hearing of appeals or other matters referred to it and give due notice thereof to the parties in interest, and decide the same within a reasonable time. Upon hearing, any party may appear in person, by agent or by attorney.

12.8 Appeal Stays Further Proceedings

An appeal to the Board from a decision or determination of the Zoning Administrator stays all proceedings in furtherance of the decision or determination appealed from, except as provided in Article 12.9.

12.9 Exceptions to Stay of Action

An appeal to the Board of a determination or decision of the Zoning Administrator shall not stay proceedings in furtherance of the decision or determination appealed from, if the Zoning Administrator certifies either:

- (a) that a stay would cause imminent peril to life or property.
- (b) that the situation appealed from is transitory in nature and, therefore, an appeal would seriously interfere with enforcement of this Ordinance.

In each instance, the Zoning Administrator shall place in the certificate facts to support the conclusion.

12.10 Appeals of Board Actions

Any person or persons, joint or separately, aggrieved by any decision of the Board, or any taxpayer, or any officer, department, board or bureau of the Town, may within 30 days after filing of the decision of the Board but not thereafter, present to the Superior Court of competent jurisdiction, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality, whereupon such decision of such Board shall be subject to review by certiorari as provided by law.

Any person who has standing under G.S. § 160D-1-2 or the town may appeal a decision to the Board of Adjustment. An appeal is taken by filing a notice of appeal with the Town Clerk. The notice of appeal shall state the grounds for the appeal. The owner or other party shall have 30 days from receipt of the written notice of the determination within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the determination within which to file an appeal. In the absence of evidence to the contrary, notice pursuant to G.S. 160D-4-3(b) given by first class mail shall be deemed received on the third business day following deposit of the notice for mailing with the United States Postal Service (G.S. 160D-405(d)).

12.11 Conflicts on Quasi-Judicial Matters

Members of the Board of Adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.¹² (G.S. 160D-109(d), (e), (f)).

12.12 Acting as the Planning Board

The Board of Adjustment may also serve, if appointed by the Mayor and Board of Aldermen, as the Town of Long View Planning Board.

ARTICLE 13

AMENDMENTS

13.1 Reserved.

13.2 Amendment Initiation

Subject to the limitations of the foregoing Statement of Intent, an amendment to this Ordinance may be initiated by:

- (a) The Board of Aldermen on its own motion;
- (b) The Planning Board;
- (c) Application by any property owner or his or her agent within the Town of Long View; or
- (d) Any interested party or his or her agent who can show just cause for an amendment.

13.3 Filing and Contents of Application

Filing of Applications: Applications submitted by an individual property owner or interested party who are not acting in an official capacity of the Town of Long View shall comply with the following:

13.3.1 Application submission. Any application for an amendment to the zoning ordinance shall be filed with the town at least twenty (20) days prior to the date of which it is to be introduced to the planning board.

13.3.2 Contents of Application: All applications for amendments to this Ordinance, without limiting the right to file additional material, shall contain at least the following:

- (a) Each application involving a change to the official zoning map shall be signed, be in duplicate, and shall contain at least the following information:
 - 1. The applicant's name in full, applicant's address, address or description of the property to be rezoned.
 - 2. Applicant's interest in the property and the type of rezoning requested.
 - 3. If the proposed change would require a change in the zoning map, an accurate diagram of the property proposed for rezoning showing:

All property lines with dimensions including north arrow.

Adjoining streets with rights-of-way and paving widths.

The location of all structures, the use of all land.

Zoning classification of all abutting zoning districts.

Names of all adjoining property owners.

- (b) A legal description of such land, if applicable.
- (c) Any alleged error in this Ordinance which would be corrected by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct same.
- (d) The changed or changing conditions, if any, in the jurisdiction of the Town of Long View generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.
- (e) All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

13.3.3 Reserved

13.3.4 Planning Board Consideration

Upon receipt of the application to amend this Ordinance, which has been examined and approved as to form, the application shall be referred to the Planning Board for study and report. The Board of Aldermen shall not enact the proposed amendment until 31 days after such referral to the Planning Board or until the Planning Board makes its report, whichever first occurs. The Planning Department shall prepare and submit a written report to the Planning Board at or prior to the meeting to consider the application, and to the Board of Aldermen prior to the public hearing described in Article 13.6.

13.3.5 Planning Board's Review/Recommendation

The Planning Board shall review each proposed zoning map amendment or zoning text amendment and shall advise and comment on whether the proposed amendment is consistent with any officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the Board of Aldermen that addresses any matters deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with any adopted plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen. The recommendation to the Board of Aldermen shall include a statement recommending approval, approval with modifications, or denial. The Planning Board shall make its recommendation to the Board of Aldermen within no more than two consecutive meetings.

13.4 Reserved

13.5 Planning Board Composition

The members of the Town of Long View Planning Board shall be those same persons as the members of the Long View Board of Adjustment.

- (a) Planning Board consideration. Every proposed amendment, supplement, change, modification or repeal to this chapter shall be referred to the planning board for its recommendation and report (G.S. 160D-604(c), (e)). The owner of affected parcels of land, and the owners of all parcels of land abutting that parcel of land, shall be mailed a notice of the hearing on a proposed zoning map amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. For the purpose of this section, properties are “abutting” even if separated by a street, railroad, or other transportation corridor. Additionally, the town shall prominently post a notice of the public hearing on the site proposed for rezoning the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within twenty-five days prior to the hearing until 10 days prior to the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the town shall post sufficient notices to provide reasonable notice to interested persons (G.S. 160D-602). The Planning Board shall have thirty-one (31) days from the time the proposed amendment was first considered by the Planning Board to submit its report. If the Planning Board fails to submit a report within the above period, it shall be deemed to have approved the proposed amendment.
- (b) Members of the Planning Board shall not participate in or vote on any zoning amendment matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a board member’s participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.¹² (G.S. 160D-109(d), (e), (f)).

13.6 Public Hearing and Notice

- (a) A public hearing shall be held by the Board of Aldermen before adoption of any proposed amendment to this Ordinance. Notice of the public hearing shall be given by publishing said notice at least twice in a newspaper of general circulation in Long View, stating the time and place of such hearing and the substance of the proposed amendment. This notice shall appear in said newspaper for two successive weeks with the first notice appearing not less than ten days nor more than twenty-five days before the date set for the public hearing.

(b) North Carolina GS 160D-601, as it is amended from time to time, may require additional notice. Please refer to NCGS 160D-601 for further reference.

13.7 Notice for Multiple Contiguous Properties

When a zoning map amendment is proposed for multiple contiguous properties, the Town of Long View shall not be required to post notice on each individual parcel, but shall rather post one official sign for each 750 feet of road frontage or fraction thereof. A minimum of at least one official sign shall be posted for each road frontage. Unless otherwise expressly provided in state statutes or this Ordinance, required posted notice shall be in place at least 10 days before the public hearing, meeting, or date of action that is the subject of the notice.

13.8 Large Scale Rezoning

If a zoning map amendment directly affects more than 50 properties, owned by a total of at least 50 different owners, the Town of Long View may follow the notification procedures typical of smaller zoning map amendments, or may elect to eliminate the mailed notice and utilize a one half page notice of the public hearing that is published at least twice in a newspaper having general circulation in Long View. The notice shall appear in the newspaper for 2 successive weeks with the first notice appearing not less than 10 calendar days nor more than 25 calendar days before the date of the public hearing.

13.9 Fees Each petition for an amendment shall be accompanied by a fee (See Fee Schedule) to help defray the cost of advertising the public hearing required by Article 19, Chapter 160D-601 of the North Carolina General Statutes.

13.10 Comprehensive Review of Ordinance

The Planning Board and the Zoning Administrator, on the election year of a new Mayor, should examine the provisions of this Ordinance and the location of zoning district boundary lines and shall submit a report to the Board of Aldermen recommending changes and amendments, if any, which are desirable in the interest of public health, safety, and general welfare.

13.11 Water Supply Watershed Protection District Consideration

Under no circumstances shall the Board of Aldermen adopt such amendments, supplements or changes that would cause the watershed ordinance to violate the watershed protection rules as adopted by the N.C. Environmental Management Commission. All amendments must be filed with the N.C. Division of Environmental Management, N.C. Division of Environmental Health, and the N.C. Division of Community Assistance.

13.12 Action of the Town Aldermen

The Board of Adjustment may also serve, if appointed by the Mayor and Board of Aldermen, as the Town of Long View Planning Board.

- (a) Members of the Town Aldermen shall not participate in or vote on any zoning amendment matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.¹² (G.S. 160D-109(d), (e), (f)).
- (b) Plan consistency. When adopting or rejecting any zoning text or map amendment, the Town Aldermen shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the Town Aldermen, that at the time of action on the amendment, the Town Aldermen was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-6-2(b), the Town Aldermen statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

ARTICLE 14

OVERLAY DISTRICTS

14.1 – Planned Unit Developments.

The purpose of the Planned Unit Development is identified in Article 5.2(g)(1)

(a) PERMITTED USES.

The following uses are permitted as a PUD by a conditional rezoning process:

1. Accessory uses and structures, which are customarily and clearly incidental to permitted principal uses and structures, excluding manufactured homes.
2. Bank, savings and loan associations and similar financial institutions.
3. Barbershops, beauty shops and similar personal service establishments.
4. Bed and Breakfast Inns.
5. Churches, synagogues and the like.
6. Community facilities.
7. Eating and drinking establishments, catering establishments and bakeries with products sold at retail on the premises. Drive-thru facilities are strongly discouraged and subject to board review.
8. Florist.
9. Home occupations as defined in Article 7.16.
10. Hotels.
11. Laundry and dry cleaning collection stations.
12. Museums
13. Offices, businesses, professional, public, and non-profits.
14. Photography, dance, art, and music studios.
15. Printing and copy services.
16. Retail establishments, not including motor vehicle sales.
17. Retirement, Nursing Homes, and Assisted Living.
18. Single-family, two-family and multi-family dwellings, attached, detached and semidetached; excluding manufactured homes.
19. Schools, child care centers and family care centers.
20. Mixed Use

(b) REQUIREMENTS.

Planned unit development districts may be established in accordance with the general procedures and requirements set forth in this section and the following criteria:

1. General Provisions.
 - a. The district shall be divided into blocks, streets, lots and open space. All lots shall share a frontage line with a public street or designated open space, such as but not limited to plaza, green, and park.

- b. Projects shall include provisions for pedestrian scale amenities such as benches, picnic tables, courtyards, plazas, water attractions, trash receptacles, bicycle parking, and other such elements that promote an efficient and functional pedestrian environment and maintain a sense of place.
- c. Similar land uses shall be generally positioned across each street from each other.
- d. Proposed developments within or adjacent to existing single-family neighborhoods shall be designed so as to maintain the character of the existing neighborhood. Considerations may include open space, building height, and design criteria.
- e. 10% of the land area shall be designated as open space/recreational areas, not including stormwater management features unless developed as an amenity. Any initial variation in the above percentages is subject to board review.
- f. Planned unit developments are designed to offer housing at a variety of affordability levels.
- g. Structures designated for multi-tenant use may contain residential and commercial uses.
- h. Planned unit developments have at least one defined center typically featuring uses such as shops and services, live-work units, attached dwellings, apartments over businesses, a formal open space such as a village square or green and public/civic building. The neighborhood center is ideally located near the geographic center of the development however it may be located bordering the district to attract patrons from outside the development.
- i. Automobile oriented uses are typically not found in a neighborhood center. Drive-thru facilities are strongly discouraged and subject to board review;
- j. Commercial buildings must be grouped, in relation to parking areas, so that visitors arriving by automobile can enter the walkway system, and establishments can be visited conveniently with a minimum of internal automotive movements.
- k. Where a planned unit development adjoins any residential district, the residential uses within the planned unit development should be located adjacent to the residential district and nonresidential uses and signs located and oriented away from the adjoining residential district. If design of the planned unit development will not allow for separation between nonresidential uses and an adjoining residential district, the setback for the nonresidential uses shall be increased by 20 feet.
- l. Impervious surface may be calculated over the entire development rather than on an individual lot-by-lot basis, and can be no higher than what is permitted in the district in which the development is located.

2. Project Dimensions.

- a. Minimum development size: 1.5 acres
- b. Maximum permitted density shall be derived from the constraints of natural features, easements, infrastructure and other applicable ordinance requirements.

*Tracts larger than 200 acres shall be developed as multiple planned unit developments, each individually subject to all provisions.

3. Housing density may be calculated over the entire development rather than on an individual

lot-by-lot basis, and can be no higher than what is permitted in the district in which the development is located, except as provided below:

- a. Where housing density of a proposed development is determined to be a fraction, that fraction shall be rounded up or down to the nearest whole number for the purpose of plan review and approval.
- b. In mixed use developments, where only a percentage of the gross floor area is to be used for residential development, the maximum permitted housing density shall be calculated by taking the same percentage of the maximum housing density for that district.
- c. In reviewing the density of a proposed development, the capacity of Town services, including but not limited to fire and police protection, sewer service, and roads shall be taken into consideration

4. Average Block Length:

- a. Minimum: 400 ft.
- b. Maximum: 1,400 ft.

*The intent of block length is the distance between Public Street to Public Street. In scenarios where block length minimums and maximums can't be met due to topography or other constraints, alleys and pedestrian pathways crossing the road may be counted toward block length requirements.

5. Lot Dimensions.

Individual lots can be established within a planned unit development after a detailed site plan has been approved. All principal buildings and accessory buildings or uses abutting the property lines of the project must meet the minimum yard requirement of the district where the project is located for all yards abutting said property lines. All height requirements shall be met for the district where the project is located.

6. Public Streets.

- a. Such districts must be created where direct access to an arterial street is available or is made available, at convenient locations at the edges of or within the district.
- b. All streets must be designed and built to NCDOT standards. Public streets may be petitioned for maintenance by NCDOT.
- c. Turn lanes, deceleration lanes, and other traffic treatment along the road frontage may be required subject to NCDOT determination and approval, according to N.C.G.S. 136-18(29).
- d. Public streets shall provide access to all tracts and lots, unless specified otherwise.
- e. Streets and parking areas must be located and designed to separate vehicular use from pedestrian areas.
- f. Streets and alleys shall, wherever practical, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development.
- g. Cul-de-sacs should be discouraged, however when necessary, shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround and are permitted where topography makes a street connection impractical. Vehicular turnarounds of various

configurations are acceptable so long as emergency access is adequately provided and the turnaround is approved by NCDOT.

- h. Primary vehicular access to office or commercial development shall not be through intervening residential development if located along the exterior of a project
- i. Non-residential areas in the district shall be designed and located to primarily serve the residents of the district and resultant surrounding area.

7. Parking.

- a. Parking lots shall generally be located at the rear or at the side of non-residential buildings and shall be screened from the sidewalk by low walls, fences or hedges.
- b. On-street parking directly facing a non-residential building shall count toward fulfilling the parking requirement of that lot.
- c. The number of parking spaces required for each commercial use shall follow the requirements as set forth in Article 10.6.
- d. There shall be a minimum of one parking space per two bedrooms of residential use.
- e. Loading zones and maintenance areas shall be located and arranged to prevent the interference with pedestrian movement within the development.

8. Pedestrian Walkways and Alternative Transportation.

An interconnected system of sidewalks and trails provides a public benefit as an alternative transportation mode to automobiles and provides recreational opportunities within a development.

a. Sidewalks.

- i. Sidewalks shall be required in residential and mixed use planned unit development districts.
- ii. Sidewalks shall be located along all interior streets providing access to residential and non-residential structures and also along the frontage of developments on major thoroughfares, collectors or higher classification streets.
- iii. The minimum width required for a sidewalk is five feet, separated from the roadway by a planting strip of at least six feet in width.
- iv. All sidewalks constructed within the public right-of-way require approval by NCDOT through an encroachment agreement.
- v. All sidewalks, whether constructed within or outside of the public right-of-way, must be maintained by the developer unless or until maintenance responsibilities are transferred or assigned to a homeowners association or other responsible entity.
- vi. All proposed sidewalks shall be delineated and noted on the master plan at the time of rezoning submittal.
- vii. Sidewalks constructed outside of the right of way shall be held in an easement and responsible party clearly stated on the plat.

- b. Walking trails should be provide in the development connecting residential areas to common open space areas.
- c. Greenways shall be constructed according to the design standards where the Pedestrian Plan shows a proposed greenway going through the property. In cases where the

greenway is along property lines, then the property owner shall set aside a fifteen (15') foot dedicated public access easement along the proposed greenway corridor for the future construction of the greenway. The developer may choose to provide a thirty (30') foot dedicated public access easement entirely on the property along the property line for future greenway construction.

9. Public Utilities.

- a. The developer is required to extend public water and sanitary sewer lines or develop an approved system throughout the development to each lot.
- b. Connection to and extension of public water and sewer lines must conform to the Burke County and Long View Utilities Policy. All lots served by a public water supply system must be in accordance with applicable fire protection regulations.
- c. All telephone, electric, cable and like utilities must be underground.

10. Open Space/Recreation.

- a. Open space for passive or active recreation is required in a planned unit development for the purpose of providing public open space for recreation, preservation and recreational facilities. Should not include stormwater management devices, unless the device is designed as an amenity.
- b. Open space should be centrally located and easily accessible to the public.
- c. A minimum of ten percent (10%) of the total project acreage shall be set aside as open space/recreational space.
- d. Everything in the common area may count as open space as long as it not a stormwater management device, unless the device is designed as an amenity.

11. Landscaping. The required buffer for a planned unit development between non-residential and/or residential uses shall consist of two rows and be 20 feet in width. Landscaping in a planned unit development must be in conformance with all other regulations established in Article 13.

12. Signs. Signs in a planned unit development must be in conformance with the regulations established in Article 11.

(c) MASTER PLAN REQUIRED.

Planned Unit Development Districts must be proposed according to submitted master plan. The site plan shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, facilities and open spaces in a manner facilitating pedestrian movement between major origins and destinations within and adjacent to the district. The master plan shall at a minimum contain:

1. Location and hierarchy of streets with pavement and right-of-way widths; specified to NCDOT standards.
2. Location of new and existing buildings
3. Height of structures

4. Total square footage of buildings
5. Total square footage of built upon area
6. Set-back of buildings to property lines
7. Streets and lot of adjacent developed or platted properties;
8. The existing and proposed uses of land within the district including the number of residential dwelling units and approximate square footage of nonresidential structures, and the existing uses of land adjoining the development;
9. General locations of existing natural features of the site such as wooded areas and water features;
10. Existing property lines and approximate locations of proposed property lines within the development showing all proposed lots or other divisions of land.
11. Tree save shall be marked on the plan in the designated open space areas.
12. Details of typical lots, street cross-sections shall be provided on the plan set.
13. Location and size of existing and proposed public utilities, including fire hydrants;
14. Location and acreage of open spaces or recreational areas with the intent of use labeled;
15. Location of parking areas, including the number of parking spaces provided.
16. The location of stormwater management facilities where required by the National Pollutant Discharge Elimination System (NPDES) regulations or watershed requirements and the North Carolina Environmental Management Commission.
17. Any other information required to evaluate conditions within the project or immediately adjacent to the project edges.

(d) APPLICATION REQUIREMENTS AND REVIEW PROCEDURES.

Rezoning property to a planned unit development district shall occur only under the special use process, which is found in Article 11.

1. When applying for a special use for a planned unit development, the applicant must first submit an application in accordance with the procedures found in Article 11. The application must be submitted under the following guidelines:
 - a. The permit application must be accompanied by a master plan (site plan and other applicable sheets) as outlined in 14.1(c).
 - b. The site plan shall be prepared by an engineer, landscape architect or land surveyor currently licensed and/or registered by the appropriate state board.
2. Application for a planned unit development district shall be approved only if the application of the planned unit development will:
 - a. Produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;
 - b. Encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design;
 - c. Produce a development functioning as a cohesive, unified project;

- d. Not substantially injure or damage the use, value and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town of Long View.
3. An approved conditional zoning and the approved site plan shall govern all uses and development activities in the district.
4. Regulations Ordinance. The district shall be subject to all the applicable standards, procedures and of the Zoning and Watershed Ordinances.

14.2 Downtown Overlay District

(a) The purpose of the Downtown Overlay District (DOD) is identified in Article 5.2(g)(2). The Downtown Overlay District will adhere to the following general regulations and exceptions within its designated area:

1. District Boundaries.
 - a. The Downtown Overlay District shall extend along 1st Ave NW from 22nd St to 27th St.
 - b. The width of the Downtown Overlay District shall include the entire area of all lots adjoining either side of 1st Ave NW from 22nd St. to 27th St.
2. Principal Uses. Any permitted, permitted with conditions, or special use allowed in the underlying general zoning district or in conjunction with a conditional rezoning plan shall be permitted and meet all the requirements of the DOD. Where the requirements of the DOD district are more restrictive than in the underlying district, the regulations of the DOD district shall prevail unless approved on a conditional rezoning plan. See prohibited uses and exceptions in this Article.
3. Setbacks. The Minimum required front yard setback, build to line, is 0-10 ft. measured from existing right-of-way.
4. Sign Standards. To reduce clutter, improve visual impact, and enhance safety, signs shall be in accordance with Article 8 – Sign Regulations for the underlying zoning district, with the following exceptions:

Prohibited signs:

- a. Billboards
- b. Any sign attached to trees or utility poles.
- c. Abandoned or dilapidated signs.
- d. More than two temporary signs per lot except for political signs.

(b) Development and Maintenance Standards.

The following standards apply to non-residential principal structures and businesses located inside the DOD district:

1. The proposed location of all proposed structures shall be shown on the site plans. For buildings located within the Overlay District (OD), the site plan shall include exterior facades of the proposed buildings (and/or additions) and all other information necessary to show compliance with this section.
2. Where the façade of any principal structure is visible from a public road, metal materials siding, concrete, split faced block, shall not be used on the facade.
3. Windows and building entrances shall comprise at least 50% of the first floor length of any principal structure. On any ground floor level, any window or door shall be horizontally separated by no greater than 15 feet from the nearest other such window or door in the same façade level. If the principal structure contains a second or higher story, each such story shall contain windows that are spaced in a manner complementary to the second story of nearby buildings.
4. The exterior color finish of multi-family and non-residential building facades visible from the street shall be of low reflectance, subtle or neutral earth tone colors. High intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
5. Parking should be made available in the rear or to the side of buildings, where possible. Vehicular access to off-street parking and service areas should be taken from alleys and side streets where possible.
6. Solid waste collection areas shall be located on the interior or at the rear of the building.
7. Buildings in the downtown district shall be maintained in structurally sound condition. Exterior facades visible from public streets shall be free of peeling paint, broken windows, deteriorated materials, and unsafe conditions.
8. Vacant buildings are discouraged in the Downtown Overlay District and should be temporary. A vacant building goes against the purpose of this community-gathering environment. Owners shall ensure that vacant buildings shall be secured, weather-tight, and maintained to prevent deterioration. Long-term boarded up windows are not permitted. Maintenance regulations apply.

(c) Lighting.

All streets, driveways, sidewalks, parking areas and other common areas and facilities shall be lighted where necessary to insure the security of property and the safety of persons using the facilities. In no case shall sources cause direct light or glare upon adjacent property or constitute a hazard to motorists using public streets. Exterior lighting on any lot shall be designed and directed so that light is confined primarily to that lot.

(d) Commercial Use.

A commercial use that does not provide shopper services or goods that do not promote the specific purposes of this district as outlined in Article 5.2(d) do not cultivate the intent of this district and are prohibited.

Prohibited Uses:

1. Any commercial use which encourages patrons to remain in their automobiles while receiving goods or services, including service stations
2. Carting, moving, or hauling terminal or yard
3. Chemical manufacturing, storage or distribution as a primary use
4. Enameling, painting or plating, except artist's studios
5. Manufacturing and warehousing activities
6. Landfills
7. Manufacturing, storage or disposal of hazardous waste materials
8. Mobile homes
9. Outdoor advertising or billboard as a principle use
10. Parking lot as principal use
11. Prisons, detention centers, or half-way houses
12. Sand, gravel, or other mineral extraction
13. Scrap yards
14. Any use which produces the following adverse impacts; noise at a level greater than typical street or traffic noise, offensive vibration, emission of noxious solids, liquids, or gases.
15. Permanent Outdoor movie theaters.
16. Public swimming pools
17. Adult Establishments
18. Storage facility, mini-storage
19. Vehicle Sales and Rental
20. Vehicle Repair Facility, major

(e) Exceptions.

1. Any nonconforming structure existing before the adoption of this ordinance shall be allowed to expand as long as the new construction falls within existing setbacks and district height requirements are not exceeded.
2. Any prohibited use that was existing and permitted within the DOD footprint before the adoption of this ordinance shall be allowed to continue until the business closes or moves, the new use must then comply with this updated ordinance.

ARTICLE 15

WATER SUPPLY WATERSHED PROTECTION DISTRICT (WSP DISTRICT)

The purpose of the Water Supply Watershed Protection District (WSP District) is identified in Article 5.2(g)(3).

15.1. Authority & Enactment.

The statutory authority for this division is mandated by North Carolina General Statutes Chapter 160A, Article 8, Sections 174 and Section 193; Chapter 143, Section 214.5; and Chapter 160D Section 200. The Town of Long View Board of Aldermen enacts into law this division as the "Water Supply Watershed Protection District," which may be referred to as the WSP District.

15.2. Jurisdiction and Affected Area.

The provisions of this division shall apply only to those lands within the Town of Long View corporate boundaries that have been designated as a Public Water Supply Watershed by the NC Environmental Management Commission. These areas are defined and established by the overlay district "Water Supply Watershed Protection District" on the official zoning map and delineated on the map entitled "Watershed Protection Area of Long View" which is adopted as a part of this division and permanently kept on file in the office of the Town Clerk.

15.3. Exceptions to Applicability.

(a) Existing development, as defined in Article 15.8 Existing Requirements, is not subject to the requirements of this division. Expansions to structures classified as existing development must meet the requirements of this division; however, the built-upon area of the existing development is not required to be included in the density calculations.

(b) If a nonconforming lot of record is not contiguous to any other lot owned by the same party, then that lot of record shall not be subject to the development restrictions of this ordinance if it is developed for single-family residential purposes. Any lot or parcel created as part of a family subdivision, as defined in this ordinance, after the effective date of this ordinance shall be exempt from this ordinance if it is developed for one single-family detached residence and if it is exempt from local subdivision regulation. Any lot or parcel created as part of any other type of subdivision that is exempt from a local subdivision ordinance shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

(c) If a use or class of use is not specifically indicated as being allowed in the watershed protection district, such use or class of use is prohibited.

(d) It is not intended that these regulations interfere with any easement, covenants or other agreements between parties. However if these regulations impose greater restrictions or higher standards, then these regulations shall apply.

(e) If the requirements of this ordinance conflict with other ordinances adopted by the Long View Town Board, the more restrictive of each particular item shall apply.

(f) Projects in the WSP District that do not require a Sedimentation and Erosion Control Plan are exempt from this Division.

15.4. Severability.

Should any section or provision of this division be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of the Zoning Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

15.5. Effective Date.

This division was adopted on September 28, 1993 by the Long View Town Board. This division shall become effective and be in force on and after October 1, 1993.

15.6. Development Regulations.

The WSP District is intended to accommodate a moderate to high land use intensity pattern as permitted by the WS IV classification of the Lake Hickory Water Supply Watershed.

(a) Allowed Uses in the WSP District:

1. Agriculture is allowed, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation Act of 1990.
2. Silviculture is allowed, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC II.6101-.0209).
3. Residential development is allowed where the underlying primary zoning district permits.
4. Non-residential development is allowed where the underlying primary zoning district permits, excluding the storage of toxic and hazardous materials unless a spill containment plan is implemented.

(b) Density and Built-upon Criteria:

1. Single Family Residential Development. Residential lots should not be less than 21,780 square feet (.5 acre) for projects with curb and gutter system, or 14,520 square feet (.33 acre) for projects without curb and gutter street system. Where the particular zoning district permits a smaller lot size, then such smaller lot size is permitted, however the maximum builtupon area must not exceed the standards in sub-paragraph (b)(2) below.

2. All Other Residential and Non-Residential Development. For projects with curb and gutter system development shall not exceed 24% built-upon area on a project by project basis. For projects without curb and gutter street system development shall not exceed 36% built-upon area on a project by project basis. For the purpose of calculating the built-upon area, total project area shall include acreage in the tract on which the project is to be developed.

3. In addition to the development allowed under paragraphs (1) and (2) above, new development and expansions to existing development may occupy up to ten percent (10%) of the protected area with up to seventy percent (70%) built-upon area when approved as a special intensity allocation (SIA). The Planning Director is authorized to approve SIAs consistent with the provisions of this ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts.

15.7. Buffer Area Requirements.

(a) A minimum thirty (30) foot wide vegetated buffer is required for all new development along all perennial waters indicated on the most recent version of USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial streambank stabilization is permitted.

(b) No new development is allowed in the buffer except for water dependent structures, other structures such as flag poles, signs and security lights which result in only diminutive increases in impervious area and public projects such as road crossings, water and sewer lines and associated improvements and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater best management practices.

(c) This division shall not reduce the development standards and specifications as required by Article 6.11, Buffers and Screening.

15.8. Existing Development.

Existing development as defined in this division, may be continued and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of this division, however, the built-upon area of the existing development is not required to be included in the built-upon area calculations.

(a) Uses of land existing at the time of the effective date of this division, but which would not be permitted to be established hereafter in the WSP district, may continue except as follows:

1. When such use of land has been changed to an allowed use, it shall not thereafter revert to any prohibited use.
2. Such use of land shall be changed only to an allowable use.

3. When such use or occupancy ceases for a period of at least 360 continuous days, it shall not be reestablished. Refer to Article 9, Nonconformities of the Long View Zoning Ordinance.

(b) Reconstruction of buildings or built-upon areas not in conformance with the restrictions of this division that has been damaged or removed may be repaired and/or reconstructed, except that there are no restrictions on single family residential development, provided it meets the following conditions:

1. Repair or reconstruction is initiated within twelve (12) months and completed within two (2) years of such damage.
2. The total amount of built-upon area may not be increased.

15.9. Public Health Regulations.

(a) Public Health In General. No activity, situation, structure or land use shall be allowed within the WSP district which poses a threat to water quality and the public health, safety and general welfare. Such conditions may arise from inadequate on-site septic systems which utilize ground absorption, inadequate sedimentation and erosion control measures, the improper storage or disposal of junk, trash or other refuse on the property, the absence or improper implementation of a spill containment plan for toxic and hazardous materials, improper management of stormwater runoff, or any other situation found to pose a threat to water quality.

(b) Abatement.

1. The planning director or his designee shall monitor land use activities within the WSP district to identify situations that may pose a threat to water quality.
2. The planning director shall report all findings to the city manager. He may consult with any public agency or official and request recommendations.
3. Where the planning director or his designee finds a threat to water quality and the public health, safety and general welfare, the planning director shall institute any appropriate action or proceeding to restrain, correct or abate the condition and/or violation.

15.10. Administration.

(a) The planning director shall keep all records of the amendments to the water supply watershed regulations and shall provide copies of all amendments upon adoption to the Water Quality Section of the Division of Environmental Management.

(b) The planning director or his designee may enter any building, structure, or premises, as authorized by law, to perform any duty imposed upon him by this division.

(c) The planning director shall keep a record of variances to this division. The record shall be submitted to the Water Quality Section of the Division of Environmental Management by the 1st day of January for the preceding year and shall provide a description of each project receiving a variance and the reasons for granting the variance.

(d) The Planning Director shall keep records of the jurisdiction's use of the provision that a maximum of ten percent (10%) of the protected area of WS-IV watersheds may be developed at up to seventy percent (70%) built-upon surface area. Records for each watershed shall include the total acres of non-critical watershed area, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, acres, type of land use and stormwater management plan (if applicable).

15.11. Variances.

(a) The Zoning Board of Adjustment shall have the power to authorize, in specific cases, minor variances, as defined herein, from the terms of this division as will not be contrary to the public interest. Application for a variance shall be made in accordance with Article 12, Board of Adjustment of this ordinance.

(b) If the application for a variance calls for the granting of a major variance, as defined herein, and if the Board of Adjustment decides in favor of granting the major variance, the board shall prepare a preliminary record of the hearing within thirty (30) days. The preliminary record of the hearing shall include:

1. The variance application;
2. The hearing notices and advertisements;
3. The evidence presented;
4. Motions, offers of proof, objections to evidence, and rulings on them;
5. Proposed findings and exceptions; and,
6. The proposed decision, including all conditions proposed to be added to the permit.

The preliminary record shall be sent to the Environmental Management Commission for its review as follows:

(a) If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that:

1. The property owner can secure no reasonable return from, nor make any practical use of the property unless the proposed variance is granted, and

2. The variance, if granted, will not result in a threat to the water supply; then the Commission shall approve the variance as proposed or approve the variance with conditions. The Commission shall prepare a Commission decision and send it to the Long View Board of Adjustments, in care of the planning director. If the Commission approves the variance as proposed, the Board of Adjustment shall prepare a final decision granting the proposed variance. If the Commission approves the variance with conditions and stipulations, the Board of Adjustments shall prepare a final decision including such conditions and stipulations, granting the proposed variance.

(b) If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that:

1. The property owner can secure a reasonable return from or make a practical use of the property without the variance, or

2. The variance, if granted, will result in a serious threat to the water supply, then the Commission shall deny approval of the variance proposed. The Commission shall prepare a Commission decision and send it to the Long View Board of Adjustments, in care of the planning director. The Board of Adjustment shall prepare a final decision denying the variance as proposed.

(C) Public health. Refer to 15.9.

15.12. Definitions.

The intent of the definitions found within this section is to apply specifically to watershed management measures. These terms are intended as a supplement to the definitions found in Article 2, Language Rules of Construction and Definitions, of this ordinance.

Agricultural Use. The use of waters for stock watering, irrigation and other farm purposes.

Best Management Practices (BMP). A structural or nonstructural management based practice used singularly or in combination with another BMP to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Buffer (watershed protection only). An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal bank of each side of the streams.

Built-upon Area. That portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g. Roads, parking lots, paths), recreational facilities (e.g. tennis courts); wooden slat decks, and the area covered by water in a swimming pool is not built-upon area.

Cluster Development. The grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This

term includes non-residential development as well as single family residential and multi-family developments.

Development (watershed protection only). Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Development, Existing (watershed protection only). Those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning laws as of the effective date of this ordinance based on at least one of the following criteria.

- (1) substantial expenditure of resources (time, labor, money) based on good faith reliance upon receiving a valid local government approval to proceed with the project, or
- (2) having an outstanding valid building permit as authorized by NCGS 160D-102, or
- (3) having an approved site specific development plan as authorized by NCGS 160D-102.

Development, Industrial (watershed protection only). Any non-residential development that requires an NPDES permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembly, finishing, cleaning or developing any product or commodity.

Development, Non-residential (watershed protection only). All development other than residential development, agriculture and silviculture.

Development, Residential (watershed protection only). Buildings for residences such as attached and detached single family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated accessory structures such as garages, storage buildings, gazeboes, etc. and customary home occupations.

Development, Single Family Residential (watershed protection only). Any development where:

- (1) no building contains more than one dwelling unit,
- (2) every dwelling unit is on a separate lot, and
- (3) where no lot contains more than one dwelling unit (e.g. single family detached or manufactured home).

Dwelling Unit (watershed protection only). A building or portion thereof providing complete and permanent living facility for one family.

Family Subdivision. Family subdivision means a division of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as

a gift or for nominal consideration, but only if not more than one parcel is conveyed by the grantor from the tract to any one relative (within any 12 month period); or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

Hazardous Material. Any substance listed as such in SARA section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances or Section 311 of the Clean Water Act (oil and hazardous substances).

Landfill. A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the N.C. General Statutes. For the purpose of this ordinance, this term does not include composting facilities.

Lot. A parcel of land occupied or capable of being occupied by building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same.

Lot, Existing. A lot which is part of a platted subdivision of which has been recorded in the Office of the Register of Deeds office in Catawba County prior to the effective date of this division, or a lot described by metes and bounds, the description of which has been so recorded prior to the effective date of this division.

Nonconforming Lot of Record. A lot described by a plat or a deed that was recorded prior to the effective date of this ordinance (or its amendments) that does not meet the minimum lot size or other development requirements of this ordinance.

Plat. A map or plan of a parcel of land which is to be or has been subdivided.

Protected Area. The area adjoining and upstream of the critical area in which protection measures are required. The boundaries of the protected area are defined as extending five (5) miles upstream and draining to water supply reservoirs or to the ridge line of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

Residuals. Any solid or semi-solid waste generated from a wastewater treatment plant, water treatment plant or air pollution control facility permitted under the authority of the Environmental Management Commission.

Street (Road). A right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

Structure. Anything constructed or erected which requires location on or attachment to the land or attachment to something having permanent location on the land.

Subdivision. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in

existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this ordinance:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this ordinance;
- (2) The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets;
- (4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this ordinance;
- (5) The division of a tract into plots or lots used as a cemetery.

Toxic Substances. Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their offspring or other adverse health effects.

Variance, Major. A variance from the minimum statewide water supply watershed protection criteria that results in the relaxation of, by a factor greater than 10%, of any management requirement under the low density option.

Variance, Minor. A variance from the minimum statewide water supply watershed protection criteria that results in the relaxation, by a factor of up to ten (10) percent, of any management requirement under the low density option.

Watershed. The entire land area contributing surface drainage to a specific point (e.g. the water supply intake).

ARTICLE 16

RESERVED

ARTICLE 17

RESERVED

ARTICLE 18

ADMINISTRATION

18.1 Establishment of Administrative Officer

The provisions of this Ordinance shall be administered by the Zoning Administrator, who shall be designated by the Town Administrator.

18.2 Duties of the Zoning Administrator

The Zoning Administrator, or his designee, shall have the power to grant Zoning Compliance permits and Certificates of Zoning Compliance and to make or cause to be made inspections of buildings or premises necessary to carry out the enforcement of this Ordinance. In connection with the enforcement of this Ordinance, the Zoning Administrator shall make all necessary determinations and interpretations as required by this Ordinance. Persons aggrieved by a decision or a determination made by the Zoning Administrator may appeal that action to the Board of Adjustment.

18.3 Powers and Limitations of Zoning Administrator

If any proposed excavation, construction, moving, alteration, or use of land as set forth in an application for a Zoning Permit is in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue a Zoning Permit; however;

- (a) Issuance of a Zoning Permit shall in no case be construed as waiving any provisions of this Ordinance.
- (b) Under no circumstances is the Zoning Administrator permitted to grant exceptions to the actual meaning of any clause, standards, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter, or use building, structures or land.
- (c) Under no circumstance is the Zoning Administrator permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out his duties.
- (d) The Zoning Administrator shall issue a permit when the imposed conditions of this Ordinance are complied with by the applicant regardless of whether the use of the permit would violate contractual or other arrangements (including, but not by way of limitation, restrictive covenants) among private parties.
- (e) If an application for such permit is disapproved, the Zoning Administrator shall state in writing the cause of such disapproval.

(f) The Zoning Enforcement Officer or other staff member shall not make a final decision on an administrative decision required by this chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship (G.S. 160D-109).

18.4 Zoning Permit Required

(a) It shall be unlawful to begin the excavation for the construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure, costing more than \$25.00 or exceeding one hundred square feet in area, until the Zoning Administrator has issued for such work a Zoning Permit. The Zoning Permit shall include a determination that plans, specifications and the intended use of such structure and land do, in all respects, conform to the provisions of this Ordinance. Prior to the issuance of a Zoning Permit, the Zoning Administrator shall consult with all applicable departments including, but not limited to, the Department of Public Works and the Utilities Department.

(b) Also, it shall be unlawful to change the type of use of land, or to change the type of use or type of occupancy of any building, or to extend any use or any lot on which there is a nonconforming use, until the Zoning Administrator has issued for such intended use a Zoning Permit, including a determination that the proposed use does, in all respects, conform to the provisions of this Ordinance.

(c) All Zoning Permit applications shall be made in writing to the Zoning Administrator on forms provided for that purpose. A record of all such applications shall be kept on file by the Zoning Administrator.

(d) Any Zoning Permit issued shall expire and be cancelled unless the work authorized shall have commenced within six (6) months of its date of issue, or if the work authorized by it is suspended or abandoned for a period of one year. If a zoning permit is requested for the establishment of vested rights, upon approval it shall be valid for a period of two (2) years from its date of issue (NC G.S. 160D-102).

(e) Written notice of such determination refusal and reason therefore shall be given to the applicant and property owner (G.S. 160D-403(b)), the Zoning Enforcement Officer may provide their determination in print or electronic form; if electronic form is used then it must be protected from further editing (G.S. 160D-403(a)).

(f) Vesting. Zoning permits expire one year after issuance unless work has substantially commenced. Expiration of a local development approval does not affect the duration of a vested right established as a site specific vesting plan, a multiphase development plan, a development agreement, or vested rights established under common law. A site specific plan or planned unit development shall remain vested for a period exceeding two years, but not exceeding five years. A multi-phase development shall remain vested for a period of seven years from the time a site plan is approved. For the purposes of this chapter, a multi-phase development must contain 100

acres or more and is submitted for site plan approval for construction to occur in more than one phase and is a master plan that includes a requirement to offer land for public use (G.S. 160D-108(d)).

(g) Revocation of development approvals. Development approvals may be revoked by the local government issuing the development approval by notifying the permit holder in writing stating the reason for the revocation. The local government shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the permit approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a staff member may be appealed to the board of adjustment pursuant to G.S. 160D-4-5. If an appeal is filed regarding a development regulation adopted by a local government pursuant to this Chapter, the provisions of G.S. 160D-4-5(e) regarding stays shall be applicable (G.S. 160D-403(f)).

(h) The Zoning Enforcement Officer may inspect work undertaken pursuant to a development approval to assure that the work is being done in accordance with applicable State and local laws and of the terms of the approval. In exercising this power, staff are authorized to enter any premises within the jurisdiction of the Town local government at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials, provided the appropriate consent has been given for inspection of areas not open to the public or that an appropriate inspection warrant has been secured (G.S. 160D-403(e)).

(i) The Zoning Enforcement Officer or other staff member shall not make a final decision on an administrative decision required by this chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship (G.S. 160D-109).

18.5 Contents of Application for Zoning Permit

Every application for a Zoning Permit for site clearance, excavation, grading, filling, construction, moving, alteration, or change in type of use or type of occupancy, shall be accompanied by a written statement and plans or plats, drawn to scale, showing the following in sufficient detail to enable the Zoning Administrator to ascertain whether the proposed work or use is in conformance with the provisions of this Ordinance:

(a) The actual shape, location, and dimensions of the lot; if the lot is not a lot of record, sufficient data to locate the lot on the ground.

- (b) The shape, size, and location of all buildings, or other structures, to be erected, altered, or moved, and of any other buildings, or other structures already on the lot.
- (c) The existing and intended use of the lot and of all structures upon it.
- (d) Such other information concerning the lot, adjoining lots, or other matters as may be essential for determining whether the provisions of this Ordinance are being observed including parking, landscaping, screening, buffering, signage, flood hazards, floor areas.

18.6 Certificate of Zoning Compliance

No building, structure, or zoning lot for which a Zoning Permit has been issued shall be used or occupied until the Zoning Administrator has, after final inspection, issued a Certificate of Zoning Compliance indicating compliance has been made with all the provisions of this Ordinance. However, the issuance of a Certificate of Zoning Compliance shall in no case be construed as waiving the provisions of this Ordinance.

18.7 Reserved.

18.8 Fees

Before any Zoning Permit or Certificate of Zoning Compliance shall be issued covering building or other operations regulated by this Chapter, a fee in an amount fixed by the Board of Aldermen shall be paid.

ARTICLE 19
ENFORCEMENT

19.1 Violation

Whenever, by the provisions of this Ordinance, the performance of any act is required, or the performance of any act is prohibited, or whenever any regulation or limitation is imposed on the use of any land and water, or on the erection of a structure, a failure to comply with such provisions shall constitute a violation of this Ordinance.

19.2 Liability

The owner, tenant, or occupant of any land or structure, or part thereof, and any architect, builder, contractor, agent or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this Ordinance shall be held responsible for the violation and be subject to the penalties and remedies provided herein.

19.3 Reserved.

19.4 Penalties.

(a) Any violation of the articles of this Ordinance or amendments thereto shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00) per day. Violators shall be issued a written citation by registered mail or by hand delivery when the deliverer is accompanied by a witness, and said citation must be paid within seventy-two (72) hours of receipt.

(b) Each day that a violation continues shall be considered a separate offense and punishment assigned accordingly.

(c) Notwithstanding subsection (a) above, this Ordinance may be enforced by a court of competent jurisdiction and no higher notice of any action to enforce this Ordinance shall be required.

19.5 Remedies.

If a building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance or a regulation made under authority conferred by this Ordinance, the Zoning Administrator, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises.

ARTICLE 20

LEGAL STATUS

20.1 Severability

It is the legislative intent of the Board of Aldermen in adopting this Ordinance that all provisions thereof shall be liberally construed to protect and preserve the peace, health, safety, and general welfare of the inhabitants of the Town of Long View and its extraterritorial jurisdiction. It is the further intent of the Board of Aldermen that this Ordinance shall stand, notwithstanding the invalidity of any part thereof, and that should any provision of this Ordinance be held to be unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions.

20.2 Effective Date.

The Town of Long View Zoning Ordinance Adopted August 1, 1995 shall be repealed and replaced with this updated Town of Long View Zoning Ordinance and shall be effective the 13th day of July, 2026.

Attest:

Douglas E. Marlowe Jr.
Mayor

Heather T. Minor, CMC, NCCMC
Town Clerk

Town of Long View Draft Subdivision Ordinance



Prepared by:
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

In conjunction with:
TOWN OF LONG VIEW PLANNING BOARD

Adopted:
July 13, 2026

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ARTICLE I
TITLE

This Ordinance shall be known and may be cited as the *Subdivision Ordinance of the Town of Long View, North Carolina*.

ARTICLE II
AUTHORITY AND ENACTMENT CLAUSE

The Board of Alderman of the Town of Long View, pursuant to the authority conferred by Chapter 160D-801 et seq of the General Statutes of the State of North Carolina, does hereby ordain and enact into law these Articles and Sections.

ARTICLE III
JURISDICTION AND PURPOSE

SECTION 3.0 JURISDICTION

These regulations of this Chapter, as provided in G.S. 160D-200; 202; 903, shall apply within the corporate limits of Long View. Such corporate limits are as shown on the Official Zoning Map of Long View.

SECTION 3.1 PURPOSE

An ordinance establishing procedures and standards for the development and subdivision of real estate and regulating the subdivision of land and for the surveying and plating thereof, as adopted and prescribed in this Ordinance, as hereby found by the Board of Alderman of Long View to be necessary and appropriate in order to aid in the following:

- A. To ensure the orderly development of the Town and safeguard conditions essential to public health, safety, and welfare;
- B. To provide space for safe and sanitary dwelling accommodations within the Town and Planning Area;
- C. To promote the eventual elimination of unsafe and unsanitary conditions arising from the overcrowding and concentration of population, improper planning, lack of proper light, air, and space, unsafe or unsanitary design and arrangements, lack of sanitary facilities, and existence of conditions which endanger life or property by fire or other causes;
- D. To provide suitable neighborhoods with adequate streets and utilities and appropriate building sites which are readily accessible to emergency vehicles;

- E. To save unnecessary expenditures of public funds by reserving space for public lands and buildings and by initial proper construction of streets and utilities;
- F. To provide for economical and sufficient streets with adequate width and with proper alignment and grade for the coordination of utilities, streets, and highways within proposed subdivisions with existing or planned streets and highways and other public facilities, and;
- G. To provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

ARTICLE IV GENERAL PROVISIONS

SECTION 4.0 COMPLIANCE WITH ZONING AND OTHER ORDINANCES

Proposed subdivisions must comply in all respects with the requirements of the zoning ordinance in effect in the area to be subdivided and any other officially adopted ordinances.

SECTION 4.1 TRANSPORTATION PLANS

Where a proposed subdivision includes any part of a thoroughfare which has been designated as such in the officially adopted Greater Hickory Urban Area Long Range Transportation Plan, such part of such thoroughfare plan shall be platted by the subdivider in the location shown on the thoroughfare plan and at the width specified in the thoroughfare plan or this ordinance.

SECTION 4.2 REVIEW FEES

Review fees are established by the Board of Alderman and are listed on the Town of Long View Schedule of Fees. Review fees shall be submitted along with plats submitted for review. Review fees are nonrefundable.

ARTICLE V DEFINITIONS

SECTION 5.0 SUBDIVISION DEFINED

For the purposes of this Ordinance, the term "subdivision" means all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided, however, the following shall not be included within this definition nor be subject to the regulations prescribed by this ordinance, except for Section 5.1, (G.S. 160D-802):

- A. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town as shown in this Ordinance;
- B. The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
- C. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors;
- D. The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the Town, as shown in this Ordinance;
- E. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

SECTION 5.1 EXEMPT PLATS

The following content shall be provided for all plats which are exempt from the Town of Long View Subdivision Ordinance.

- A. Exempt plats must be reviewed by the Town Planner to ensure compliance with the Town of Long View Zoning Ordinance.
- B. All plats to be presented to the register of deeds for recording must meet the requirements of G.S. 47-30 and the Burke County or Catawba County Register of Deeds.
- C. All content required is shown in SECTION 7.2 (H)(2). Plats not illustrating or containing the data shall be returned by the Town Planner to the subdivider or his authorized agent for completion and resubmission.
- D. The following certifications shall be shown on all exempt plats:

CERTIFICATION OF EXEMPTION

I, _____, hereby that this plat is exempt from the Town of Long View Subdivision Ordinance according to Section 5.0 of the Subdivision Ordinance. I certify that the property shown meets the minimum standards of the Long View Zoning Ordinance.

Zoning Administrator

Date

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, certify that this was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, Book _____, Page _____, etc.) (other); that the error of closure as calculated by latitudes and departures is 1: _____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____; that this map was prepared in accordance with G.S. 74.30 as amended. Witness my hand and seal this _____ day of _____, A.D., 19__.

Registered Surveyor or Professional Engineer

License
or Registration Number

CERTIFICATION OF APPROVAL BY REVIEW OFFICER

I, _____, Review Officer of Long View, certify that the plat to which this certification is affixed meets all the statutory requirements for recording.

Review Officer

Date

SECTION 5.2 ADDITIONAL DEFINITIONS

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

ACCESS CORRIDORS - A strip of land lying between the side lot boundary lines of lake or river front lots offering access to lots at least one lot depth away from the water's edge.

ACCESS EASEMENT - A recorded corridor designed for the purpose of giving access to adjacent properties.

ALLEY - A minor right-of-way privately or publicly owned, primarily for service access to the back or side of properties.

BEST MANAGEMENT PRACTICES (BMP) - A structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

BUFFER - A strip of land consisting of walls, fences, vegetation, and/or a combination thereof, provided, as described in this ordinance.

BUILDING - Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals or personal property.

BUILDING SETBACK LINE - A line establishing the minimum allowable distance between the nearest portion of any building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters, and similar fixtures) and the street or highway right-of-way line or other property lines when measured perpendicularly thereto.

CLERK OF SUPERIOR COURT - Clerk of the Superior Court of Burke County or Catawba County, North Carolina.

CLUSTER DEVELOPMENT - The grouping of buildings in order to conserve land resources and provide for innovation in the design of the project. This term includes non-residential development, as well as single-family residential subdivisions and multi-family developments that do not involve the subdivision of land.

DEDICATION - A transfer of ownership or a transfer of a portion of the development rights through an "easement." Since a transfer of property is involved, the dedication is made by written instrument and is completed with an acceptance.

DRIVEWAY - A private way connecting public right-of-ways to property and providing access to parking areas.

EASEMENT - A grant by the property owner of land for a specified purpose and use by the public, town, a corporation, or persons.

LOT - A parcel of land occupied or capable of being occupied by a building or group of buildings devoted to a common use, together with the customary accessory uses and open spaces belonging to the same. This word may also include the words "plot," "parcel," "tract," or "site."

LOT COVERAGE - The area of a lot covered by impervious surfaces expressed as a percentage of the total lot area.

LOT DEPTH - The mean horizontal distance between the front and rear lot lines.

LOT OF RECORD - A lot which is part of a subdivision, a plat, or which has been recorded in the office of the Burke County or Catawba County Register of Deeds or a lot described by metes and bounds, the description of which has been recorded at the Burke County or Catawba County Courthouse.

LOT TYPES

- Corner Lot - A lot which occupies the interior angle at the intersection of two street lines which make an angle of more than 45 degrees and fewer than 135 degrees with each other. The subdivider shall be required to specify which frontage is the front of the lot for Zoning purposes.
- Double Frontage Lot - A continuous (through) lot which is accessible from both streets upon which it fronts.
- Interior Lot - A lot, other than a corner lot or double frontage lot, with only one frontage on a street
- Flag Lot - A lot which does not meet the minimum frontage requirements and mean lot width requirements and access is provided by a narrow driveway leading to the major portion of the lot.

LOT WIDTH - The mean distance between the side lot lines.

OFFICIAL MAPS OR PLANS - Any maps or plans officially adopted by the Town of Long View.

OPEN SPACE - Any land or area reserved for conserving and enhancing natural or scenic resources; or protecting streams or water supply; or promoting conservation of soils, wetlands; or enhancing the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, or sanctuaries; or enhancing recreation opportunities.

PLANNED UNIT DEVELOPMENT (PUD) - A form of development characterized by a unified site design for a number of housing units, clustering of buildings and provided common open space, increased density, mixed uses, and a mix of building types. It permits the planning of a project and a calculation of densities over the entire development rather than on an individual lot-by-lot basis. The site must include two or more principal buildings. Such development shall be based on a plan which allows for flexibility of design not available under normal district requirements.

PLAT - A map or plan of a parcel of land which is to be, or has been, subdivided or meets the exemption requirements.

PRIVATE STREET - A street, not publicly owned or maintained, intended to be for private ingress or egress, or to serve a large development under one ownership, such as in a large industrial park or with a planned unit development.

RECREATION AREA OR PARK - An area of land or combination of land and water resources that is developed for active and/or passive recreation with various manmade features that accommodate such activities.

RESERVATION - A reservation of land does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

RESERVE STRIP - A strip of land not dedicated to public use, reserved for the purpose of the continuation of streets when future development occurs.

STREETS - A dedicated and accepted public right-of-way for vehicular traffic.

CUL-DE-SAC - A short local street having but one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.

SUBDIVIDER - Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision, as herein defined.

SUBDIVISION ADMINISTRATOR - The employee(s) or agent(s) designated by the Town to oversee the administration and enforcement of these regulations.

SECTION 5.3 WORD INTERPRETATION

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

The word "may" is permissive.

The words "shall" and "will" are mandatory

Present tense shall include the future tense and future includes the present, the singular includes the plural and plural the singular.

ARTICLE VI
PROCEDURE FOR REVIEW AND APPROVAL OF MINOR SUBDIVISION PLATS

SECTION 6.0 GENERAL

No final plat of a minor subdivision within the jurisdiction of Long View as established in Article II of this Ordinance shall be recorded by the Register of Deeds of Burke County or Catawba County until it has been approved by the Subdivision Administrator as provided herein. To secure such approval of a final plat, the subdivider shall follow the procedures established in this section (G.S. 160D-804, 804.1).

SECTION 6.1 MINOR SUBDIVISION

For purposes of these regulations, a minor subdivision is defined as a subdivision:

- A. involving not more than five (5) lots fronting on an existing approved street; and
- B. not involving any new street or prospectively requiring any new street for access to interior property; and
- C. not requiring extension of public sewage or water lines or creation of new drainage easements through lots to serve property at the rear; and
- D. not adversely affecting the development of the remainder of the parcel or of adjoining property; and
- E. creating no new or residual parcels not conforming to the requirements of these regulations; and
- F. all included land being under ownership of a single entity.

SECTION 6.2 MINOR SUBDIVISION APPROVAL PROCESS

If the land to be subdivided meets the requirements of a minor subdivision as defined in Article VI, Section 6.1, of this Ordinance, the subdivider will not have to follow the same procedures as for a major subdivision. The review process for minor subdivisions shall be adequate to protect the public interest, but should also provide minimum delay and expense to the subdivider. A preliminary plat is not required. However, the following minor plat approval process shall be used only where the subdivision meets the requirements of Section 6.1.

A. SKETCH PLAN REQUIRED

A preliminary plat shall not be required for approval for minor subdivisions. Instead, a sketch plan shall depict or contain the following information; plats not illustrating or containing the data

shall be returned by the Review Officer to the subdivider or his authorized agent for completion and resubmission.

1. A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways.
2. The boundaries of the tract and the portion of the tract to be subdivided;
3. The total acreage to be subdivided.
4. The existing and proposed uses of the land within the subdivision and adjoining it.
5. The proposed street and lot layout;
6. Street and lots of adjacent developed or platted properties;
7. The name, address, and telephone number of the owner and/or developer.
8. The zoning classification of the tract and adjacent properties.

B. REVIEW PROCEDURE FOR SKETCH PLAN

The Subdivision Administrator shall review the sketch design plan for general compliance with the requirements of this Ordinance and may request that copies be submitted to the County Health Department, Erosion Control Section, Soil and Water Conservation District, Fire Marshall, and Inspection Division for their comments and reports. The Subdivision Administrator shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision, any comments received by other departments, and the procedures to be followed in the preparation and submission of the final plat.

C. APPROVAL OF SKETCH PLAN BY SUBDIVISION ADMINISTRATOR

The Subdivision Administrator, after determining that all requirements of this Ordinance have been met on the sketch plan, and any comments received from other departments have been addressed, shall approve the sketch plan, and the subdivider shall be advised that the final plat may be prepared as long as it conforms to the sketch plan. This review shall in no way be construed as constituting an official approval for recording.

D. DISPUTE OF FINDINGS OF SUBDIVISION ADMINISTRATOR

In the event that the subdivider disagrees with any findings of the Subdivision Administrator concerning approval of a sketch plan of a minor subdivision, the matter shall be taken to the Planning Board for a decision.

1. Five (5) copies of the sketch plan shall be retained as part of the files of the Planning Board, with the original drawing being returned to the subdivider or his authorized agent.
2. No final plat shall be prepared until the Planning Board has acted on the disputed sketch plan.

E. MINOR SUBDIVISION - CERTIFICATES AND CONTENT REQUIRED

1. CERTIFICATIONS REQUIRED

The following signed and notarized certificates shall appear on the reproducible copy of the final plat, which is submitted to the Subdivision Administrator:

CERTIFICATION OF OWNERSHIP AND DEDICATION

I hereby certify that I am/we are the owner(s) of the property shown and described hereon, which is located in the subdivision jurisdiction of Long View, and that I/we hereby adopt this plan of minor subdivision.

Owner(s)

Date

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, certify that this was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, Book _____, Page _____, etc.) (other); that the error of closure as calculated by latitudes and departures is 1:_____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____; that this map was prepared in accordance with G.S. 74.30 as amended. Witness my hand and seal this _____ day of _____, A.D., 19__.

Registered Surveyor or Professional Engineer

License or Registration Number

CERTIFICATION OF APPROVAL BY ZONING ADMINISTRATOR

I, _____, Zoning Administrator for the Town of Long View, do hereby certify that the property shown meets the minimum standards of the Long View Zoning Ordinance.

Zoning Administrator

CERTIFICATION OF APPROVAL BY REVIEW OFFICER

I, _____, Review Officer for Long View, certify that the plat to which this certification is affixed meets all the statutory requirements for recording.

Review Officer

Date

2. CONTENT REQUIRED

All content required in SECTION 6.2 (A). Plats not illustrating or containing the data shall be returned by the Subdivision Administrator to the subdivider or his authorized agent for completion and resubmission

All plats to be presented to the register of deeds for recording must meet the requirements of G.S. 47-30 and the Burke County or Catawba County Register of Deeds.

F. FINAL PLAT APPROVAL OF MINOR SUBDIVISION

In order not to cause any unnecessary expense to the developer and to the administrative departments of the Town, the Subdivision Administrator shall have the responsibility for approving minor subdivisions. The final plat for minor subdivisions shall be complete and show all information required for a final plat for minor subdivisions as prescribed by this Ordinance in Section 6.2 E. The recording of a minor subdivision plat shall be the same as for a major subdivision as provided in this Ordinance in Section 7.2 K. 8. If a minor subdivision plat is disapproved, the reasons for such action shall be specified in writing. One (1) copy of such reasons shall be given to the subdivider. If a minor subdivision plat is disapproved, the subdivider may make the recommended changes, as requested, and submit a revised minor plat or appeal the decision to the Board of Alderman. Appeals will be made pursuant to G.S. 160D-1403.

ARTICLE VII
PROCEDURE FOR REVIEW AND APPROVAL OF MAJOR SUBDIVISION PLATS

SECTION 7.0 GENERAL

No final plat of a major subdivision within the jurisdiction of Long View, as established in Article II of this Ordinance, shall be recorded by the Register of Deeds of Burke County or Catawba County until it has been approved by the Board of Alderman as provided herein. To secure such approval of a final plat, the subdivider shall follow the procedures established in this section (G.S. 160D-804, 804.1).

SECTION 7.1 MAJOR SUBDIVISION

For purposes of these regulations, a major subdivision is defined as a subdivision:

- A. which does not meet the definition of an exempt plat; and
- B. does not meet the definition of a minor plat.

SECTION 7.2 MAJOR SUBDIVISION APPROVAL PROCESS

The following regulations and procedure shall be followed to obtain approval of all major subdivisions.

A. SKETCH PLAN REQUIRED

Prior to submitting a preliminary plat, a sketch plan shall be submitted to the staff planner.

All content required in SECTION 6.2 (A). Plats not illustrating or containing the data shall be returned by the Town Planner to the subdivider or his authorized agent for completion and resubmission

B. REVIEW PROCEDURE FOR SKETCH PLAN

The Subdivision Administrator shall review the sketch plan for general compliance with the requirements of this Ordinance and may request that copies be submitted to the County Health Department, Erosion Control Section, Soil and Water Conservation District, Fire Marshall, and Inspection Division for their comments and reports. The Subdivision Administrator shall advise the subdivider or his authorized agent of the procedures to be followed in the preparation and submission of the preliminary and final plats. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Planning Board or the Board of Alderman as required by this Ordinance.

C. DISPUTE OF FINDINGS OF THE SUBDIVISION ADMINISTRATOR

In the event that the subdivider disagrees with any findings of the Subdivision Administrator concerning approval of a sketch plan, the matter shall be taken to the Planning Board for a decision.

1. Five (5) copies of the sketch plan shall be retained as part of the files of the Planning Board, with the original drawing being returned to the subdivider or his authorized agent.
2. No preliminary plat shall be prepared until the Planning Board has acted on the disputed sketch plan.

D. PRELIMINARY PLAT REQUIRED

After approval of the sketch plan, the preliminary plat can then be prepared and shall be submitted to the Subdivision Administrator and Planning Board for review at least twenty (20) days prior to a regular meeting of the Planning Board, for every major subdivision of land which is located within the territorial jurisdiction established by Article III, Section 3.0.

E. PRELIMINARY PLAT - CERTIFICATIONS AND CONTENT REQUIRED.

1. Three (3) copies (or more if deemed necessary by staff) of the preliminary plat shall be submitted; no specific graphic media must be employed. Three (3) copies shall be distributed as provided under Section 7.2 F.
2. No specific size requirements apply to preliminary plats. Preliminary plats shall be prepared at a scale of one (1) inch equals two hundred (200) feet or greater.
3. No certifications must be shown on the drawing in connection with the submission of preliminary plats.
4. Plans for water supply and sewage disposal systems must be approved by the respective agencies providing service and maintenance for such systems, and documentation of such approval must be presented to the Planning Board prior to the Board's approval of the preliminary plat.
5. If any street is proposed to intersect with a state-maintained road, the plat shall be accompanied by an application for driveway approval as required by the Department of Transportation.

6. The preliminary plat shall contain all content required in SECTION 7.2 (H)(2). Plats not illustrating or containing the data shall be returned by the Review Officer to the subdivider or his authorized agent for completion and resubmission.

F. REVIEW PROCEDURE FOR PRELIMINARY PLAT

The Planning Board shall review and take action on each preliminary plat within thirty (30) days after submission. Considerations shall be at the next regularly scheduled meeting of the Planning Board that follows at least twenty (20) days after the plat is submitted. Before taking action on the plat, the Subdivision Administrator shall refer copies of the plat and any accompanying material to those public officials and agencies concerned with new development, including but not limited to the County Health Director, the District Engineer of the North Carolina State Highway Commission, and the County Soil Conservation Service.

If the plat is approved, approval shall be noted on at least three (3) copies of the plat by the Staff Planner who shall retain one (1) copy for public examination, one (1) copy shall be returned to the subdivider, and one (1) copy shall be retained for the Planning Board files.

If the preliminary plat is not approved, the Planning Board shall specify the reasons for such action in writing. One (1) copy of such reasons shall be retained by the Staff Planner and one (1) copy shall be given to the subdivider. If the preliminary plat is not approved, the subdivider may make the recommended changes and submit a revised preliminary plat or appeal the decision to the Board of Alderman.

G. FINAL PLAT REQUIRED

After approval of the preliminary plat, the final plat can then be prepared and shall be submitted to the Subdivision Administrator and Planning Board for review. The plat shall be submitted at least twenty (20) days prior to the next regularly scheduled meeting of the Planning Board.

The final plat shall constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at the time; such portion shall conform to all requirements of this Ordinance.

H. FINAL PLAT - CERTIFICATIONS AND CONTENT REQUIRED

1. CERTIFICATIONS REQUIRED

The following signed and notarized certificates shall appear on the reproducible copy of the final plat which is submitted to the Subdivision Administrator:

CERTIFICATION OF OWNERSHIP AND DEDICATION

I hereby certify that I am/we are the owner(s) of the property shown and described hereon, which is located in the subdivision jurisdiction of Long View, and that I/we hereby adopt this plan of subdivision and dedicate all sanitary sewer lines to the Town of Long View.

Owner(s)

Date

*CERTIFICATION OF APPROVAL OF WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

I hereby certify that the water supply and sewage disposal systems installed, or proposed for installation, in the subdivision meet all public health requirements of Burke or Catawba County.

County Health Officer or his Authorized Representative

Date

*If this certificate of Water and Sewage Disposal Systems is not applicable, use the applicable certificate below for water or sewage disposal system.

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, certify that this was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, Book _____, Page _____, etc.) (other); that the error of closure as calculated by latitudes and departures is 1:_____ : that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____; that this map was prepared in accordance with G.S. 74.30 as amended. Witness my hand and seal this _____ day of _____, A.D., 19____.

Registered Surveyor or Professional Engineer

License or Registration Number

CERTIFICATE OR APPROVAL OF THE DESIGN AND INSTALLATION OF
UTILITIES AND OTHER REQUIRED IMPROVEMENTS

I hereby certify that all required improvements have been installed in an acceptable manner and according to the Long View specifications and standards in the _____ Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to Long View have been received, and that the filing fee for this plat, in the amount of \$ _____, has been paid.

Long View Town Clerk

Date

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF
PUBLIC STREETS

DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
SUBDIVISION ROAD CONSTRUCTION STANDARDS CERTIFICATION

APPROVED: _____
District Engineer

DATE: _____

*DISCLOSURE AND CERTIFICATION FOR PRIVATE STREETS

All roads in this subdivision are hereby declared private and shall not be maintained by the North Carolina Department of Transportation. The maintenance of all streets and roads on this subdivision shall be the responsibility of

and it shall be the responsibility of

to bring the roads up to the standards of the North Carolina Department of Transportation Secondary Roads Council before any private streets or roads on this plat are included, at any time after the approval of this plat, into the North Carolina State Maintained Road System.

Subdivider or Agent

*Private streets are only permitted under certain circumstances; see Design Standards

CERTIFICATION OF APPROVAL OF PUBLIC WATER SUPPLY SYSTEM

I hereby certify that the water supply systems installed, or proposed for installation in _____ Subdivision, meet all public health, materials, and installation requirements of the agency responsible for supplying and maintaining the public water system.

Public Water Agency Engineer

Date

CERTIFICATION OF APPROVAL OF PUBLIC SEWAGE DISPOSAL SYSTEM

I hereby certify that the sewage disposal systems installed, or proposed for installation in _____ Subdivision, meet all public health, materials, and installation requirements for the agency responsible for treating and maintaining the sewage disposal system.

Sewage Disposal Agency Engineer

Date

CERTIFICATION OF APPROVAL BY ZONING ADMINISTRATOR

I _____, Zoning Administrator for the Town of Long View, do hereby certify that the property shown meets the minimum standards of the Long View Zoning Ordinance.

Zoning Administrator

Date

CERTIFICATE OF APROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Ordinance for Long View, NC, and that this plat has been approved by the Board of Alderman for recording in the office of the Register of Deeds of Burke County or Catawba County.

Clerk

Date

Mayor

CERTIFICATION OF APPROVAL BY REVIEW OFFICER

I, _____, Review Officer of Long View, certify that the plat to which this certification is affixed meets all the statutory requirements for recording.

Review Officer

Date

2. CONTENT REQUIRED

Plats not illustrating or containing the data shall be returned by the Review Officer to the subdivider or his authorized agent for completion and resubmission

INFORMATION	Preliminary	Final
Title Block Containing • Property designation • Name of Owner • Location (including township, county and state) • Date or dates survey was conducted and plat prepared • A scale of drawing in feet per inch listed in words or figures • A bar graph. • Name, address, registration number of the registered land surveyor	X	X
Name of the subdivider	X	X
A sketch vicinity map showing the relationship between the proposed subdivision and surrounding area.	X	X
Corporate limits, township boundaries, county lines if on the subdivision tract	X	X
Names, addresses and telephone numbers of all owners,	X	X
registered land surveyors, land planners, architects, landscape architects, and professional engineers responsible for the subdivision		
Registration numbers and seals of professional engineers	X	X

The boundaries of the tract, or portion thereof, to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X	X
North arrow and orientation	X	X
The names of owners of adjacent properties	X	X
The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands.	X	X
The names of any adjoining subdivisions of record or proposed and under review.	X	X
The zoning classifications of the tract to be subdivided and adjoining properties.	X	X
Existing property lines of tract to be subdivided and adjoining properties.	X	X
Existing buildings or other structures water courses, railroads, bridges, culverts, storm drains on the land to be subdivided and land immediately adjoining.	X	X
Proposed lot lines, lot and block numbers, and approximate dimensions	X	X
The lots numbered consecutively throughout the subdivision.		X
Wooded areas, marshes, swamps, rock outcrops, ponds, lakes, streams, streambeds and any other natural features affecting the site.	X	X
• The exact location of the flood hazard, floodway, and floodway fringe from the community's FEMA maps • Base flood elevation data for subdivisions which contain at least five (5) lots or fifty acres, whichever is less	X	X

STREET INFORMATION	Preliminary	Final
Proposed streets	X	X
Existing and platted streets on adjoining properties and in the proposed subdivision	X	X
Rights-of-way locations and dimensions	X	X
Pavement widths	X	X
Design engineering data for all corners and curves	X	X
Typical street cross sections	X	X
Street names	X	X

Street maintenance agreement in accordance with Section 92050.04 and 9-2050.05 of this chapter.		X
Type of street dedication; all streets must be designated “public” or “private.”	X	X
<i>Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the Subdivision Administrator for approval prior to preliminary plat approval.</i>		X
<i>Where public streets are involved which will not be dedicated to the Town, the subdivider shall supply the Subdivision Administrator with all the appropriate documentation for NCDOT District Highway Office review and approval.</i>		
Where streets are to be dedicated to the public, but have not been accepted into the Town or the state system before lots are sold, a statement explaining the status of the streets in accordance with Section 9-2050.05 of this chapter.		X
If any street is proposed to intersect with a state maintained road, the subdivider shall apply for driveway approval as required by the NCDOT, Division of Highways’ Manual on Driveway Regulations.		X
Evidence that the subdivider has obtained such approval	X	X

OPEN/COMMON/PUBLIC SPACE	Preliminary	Final
Location of all easements	X	X
Trails	X	X
Natural buffers	X	X
Pedestrian or bicycle paths	X	X
Parks and recreation areas with specific type indicated	X	X
School sites	X	X
Areas to be dedicated to or reserved for public use	X	X
Areas to be used for purposes other than residential with the purposes of each stated	X	X
The future ownership of recreation and open space lands. <i>Dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivider's ownership.</i>	X	

UTILITY INFORMATION	Preliminary	Final
Location of all utility easements	X	X
If deemed necessary by the Subdivision Administrator, the plans for utility layouts including: Sanitary sewers Storm sewers Other drainage facilities, if any Water distribution lines Natural gas lines	X	X
Telephone lines Cable or Internet lines Electric lines Plans should illustrate connections to existing systems, showing line sizes, the location of fire hydrants, blow-offs, manholes, force mains and gate valves.		
Plans for individual water supply and sewerage disposal systems, if any	X	X

SITE CALCULATIONS	Preliminary	Final
Acreage in total tract to be subdivided	X	X
Acreage in parks and recreation areas, and other nonresidential uses	X	X
Total number of parcels created	X	X
Acreage of each lot in the subdivision	X	X
Linear feet in streets	X	
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places	X	X
Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line (with errors of closure), block line and building line, whether curved or straight, and including true north point. This should include the radius, central angle, point of tangency, tangent distance and arcs and chords of all curved streets and curved property lines. All dimensions should be to the nearest one-tenth (1/10) of a foot and angles to the nearest minute.		X

The accurate location and description of all monuments, markers and control points		X
A copy of any proposed deed restrictions or similar covenants. Such restrictions are mandatory when private recreation areas are established	X	X
A copy of the erosion control plan submitted to the appropriate authority, if such plan is required.	X	X
Topographic map with contour intervals of no greater than 20 ft. at a scale of no less than 1:24,000.	X	
All certifications required in section 9-2035.04		X
Any other information considered by either the subdivider, Planning Board or Board of Alderman to be pertinent to the review of the plat.	X	X

I. IMPROVEMENTS INSTALLATION AND PERFORMANCE GUARANTEES

Upon the approval of the preliminary plat by the Planning Board, the subdivider may proceed with the preparation of the final plat and the installation or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this Ordinance.

Prior to approval of a final plat, the subdivider shall have installed improvements or guarantees in lieu of improvements, as specified in this Ordinance.

1. PERFORMANCE GUARANTEES

In lieu of prior construction of the improvements required by this Ordinance, the Board of Alderman may, for the purpose of approving a final plat, accept a guarantee from the subdivider that such improvements will be carried out according to the Town's specifications at the subdivider's expense. For purposes of this section, all of the following apply with respect to performance guarantees (G.S. 160D-804.1):

- (1) Type. - The type of performance guarantee shall be at the election of the developer. The term "performance guarantee" means any of the following forms of guarantee:
 - a. Surety bond issued by any company authorized to do business in this State.
 - b. Letter of credit issued by any financial institution licensed to do business in this State.

- c. Other form of guarantee that provides equivalent security to a surety bond or letter of credit.
- (1a) Duration. - The duration of the performance guarantee shall initially be one year, unless the developer determines that the scope of work for the required improvements necessitates a longer duration. In the case of a bonded obligation, the completion date shall be set one year from the date the bond is issued, unless the developer determines that the scope of work for the required improvements necessitates a longer duration.
- (1b) Extension. - A developer shall demonstrate reasonable, good-faith progress toward completion of the required improvements that are secured by the performance guarantee or any extension. If the improvements are not completed to the specifications of the Town of Long View, and the current performance guarantee is likely to expire prior to completion of the required improvements, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period. An extension under this subdivision shall only be for a duration necessary to complete the required improvements. If a new performance guarantee is issued, the amount shall be determined by the procedure provided in subdivision (3) of this subsection and shall include the total cost of all incomplete improvements.
- (2) Release. - The performance guarantee shall be returned or released, as appropriate, in a timely manner upon the acknowledgement by the Town of Long View that the improvements for which the performance guarantee is being required are complete. The Town of Long View shall return letters of credit or escrowed funds upon completion of the required improvements to its specifications or upon acceptance of the required improvements, if the required improvements are subject to local government acceptance. When required improvements that are secured by a bond are completed to the specifications of the local government, or are accepted by the Town of Long View, if subject to its acceptance, upon request by the developer, the Town of Long View shall timely provide written acknowledgement that the required improvements have been completed.
- (3) Amount. - The amount of the performance guarantee shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion at the time the performance guarantee is issued. The Town of Long View may determine the amount of the performance guarantee or use a cost estimate determined by the developer. The reasonably estimated cost of completion shall include one hundred percent (100%) of the costs for labor and materials necessary for completion of the required improvements. Where applicable, the costs shall be based on unit pricing. The additional

twenty-five percent (25%) allowed under this subdivision includes inflation and all costs of administration regardless of how such fees or charges are denominated. The amount of any extension of any performance guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained.

- (3a) Timing. – The Town of Long View, at its discretion, may require the performance guarantee to be posted either at the time the plat is recorded or at a time subsequent to plat recordation.
- (4) Coverage. - The performance guarantee shall only be used for completion of the required improvements and not for repairs or maintenance after completion.
- (5) Legal responsibilities. - No person shall have or may claim any rights under or to any performance guarantee provided pursuant to this subsection or in the proceeds of any such performance guarantee other than the following:
 - a. The Town of Long View to whom the performance guarantee is provided.
 - b. The developer at whose request or for whose benefit the performance guarantee is given.
 - c. The person or entity issuing or providing the performance guarantee at the request of or for the benefit of the developer.
- (6) Multiple guarantees. - The developer shall have the option to post one type of a performance guarantee as provided for in subdivision (1) of this section, in lieu of multiple bonds, letters of credit, or other equivalent security, for all development matters related to the same project requiring performance guarantees.
- (7) Exclusion. - Performance guarantees associated with erosion control and stormwater control measures are not subject to the provisions of this section.

2. DEFECTS GUARANTEE

The Planning Board and Board of Alderman shall require a letter guaranteeing utility taps, curbs, gutters, street pavement, sidewalks, drainage facilities, water and sewer lines, and other improvements against defects for one (1) year.

3. MAINTENANCE GUARANTEE

The Planning Board shall secure from all subdividers a letter which states who shall maintain any street improvements located thereon and any ditch which has been installed in connection with the installation of such improvements.

4. FINAL PLAT REVIEW CONTINGENT UPON EXECUTION OF GUARANTEES

No final plat will be accepted for review by the Planning Board or Board of Alderman unless accompanied by written notice from the Town Planner acknowledging compliance with this Ordinance, requiring installation of all improvements or guarantees in lieu of improvements and the required maintenance letters.

J. INSTALLATION OF PERMANENT REFERENCE POINTS

Prior to the approval of the final plat, permanent reference points shall be placed in accordance with the following requirements:

1. SUBDIVISION CORNER TIE

At least one corner of the subdivision shall be designated by course and distance (tie) from a readily discernible reference marker. If a corner is within two thousand (2,000) feet of a U.S. Coast and Geodetic Station or N.C. Grid System coordinated monument, or Town of Long View coordinated system, then this corner shall be marked with a Monument so designated by computed X and Y coordinates which shall appear on the map with a statement identifying this Station or Monument to an accuracy of 1:10000. When such a Monument or Station is not available, the tie shall be made to some pertinent and physical object or structure that could not be destroyed.

2. MONUMENTS

Within each block of a subdivision, at least two (2) Monuments designed and designated as Control Corners shall be installed. The Surveyor shall employ additional Monuments if and when required. All Monuments shall be constructed of concrete and shall be at least four (4) inches in diameter or square and not less than three (3) feet in length. Each Monument shall have embedded in its top or attached by a suitable means, a metal plate of noncorrosive material and marked plainly with the point, the surveyor's registration number, the month and the year it was installed, and the word "Monument" or "Control Corner." Monuments shall be set at least thirty (30) inches in the ground with at least six (6) inches exposed above the ground unless this requirement is impractical.

3. PROPERTY MARKERS

A steel or wrought iron pipe or the equivalent not less than three-fourths (3/4) inches in diameter and at least thirty (30) inches in length shall be set at all corners, except those located by Monuments. A Marker shall also be set at a point of curve, point of intersection, property corner, point of tangency and reference point unless a Monument is placed at said points. Additional markers shall be placed where necessary.

K. MAJOR SUBDIVISION FINAL PLAT APPROVAL

1. FINAL PLAT MEDIA AND COPIES

The subdivider shall submit five (5) copies of the final plat to the Subdivision Administrator. One (1) additional copy shall be drawn in ink, linen, film or mylar suitable for reproduction.

2. FINAL PLAT SIZE AND SCALE

All plats to be presented to the register of deeds for recording must meet the requirements of G.S. 47-30 and the Burke County or Catawba County Register of Deeds.

Where the size of land areas or suitable scale to assure legibility require, subdivisions may be placed on two (2) or more sheets with appropriate match lines.

3. FINAL PLAT PREPARATION

The final plat shall be prepared by a surveyor or professional engineer licenses and registered to practice in the State of North Carolina. The final plat shall substantially conform to the preliminary plat as it was approved. The final plat shall conform to the provisions of Section 47-30 of the General Statutes of North Carolina. The plat shall bear all the required certifications set forth in 7.2 H.2. of this Ordinance.

4. FINAL PLAT SUBMITTAL

The final plat copies and reproducible drawing as described in 7.2 K.1-3 shall be submitted not fewer than twenty (20) days prior to the Planning Board meeting. The final plat shall be submitted not more than twelve (12) months after the date on which the preliminary plat was approved; otherwise a written extension of this

time limit may be granted by the Planning Board on or before the one-year anniversary of the preliminary plat approval.

5. PLANNING BOARD REVIEW

The Planning Board shall approve or disapprove the final plat within thirty (30) days of its first consideration of the final plat. During its review of the final plat, the Planning Board may appoint any engineer or surveyor to confirm the accuracy of the final plat. If substantial errors are found, it shall be the subdivider's duty to correct the plat and it shall not be approved until such errors have been corrected.

If the Planning Board disapproves the final plat, the Subdivision Administrator shall state in writing the reason for such action, specifying the provisions of this Ordinance with which the plat does not comply. One (1) copy of this statement shall be transmitted to the subdivider within fifteen (15) days of disapproval; one (1) copy shall be retained by the Planning Board as a part of its proceedings. If the final plat is disapproved, the subdivider may make such changes as will bring the plat into compliance with the provisions of this Ordinance and resubmit for reconsideration by the Planning Board.

If the Planning Board fails to approve or disapprove the final plat within fifty (50) days after the submission date, as previously defined in Section 7.2.K.4., such failure shall be deemed to be approval and shall constitute grounds for the subdivider to apply for final decision by the Board of Alderman.

6. BOARD OF ALDERMAN REVIEW

The Board of Alderman shall approve or disapprove the final plat at its next regularly scheduled meeting, following approval by the Planning Board.

If the Board of Alderman approves the final plat, such approval shall be displayed on each copy of the plat by the signed "CERTIFICATE OF APPROVAL FOR RECORDING" shown in Section 7.2.H.1.

If the final plat is disapproved by the Board of Alderman, the reasons for such disapproval shall be stated in writing, specifying the provision(s) of this Ordinance with which the final plat does not comply. One (1) copy of such reasons shall be retained by the Board of Alderman as a part of its proceedings, one (1) copy retained by the Subdivision Administrator, and one (1) copy shall be transmitted to the subdivider. If the final plat is disapproved, the subdivider may make such changes that will bring the final plat into compliance with this Ordinance and resubmit it for reconsideration by the Board of Alderman.

7. DISPOSITION OF PRINTS

If the final plat is approved by the Board of Alderman, one (1) reproducible media and two (2) prints shall be returned to the subdivider to be filed and recorded with the Register of Deeds. One (1) print shall be retained by the Board of Alderman and one (1) retained by the Subdivision Administrator.

8. RECORDING OF THE FINAL PLAT

The subdivider shall file the approved final plat with the Register of Deeds of Burke County or Catawba County for recording within sixty (60) days after the date of the Board of Alderman approval; otherwise, such approval shall be null and void.

After recording the final plat, the subdivider must submit a copy of the Final Registered Plat to the Town within twenty (20) days. The recorded plat must be returned to Town Hall before any permits will be issued.

L. RESUBDIVISION PROCEDURES

For any replatting or resubdivision of land, the same procedures, rules and regulations for new subdivisions shall apply. Lot sizes may, however, be varied on an approved plan after recording, provided the following:

1. No lot or tract of land shall be created or sold that is smaller than the size shown on the approved plan;
2. Drainage, easements, or right-of-way shall not be changed;
3. Street alignment and block sizes shall not be changed;
4. The property line between the back of the lots shall not be changed;
5. The rear portion of lots shall not be subdivided from the front parts; and
6. The character of the area shall be maintained.

ARTICLE VIII
GENERAL REQUIREMENTS AND DESIGN STANDARDS

SECTION 8.0 PRIVATE UTILITIES.

Non-public water supply systems serving ten (15) or more connections or 25 or more people are classified as public water supplies by State law, and plans and specifications must be approved by the NCDENR Division of Water Resources Public Water Supply Section. Plans and specifications for water supply systems serving from two (2) to nine (14) connections, inclusive, must be approved by the County Health Department. Plans for non-public and community sewer systems must be approved by the Division of Stream Sanitation and Hydrology of the North Carolina Department of Water and Air Resources. Individual water supplies should be located, constructed and operated in accordance with State Board of Health Bulletin No. 476, "Protection of Private Water Supplies" Individual sewage disposal systems must be installed and maintained in accordance with the State Board of Health "Rules and Regulations Governing the Disposal of Sewage from Any Residence, Place of Business or Place of Public Assembly in North Carolina" and the regulations of the Burke County or Catawba County Health Department, State Board of Health Bulletin No. 519 "Residential Sewage Disposal Plants" contains helpful information.

In major subdivisions, all utilities within the subdivision must be buried.

SECTION 8.1 RESTRICTIONS ON THE SUBDIVISION FOR RESIDENTIAL PURPOSES OF LAND WITHIN FLOOD-PRONE AREAS

Lots that are subject to flooding shall not be established in subdivisions for the purpose of creating residential building sites, except as herein provided. Copies of FEMA FIRM panels can be obtained from the Town of Long View, the Federal Emergency Management Agency, Burke County or Catawba County Health Department, U.S. Army Corps of Engineers, the Soil and Water Conservation District (SWCD) or the U.S. Geological Survey. Where the developer proposes to create residential lots within a flood hazard area, an engineering report shall accompany the subdivision application describing the impacts to the Flood Hazard Area.

- A. All regulations of the Long View Flood Damage Prevention Ordinance must be met. Each structure must receive a Floodplain Development permit before a zoning and building permit is issued.
- B. No proposed residential building lot that is wholly within the floodway shall be approved. Lots located within the floodway shall provide a building site and access that is located outside of the floodway.

SECTION 8.2 OPEN SPACES

A. OPEN SPACES

1. All major subdivisions shall set aside at least ten percent (10%) of the total land area as designated public open space. At least fifty percent (50%) of the open space shall be accessible as playgrounds, grass fields, nature trails or other usable recreation space. Developers are encouraged to dedicate flood hazard areas as open space.

SECTION 8.3 PARKS, SCHOOLS, ETC

- A. The developer and Planning Board should give due consideration to designating suitable sites for public parks, schools, and other uses. Such areas shall be indicated on the preliminary plat and final plat.
- B. Streets and walkways shall be designed to assure convenient access to parks, playgrounds, schools and other places of public assembly and use. All paved walkways shall be constructed to ADA standards.

SECTION 8.4. GENERAL REQUIREMENTS

A. CONFORMITY TO EXISTING MAPS OR PLANS

1. The location of all proposed streets shall be in conformity with official plans and maps of the Town of Long View.

B. CONTINUATION OF EXISTING ROADS AND PROPOSED ROAD WIDENING

1. The proposed road and lot layout for major subdivisions shall be coordinated with the existing road system of the surrounding area and the adopted Greater Hickory Long Range Transportation Plan in order to facilitate the transportation needs for existing or proposed roads.
2. The dedication of additional right-of-way along the frontage of all subdivisions is required where there is proposed road widening.

C. ACCESS TO ADJACENT PROPERTIES

1. Where property being subdivided is adjacent to a vacant property or one which would reasonably be expected to be developed or subdivided in the future, proposed roads shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.

D. RESERVE STRIPS

1. No reserve strips shall be platted in any subdivision.

E. LARGE TRACTS AND PARCELS

1. Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future roads and logical further subdivision.

F. LOTS

1. All lots shall front upon a public street according to Article 6 of the Long View Zoning Ordinance.
2. While all lots must meet Section 8.4 F 1. above, this does not exclude the use of private streets for private ingress or egress, or to serve a large development under one ownership, such as in a large industrial park or a planned unit development.

G. ALLEYS

1. Alleys may be required at the rear of all lots used for other than residential purposes if necessary to provide access for delivery vehicles. Alleys are prohibited in residential subdivisions unless such are approved by the Planning Board. All dead-end alleys shall be provided with a turnaround.

H. CONTOUR MAP

1. A contour map shall be provided if requested by the Town Planner. The contour interval required will depend upon topographic and drainage characteristics and shall be specified by the Town Engineer.

I. STREET NAMES

1. In no case shall the name for proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc. However, when proposed streets are obviously in alignment with other existing and named streets, they shall bear the assigned name of the existing streets.

J. UTILITIES

1. In major subdivisions, all utilities within the subdivision must be buried.
2. All lots must be serviced by public water and sewage facilities where available and connections or taps must be provided for each lot.

K. EASEMENTS

1. Utility and drainage easements of ten (10) feet in width shall be provided along rear and side lot lines. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purposes. Parallel streets or parkways may be required in connection therewith.

L. BUFFERS

1. Buffers shall be provided according to Article 7 of the Long View Zoning Ordinance.

M. STORM WATER DRAINAGE

1. Developments within the WS-IV Watershed Area must meet the requirements of Article 18 of the Long View Zoning Ordinance.
2. Developments outside of the WS-IV Watershed Area must meet the requirements of NCDENR Division of Water Quality Stormwater Permitting Unit.
3. Stormwater drainage for streets must meet the requirements of NCDOT.

SECTION 8.5 STREET DESIGN STANDARDS

- A. Streets shall be designed, approved and constructed in accordance with the North Carolina Department of Transportation (NCDOT) Standards.
- B. All driveways and roads intersecting with a NCDOT road must obtain a driveway permit from NCDOT.
- C. It is strongly advised that all private streets, as permitted in Section 8.4 F. 2., be designed and constructed in accordance with NCDOT Standards. However, if they are not

designed and constructed to NCDOT standards, it will be the responsibility of the owner(s) to bring the road up to NCDOT standards before it can be accepted by NCDOT or the Town.

D. The dedication of half streets at the perimeter of a new subdivision is prohibited.

E. All alleys, when required, shall be constructed in accordance with the following requirements:

- | | | |
|----|--|---------|
| 1. | Right-of-way width | 20 feet |
| 2. | Minimum centerline radius
when a deflection angle of more
than ten (10) degrees occurs | 35 feet |
| 3. | Property line radius at alley intersections | 15 feet |

F. CUL-DE-SACS

1. Cul-de-sacs shall be no more than sixteen hundred (1600) feet in length and no fewer than four hundred (400) feet in length.

SECTION 8.4 LOT DESIGN STANDARDS

A. LOT LAYOUT Lots shall be laid out in the following manner:

1. Length - Block lengths shall not exceed sixteen hundred (1600) feet nor be fewer than four hundred (400) feet.
2. Widths - Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographic conditions, in which case a single tier of lots may be approved.
3. Access – Subdivisions of more than 100 lots shall provide a second access road into the subdivision.

B. LOT SHAPE AND ORIENTATION OF LOT LINES

1. The size, shape and orientation of lots shall reflect due consideration for topography and drainage.
2. Side lot lines shall be substantially at right angles or radial to street lines.

C. LOT AREA

1. All lots shall conform to the minimum lot size requirements for the zoning district in which the lot is located, except in the following circumstances:
 - a. Where the NC Watershed Act deems additional requirements be met on lots served by a septic tank system.

D. CONFORMANCE WITH ZONING ORDINANCE

1. All lots shall conform to the minimum lot size and maximum lot coverage requirements for the zoning district in which the lot is located. These requirements can be found in Article 5 of the Long View Zoning Ordinance.
2. All lots shall conform to the dimensional requirements for the zoning district in which the lot is located. These requirements can be found in Article 5 of the Long View Zoning Ordinance.
3. The minimum setback lines for buildings shall conform to the requirements of the zoning district in which the lot is located.

E. CLUSTER DEVELOPMENT

1. Lot layout and design may be varied with approval from the Planning Board and Board of Alderman in order to allow for the grouping of buildings in order to conserve land resources and provide for innovation in the design of the project.
2. In no case shall the lot size, frontage, coverage, and setbacks requirements be made less than required by the Long View Zoning Ordinance.
3. The term cluster development includes non-residential development, as well as single-family residential subdivisions and multi-family developments that do not involve the subdivision of land.

ARTICLE IX
NO SERVICE OR PERMITS UNTIL
FINAL PLAT APPROVED

No street shall be accepted and maintained by the Town nor shall any street lighting, water, or sewer be extended to or connected with any subdivision of land nor shall any permit be issued by an administrative agent or department of the Town for the construction of any building or other improvement requiring a permit, upon any land on which a plat is required to be approved, until all the requirements of this Ordinance have been completed and a Final Plat is approved and recorded.

ARTICLE X
LEGAL PROVISIONS

SECTION 10.0 PENALTIES FOR VIOLATION

- A. After the effective date of this Ordinance, any person who subdivides land in violation of the ordinance, transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the final plat has been properly approved and recorded, shall be fined not exceeding fifty dollars (\$50.00). Each day that a violation of this Ordinance is not corrected within thirty (30) days after the notice of said violation has been given shall constitute a separate and distinct violation.
- B. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from the penalty in Section 10.0 A.
- C. The Town, through its attorney or other official designated by the Council, may enjoin illegal subdivision, transfer, or sale of land by action or injunction. Further, violators of this Ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4.
- D. The provisions of this section do not prohibit any owner or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under the subdivision regulation or recorded with the register of deeds, provided the contract does all of the following:
 - (1) Incorporates as an attachment a copy of the preliminary plat referenced in the contract and obligates the owner to deliver to the buyer a copy of the recorded plat prior to closing and conveyance.
 - (2) Plainly and conspicuously notifies the prospective buyer or lessee that a final subdivision plat has not been approved or recorded at the time of the contract, that no governmental body will incur any obligation to the prospective buyer

or lessee with respect to the approval of the final subdivision plat, that changes between the preliminary and final plats are possible, and that the contract or lease may be terminated without breach by the buyer or lessee if the final recorded plat differs in any material respect from the preliminary plat.

- (3) Provides that if the approved and recorded final plat does not differ in any material respect from the plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than five days after the delivery of a copy of the final recorded plat.
- (4) Provides that if the approved and recorded final plat differs in any material respect from the preliminary plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than 15 days after the delivery of the final recorded plat, during which 15-day period the buyer or lessee may terminate the contract without breach or any further obligation and may receive a refund of all earnest money or prepaid purchase price.

- E. The provisions of this section do not prohibit any owner or its agent from entering into contracts to sell or lease land by reference to an approved preliminary plat for which a final plat has not been properly approved under the subdivision regulation or recorded with the register of deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial, or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision regulation and recorded with the register of deeds.

SECTION 10.1 SEPARABILITY

Should any section or provision of this Ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 10.2 VARIANCES

A. VARYING MINIMUM STANDARDS

These regulations adopted in this Ordinance are only the minimum requirements.

Developers are encouraged to go beyond the standards of these regulations. The Planning Board and the Board of Alderman may require standards above the minimum contained herein whenever the public health, safety, and welfare justify such increase. Furthermore, either Board may reduce or otherwise vary the requirements of these regulations only when it encounters the situation described below. In granting such variances, the Planning Board and Board of Alderman may attach and require whatever conditions each deems necessary to secure the basic objectives of this Ordinance. Any variance granted shall be noted in the official minutes of both the Planning Board and the Board of Alderman, along with the reasons that justified granting the variance.

B. HARDSHIP REQUIRED

The Planning Board and Board of Alderman may reduce or otherwise vary the requirements of these regulations, only when a definite hardship is created by strict enforcement of the standards herein. Each of the following conditions must be met before any variance can be granted by either the Board of Adjustment (G.S. 160D-705).

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

SECTION 10.3 REGISTRATION OF ORDINANCE AND PLATS

A. NORTH CAROLINA GENERAL STATUTES

In accordance with Article 160D-803 of the General Statutes of North Carolina, the Town shall file a copy of this Ordinance with the Register of Deeds of the appropriate county upon adoption.

B. REGISTER OF DEEDS

The Register of Deeds shall not, after the effective date of this Ordinance, record a plat of a subdivision of land lying within the jurisdiction of this Ordinance that has not been

approved in accordance with the provisions contained herein; nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with the provisions or intent of this Ordinance.

SECTION 10.4 AMENDMENTS

The Board of Alderman may, from time to time, amend the terms of this Ordinance, but no amendment shall become effective until the Planning Board reviews the amendment and makes a recommendation to the Board of Alderman and the Board of Alderman holds a public hearing and approves the amendment.

SECTION 10.5 ABROGATION

- A. It is not intended that this Ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law.
- B. Where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.
- C. The Town of Long View Subdivision Regulations Adopted September 02, 2003, shall be repealed and replaced with this updated Town of Long View Subdivision Regulations.

Adopted this 13th day of July, 2026

Mayor Douglas E. Marlowe, Jr.

Heather T. Minor, CMC, NCCMC
Town Clerk



TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

Memorandum

To: Mayor Marlow and Board of Alderman
From: Susan Matheson, Town Planner
Date: July 13, 2026
Re: Request to Schedule Public Hearing – Voluntary Annexation and Zoning Map Amendment

Pursuant to **G.S. § 160A-58.7**, a public hearing is hereby requested for consideration of two **Voluntary Annexation Petitions** received.

Pursuant to **G.S. § 160D-602**, a public hearing is hereby requested for consideration of a **Zoning Map Amendment** regarding the same properties. The request is for the following properties described below:

Property Information

- **Location:** 1964 Old Shelby Rd, Hickory, NC
- **Parcel ID:** 2791 0509 3127
- **Acreage:** 2.84
- **Current Zoning:** City of Hickory ETJ I-Industrial
- **Proposed Zoning:** I-Industrial

- **Location:** 1970 Old Shelby Rd, Hickory, NC
- **Parcel ID:** 2791 0508 0665
- **Acreage:** 3.00
- **Current Zoning:** City of Hickory ETJ I-Industrial
- **Proposed Zoning:** I-Industrial

The Planning Board will meet on July 16th and make its zoning recommendation.

Suggested Action: That the Board of Alderman would **schedule a public hearing** for the Voluntary Annexation Petition, and a separate public hearing for the Zoning Map Amendment; both to be held at the next scheduled Board of Alderman meeting on August 10, 2026.

Petition for Voluntary Annexation
Pursuant to N.C.G.S. §160A-31 and §160A-58

To: The Honorable Mayor and Board of Aldermen
Town of Long View, North Carolina

The undersigned, being the owner(s) of the real property located at **1964 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105093127** respectfully petition the **Town of Long View** for the annexation of said property into the corporate limits of the Town pursuant to **N.C.G.S. §160A-31**.

The property described herein is **non-contiguous** but is in **closest proximity** to the existing corporate limits of the **Town of Long View**, its address is **1964 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105093127**.

Property Description

Address: 1964 OLD SHELBY RD HICKORY, NC 28602
PIN/Parcel ID: 279105093127

Acreage: 2.84

Legal Description: Deed Book/Page: 3935/1635 (Attach deed or metes and bounds description)

Statement of Request

The undersigned respectfully request that the Town of Long View:

1. **Consider this petition** for voluntary non-contiguous annexation in accordance with N.C.G.S. §160A-31 and §160A-58;
2. **Initiate the required investigation** and public hearing process in accordance with N.C.G.S. §160A-31; and
3. **Adopt an ordinance annexing the subject property** into the corporate limits of the Town of Long View, the closest municipal city limit.

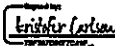
Certification

The undersigned certify that this petition is **voluntary** and signed by **100% of owners of the real property** requesting annexation.

Executed this ____ day of 6/19/2026, 2026.

Property Owner(s):

[Owner Name]

Signature  _____

[Co-Owner Name, if applicable]

Signature  _____

Mailing Address: 400 West Windsor Street, Monroe, NC 28112

Phone: 704-506-7312

Email: kriscarlson1973@gmail.com



TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

CERTIFICATE OF SUFFICIENCY

Petition for Voluntary Non-Contiguous Annexation

I, Heather T. Minor, Town Clerk for the Town of Long View, North Carolina, do hereby certify that I have investigated the Petition for Voluntary Non-Contiguous Annexation submitted to the Town of Long View pursuant to N.C. Gen. Stat. § 160A-58.1, requesting the annexation of certain property described therein. The property is located at **1964 Old Shelby Road Hickory, NC 28602** and shown on Catawba County Tax Maps as PIN/Parcel ID: **279105093127**. The petition was submitted on June 19th, 2026.

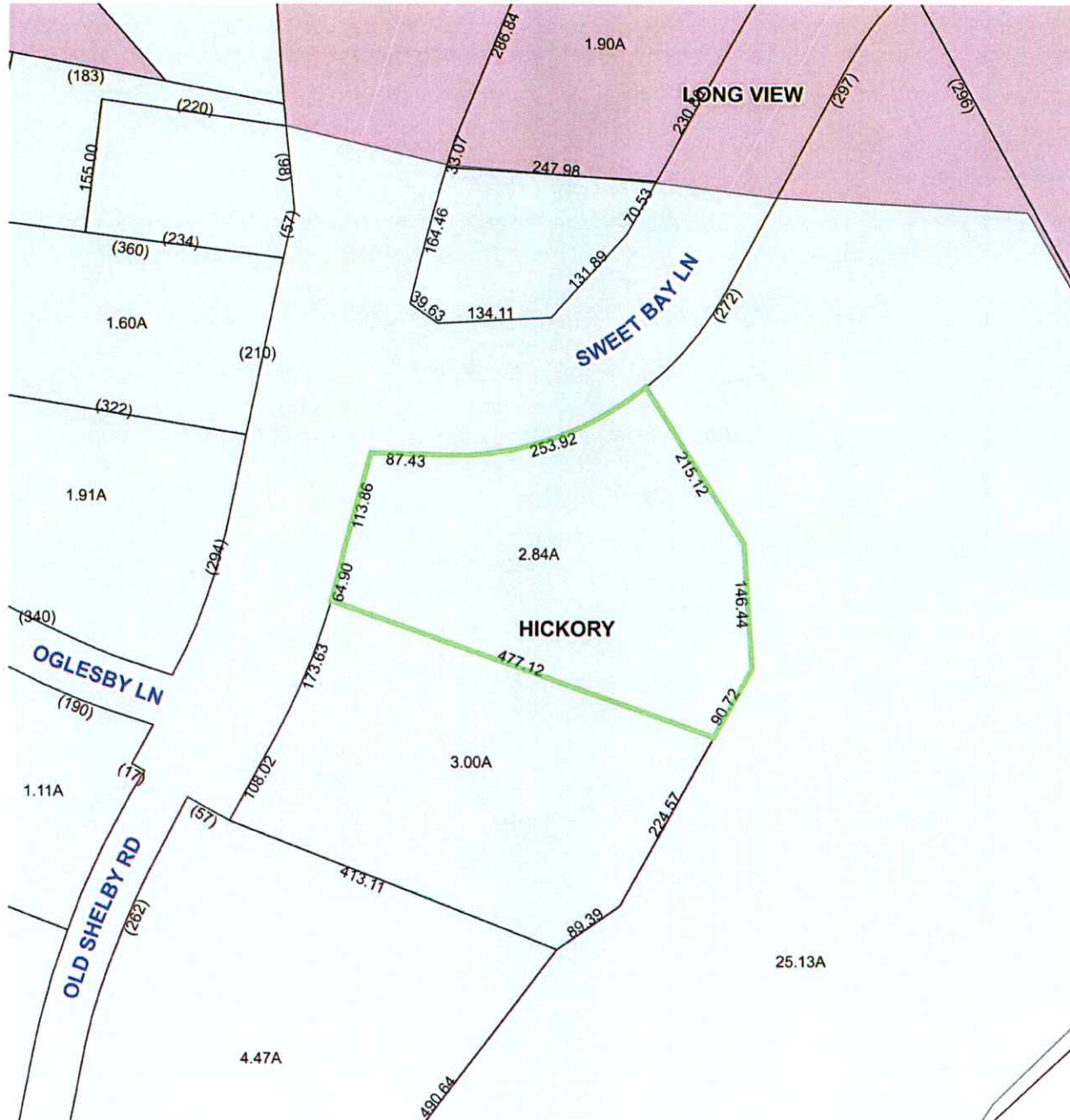
Based upon my investigation, I certify the following:

1. The petition has been signed by all of the owners of the real property described in the petition.
2. The petition contains a legal description of the property proposed for annexation.
3. The property proposed for annexation is contiguous to no other municipality.
4. The property proposed for annexation meets the requirements for voluntary non-contiguous annexation as set forth in N.C. Gen. Stat. § 160A-58.1.
5. The petition is sufficient and complies with the requirements of North Carolina law governing voluntary non-contiguous annexations.

Therefore, I hereby certify that the Petition for Voluntary Non-Contiguous Annexation is sufficient and may be considered by the Board of Aldermen of the Town of Long View.

This the 6th day of July, 2026.





1in=200ft

Parcel: 279105093127, 1964 OLD SHELBY RD HICKORY, 28602

Owners: CARLSON-MCNABB HOLDINGS LLC,

Owner Address: 400 W WINDSOR ST, MONROE NC 28112-4748

Values - Building(s): \$0, Land: \$41,300, Total: \$41,300

This map/report product was prepared from the Catawba County, NC Geospatial Information Services. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map or data on this report. Catawba County promotes and recommends the independent verification of any data contained on this map/report product by the user. The County of Catawba, its employees, agents, and personnel, disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map/report product or the use thereof by any person or entity.

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06/10/2026

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **279105093127**
Parcel Address: 1964 OLD SHELBY RD
City: HICKORY, 28602
LRK(REID): 609013
Deed Book/Page: 3935/1635
Subdivision:
Lots/Block: B-1/
Last Sale: \$825,000 on 2025-04-14
Plat Book/Page: 88/54
Legal: LOT B-1 PLAT 88-54
Calculated Acreage: 2.840
Tax Map:
Township: HICKORY
State Road #:

Tax/Value Information: Tax Rates

City Tax District: All in County
County Fire District: LONG VIEW RURAL
Building(s) Value: \$0
Land Value: \$41,300
Assessed Total Value: \$41,300
Year Built/Remodeled: /
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Tax Bill

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details

WaterShed:

Voter Precinct: P19/ Voting Map

Parcel Report Data Descriptions

List all Owners

Deed History Report

Owner Information:

Owner: CARLSON-MCNABB HOLDINGS LLC
Owner2:
Address: 400 W WINDSOR ST
Address2:
City: MONROE
State/Zip: NC 28112-4748
Click [here](#) to update owner mailing address.

School Information:

School District: HICKORY
Elementary School: LONGVIEW/SOUTHWEST
Middle School: GRANDVIEW
High School: HICKORY
School Map

Zoning Information:

Zoning District: HICKORY
Zoning1: IND
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Firm Panel Date:

Firm Panel #:

2010 Census Block:

2010 Census Tract:

Agricultural District:

Assessment Report

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TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

Memorandum

To: Mayor Marlow and Board of Alderman
From: Susan Matheson, Town Planner
Date: July 13, 2026
Re: Request to Schedule Public Hearing – Voluntary Annexation and Zoning Map Amendment

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- **Location:** 1970 Old Shelby Rd, Hickory, NC
- **Parcel ID:** 2791 0508 0665
- **Acreage:** 3.00
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- **Proposed Zoning:** I-Industrial

The Planning Board will meet on July 16th and make its zoning recommendation.

Suggested Action: That the Board of Alderman would **schedule a public hearing** for the Voluntary Annexation Petition, and a separate public hearing for the Zoning Map Amendment; both to be held at the next scheduled Board of Alderman meeting on August 10, 2026.

**Petition for Voluntary Annexation
Pursuant to N.C.G.S. §160A-31 and §160A-58**

To: The Honorable Mayor and Board of Aldermen
Town of Long View, North Carolina

The undersigned, being the owner(s) of the real property located at **1964 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105093127** respectfully petition the **Town of Long View** for the annexation of said property into the corporate limits of the Town pursuant to **N.C.G.S. §160A-31**.

The property described herein is **non-contiguous** but is in **closest proximity** to the existing corporate limits of the **Town of Long View**, its address is **1964 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105093127**.

Property Description

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PIN/Parcel ID: 279105093127

Acreage: 2.84

Legal Description: Deed Book/Page: 3935/1635 (Attach deed or metes and bounds description)

Statement of Request

The undersigned respectfully request that the Town of Long View:

1. **Consider this petition** for voluntary non-contiguous annexation in accordance with N.C.G.S. §160A-31 and §160A-58;
2. **Initiate the required investigation** and public hearing process in accordance with N.C.G.S. §160A-31; and
3. **Adopt an ordinance annexing the subject property** into the corporate limits of the Town of Long View, the closest municipal city limit.

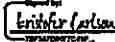
Certification

The undersigned certify that this petition is **voluntary** and signed by **100% of owners of the real property** requesting annexation.

Executed this ____ day of 6/19/2026, 2026.

Property Owner(s):

[Owner Name]

Signature  _____

[Co-Owner Name, if applicable]

Signature  _____

Mailing Address: 400 West Windsor Street, Monroe, NC 28112

Phone: 704-506-7312

Email: kriscarlson1973@gmail.com



TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX (828) 578-6637

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

CERTIFICATE OF SUFFICIENCY

Petition for Voluntary Non-Contiguous Annexation

I, Heather T. Minor, Town Clerk for the Town of Long View, North Carolina, do hereby certify that I have investigated the Petition for Voluntary Non-Contiguous Annexation submitted to the Town of Long View pursuant to N.C. Gen. Stat. § 160A-58.1, requesting the annexation of certain property described therein. The property is located at **1964 Old Shelby Road Hickory, NC 28602** and shown on Catawba County Tax Maps as PIN/Parcel ID: **279105093127**. The petition was submitted on June 19th, 2026.

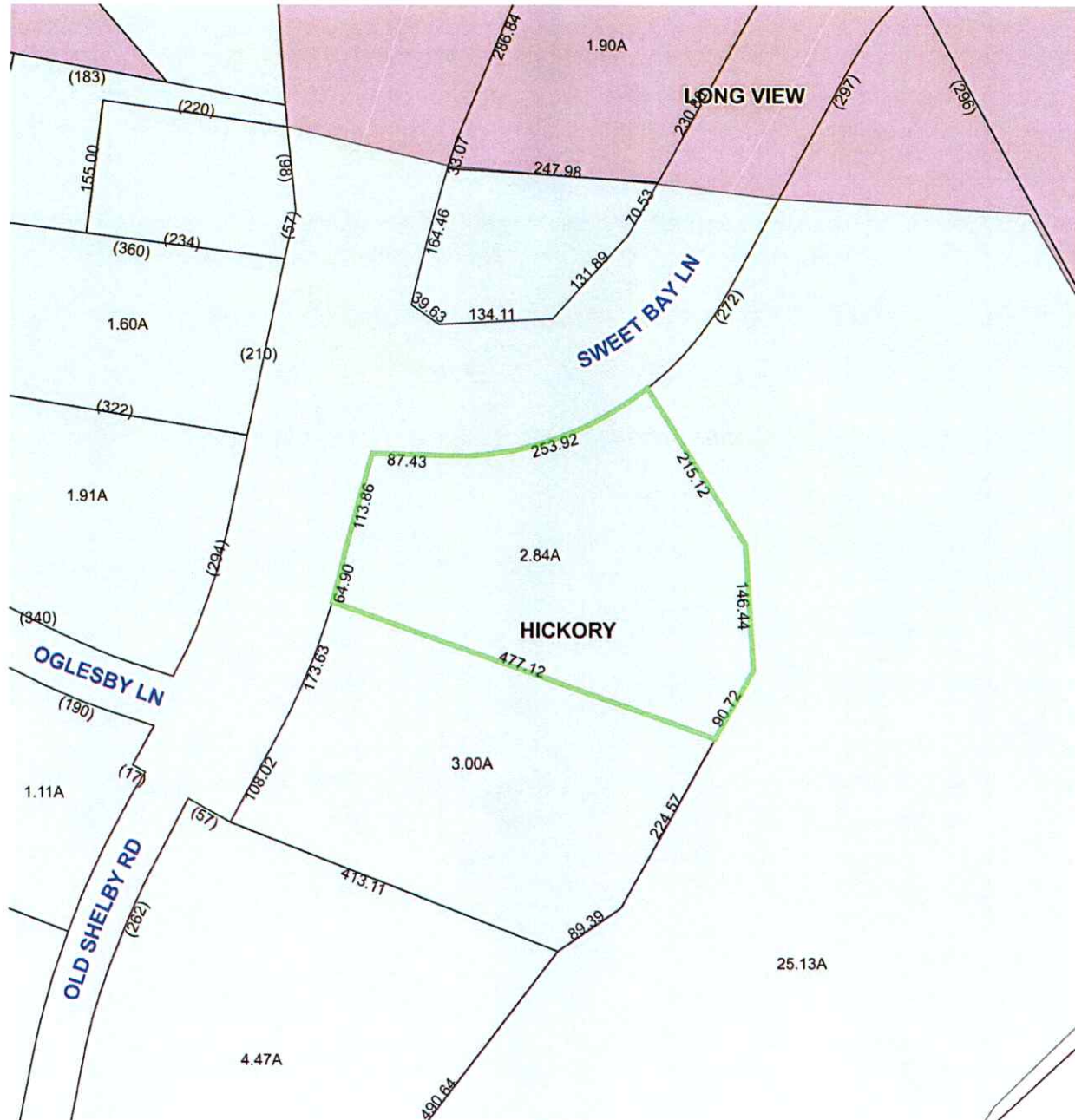
Based upon my investigation, I certify the following:

1. The petition has been signed by all of the owners of the real property described in the petition.
2. The petition contains a legal description of the property proposed for annexation.
3. The property proposed for annexation is contiguous to no other municipality.
4. The property proposed for annexation meets the requirements for voluntary non-contiguous annexation as set forth in N.C. Gen. Stat. § 160A-58.1.
5. The petition is sufficient and complies with the requirements of North Carolina law governing voluntary non-contiguous annexations.

Therefore, I hereby certify that the Petition for Voluntary Non-Contiguous Annexation is sufficient and may be considered by the Board of Aldermen of the Town of Long View.

This the 6th day of July, 2026.





1in=200ft

Parcel: 279105093127, 1964 OLD SHELBY RD HICKORY, 28602

Owners: CARLSON-MCNABB HOLDINGS LLC,

Owner Address: 400 W WINDSOR ST, MONROE NC 28112-4748

Values - Building(s): \$0, Land: \$41,300, Total: \$41,300

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06/10/2026

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **279105093127**
Parcel Address: 1964 OLD SHELBY RD
City: HICKORY, 28602
LRK(REID): 609013
Deed Book/Page: 3935/1635
Subdivision:
Lots/Block: B-1/
Last Sale: \$825,000 on 2025-04-14
Plat Book/Page: 88/54
Legal: LOT B-1 PLAT 88-54
Calculated Acreage: 2.840
Tax Map:
Township: HICKORY
State Road #:

Tax/Value Information: Tax Rates

City Tax District: All in County
County Fire District: LONG VIEW RURAL
Building(s) Value: \$0
Land Value: \$41,300
Assessed Total Value: \$41,300
Year Built/Remodeled: /
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Tax Bill

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details

WaterShed:

Voter Precinct: P19/ Voting Map

Parcel Report Data Descriptions

List all Owners

Deed History Report

Owner Information:

Owner: CARLSON-MCNABB HOLDINGS LLC
Owner2:
Address: 400 W WINDSOR ST
Address2:
City: MONROE
State/Zip: NC 28112-4748
Click **here** to update owner mailing address.

School Information:

School District: HICKORY
Elementary School: LONGVIEW/SOUTHWEST
Middle School: GRANDVIEW
High School: HICKORY
School Map

Zoning Information:

Zoning District: HICKORY
Zoning1: IND
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Firm Panel Date:

Firm Panel #:

2010 Census Block:

2010 Census Tract:

Agricultural District:

Assessment Report

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**Petition for Voluntary Annexation
Pursuant to N.C.G.S. §160A-31 and §160A-58**

To: The Honorable Mayor and Board of Aldermen
Town of Long View, North Carolina

The undersigned, being the owner(s) of the real property located at **1970 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105080665** respectfully petition the **Town of Long View** for the annexation of said property into the corporate limits of the Town pursuant to **N.C.G.S. §160A-31**.

The property described herein is **non-contiguous** but is in **closest proximity** to the existing corporate limits of the **Town of Long View**, its address is **1970 OLD SHELBY RD HICKORY, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105080665**.

Property Description

Address: 1970 OLD SHELBY RD HICKORY, NC 28602
PIN/Parcel ID: 279105080665

Acreage: 2.84

Legal Description: Deed Book/Page: 3935/1635 (Attach deed or metes and bounds description)

Statement of Request

The undersigned respectfully request that the Town of Long View:

1. **Consider this petition** for voluntary non-contiguous annexation in accordance with N.C.G.S. §160A-31 and §160A-58;
2. **Initiate the required investigation** and public hearing process in accordance with N.C.G.S. §160A-31; and
3. **Adopt an ordinance annexing the subject property** into the corporate limits of the Town of Long View, the closest municipal city limit.

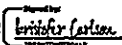
Certification

The undersigned certify that this petition is **voluntary** and signed by **100% of owners of the real property** requesting annexation.

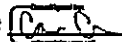
Executed this ____ day of 6/19/2026, 2026.

Property Owner(s):

[Owner Name]

Signature  _____

[Co-Owner Name, if applicable]

Signature  _____

Mailing Address: 400 West Windsor Street, Monroe, NC 28112

Phone: 704-506-7312

Email: kriscarlson1973@gmail.com



TOWN OF LONG VIEW
2404 1ST AVENUE SOUTHWEST
LONG VIEW, NC 28602
TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

**STATE OF NORTH CAROLINA
COUNTY OF CATAWBA**

CERTIFICATE OF SUFFICIENCY

Petition for Voluntary Non-Contiguous Annexation

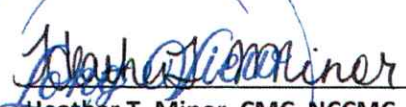
I, Heather T. Minor, Town Clerk for the Town of Long View, North Carolina, do hereby certify that I have investigated the Petition for Voluntary Non-Contiguous Annexation submitted to the Town of Long View pursuant to N.C. Gen. Stat. § 160A-58.1, requesting the annexation of certain property described therein. The property is located at **1970 Old Shelby Road Hickory, NC 28602** and shown on Catawba County Tax Maps as **PIN/Parcel ID: 279105080665**. The petition was submitted on June 19th, 2026.

Based upon my investigation, I certify the following:

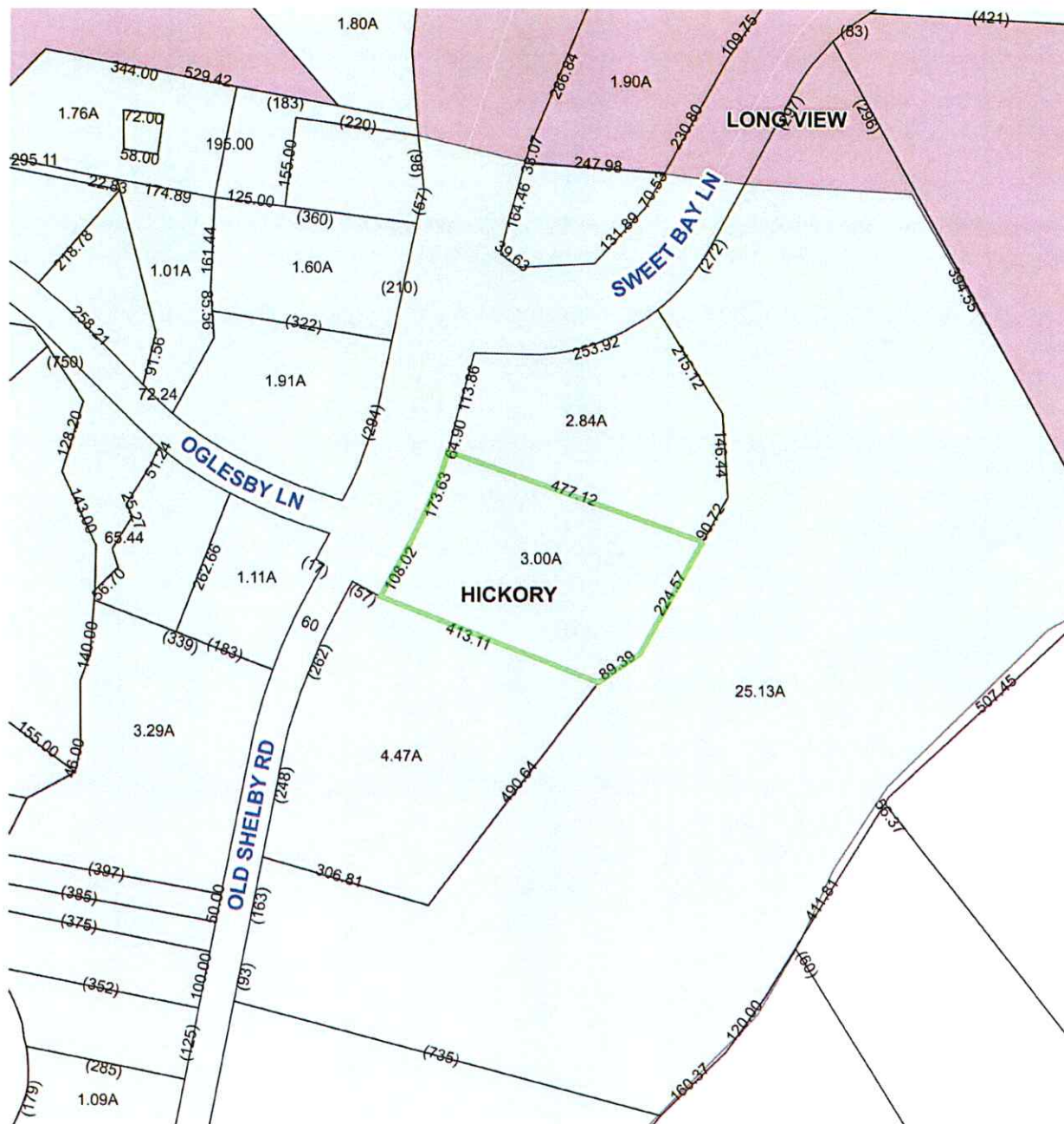
1. The petition has been signed by all of the owners of the real property described in the petition.
2. The petition contains a legal description of the property proposed for annexation.
3. The property proposed for annexation is contiguous to no other municipality.
4. The property proposed for annexation meets the requirements for voluntary non-contiguous annexation as set forth in N.C. Gen. Stat. § 160A-58.1.
5. The petition is sufficient and complies with the requirements of North Carolina law governing voluntary non-contiguous annexations.

Therefore, I hereby certify that the Petition for Voluntary Non-Contiguous Annexation is sufficient and may be considered by the Board of Aldermen of the Town of Long View.

This the 6th day of July, 2026.

(Seal)


Heather T. Minor, CMC, NCCMC
EST. 1907
Town Clerk
Town of Long View, North Carolina
WHERE PAST MEETS PROGRESS



1in=300ft

Parcel: 279105080665, 1970 OLD SHELBY RD HICKORY, 28602

Owners: CARLSON-MCNABB HOLDINGS LLC,

Owner Address: 400 W WINDSOR ST, MONROE NC 28112-4748

Values - Building(s): \$1,800, Land: \$36,100, Total: \$37,900

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Copyright 2026 Catawba County NC

06/10/2026

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **279105080665**
Parcel Address: 1970 OLD SHELBY RD
City: HICKORY, 28602
LRK(REID): 48529
Deed Book/Page: 3935/1635
Subdivision:
Lots/Block: B-2/
Last Sale: \$825,000 on 2025-04-14
Plat Book/Page: 88/54
Legal: LOT B-2 PLAT 88-54
Calculated Acreage: 3.000
Tax Map: 134H 02001A
Township: HICKORY
State Road #: 1124

Tax/Value Information: Tax Rates

City Tax District: All in County
County Fire District: LONG VIEW RURAL
Building(s) Value: \$1,800
Land Value: \$36,100
Assessed Total Value: \$37,900
Year Built/Remodeled: /
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Tax Bill

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details

WaterShed:

Voter Precinct: P19/ Voting Map

Parcel Report Data Descriptions

List all Owners

Deed History Report

Owner Information:

Owner: CARLSON-MCNABB HOLDINGS LLC
Owner2:
Address: 400 W WINDSOR ST
Address2:
City: MONROE
State/Zip: NC 28112-4748
Click **here** to update owner mailing address.

School Information:

School District: HICKORY
Elementary School: LONGVIEW/SOUTHWEST
Middle School: GRANDVIEW
High School: HICKORY
School Map

Zoning Information:

Zoning District: HICKORY
Zoning1: IND
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Firm Panel Date: 2007-09-05

Firm Panel #:

2010 Census Block: 2002

2010 Census Tract: 011101

Agricultural District:

Assessment Report

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TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

Memorandum

To: Mayor Marlow and Board of Alderman
From: Susan Matheson, Town Planner
Date: July 13, 2026
Re: Request to Schedule Public Hearing – Rezoning Petition

Pursuant to **G.S. § 160D-602**, a public hearing is hereby requested for consideration of a **Zoning Map Amendment**. A Rezoning Application has been submitted for the following properties described below:

Property Information

Location: 0 2nd Ave NW
Parcel ID: 2783 90 8863
Acreage: 0.3
Current Zoning: I-Industrial
Proposed Zoning: R3- Residential

Location: 0 2nd Ave NW
Parcel ID: 2783 90 9856
Acreage: 0.11
Current Zoning: I-Industrial
Proposed Zoning: R3- Residential

Location: 0 33rd St NW
Parcel ID: 2783 90 8794
Acreage: 0.31
Current Zoning: I-Industrial
Proposed Zoning: R3- Residential

Location: 0 33rd St NW
Parcel ID: 2793 00 0702
Acreage: 0.28
Current Zoning: I-Industrial
Proposed Zoning: R3- Residential

Location: 0 33rd St NW
Parcel ID: 2783 90 9624
Acreage: 0.38
Current Zoning: I-Industrial
Proposed Zoning: R3- Residential

The Planning Board will meet on July 16th and make its recommendation.

Suggested Action: That the Board of Alderman to **schedule and conduct a legislative public hearing** for the next scheduled Board of Alderman meeting, to be held on August 10, 2026, to consider this Rezoning Application.

**TOWN OF LONG VIEW
APPLICATION FOR REZONING**

Date: 7-1-26

Name: Julie Parsons

TO THE LONG VIEW PLANNING BOARD AND BOARD OF ALDERMEN:

I (we), the undersigned, do hereby respectfully make application and request the Planning Board and the Board of Aldermen to amend the Zoning Ordinance and/or the Official Zoning Map of the Town of Long View as herein requested.

1. It is requested that the property described below be rezoned from the zoning I Zoning District to the R-3 Zoning District.
2. The property requested for rezoning is located at 0 33rd St NW Hky 28601 and is within the Town Limits of Long View. The property is further described as that parcel shown and identified on the Catawba County Parcel Identification Number 2783908863 / 32187.
3. Said parcel contains .3 acres with a ~~road~~ frontage of 96 feet and a lot depth of 142 feet.
4. The property is owned by: Julie Parsons
Mailing Address: 1222 Hillsboro Ave, Hickory NC 28602
Telephone Number: 828-493-2572

NOTE: If more than one property is requested for rezoning, attach a list of Parcel Identification Numbers for each property along with the name and mailing address of each property owner.

5. Provide a brief statement as to why you are requesting the zoning change:

Please see attached statement.

If more space is needed please use a separate sheet

I am requesting that this property be rezoned from I (Industrial) to R-3 (Residential) because the property is better suited for residential development and is more consistent with the existing character of the surrounding area. The area surrounding the property is predominantly residential in nature, and the property's location adjacent to a community recreation center makes it an ideal location for residential use and neighborhood growth.

The proposed rezoning would allow the property to be developed in a manner that is compatible with neighboring properties and current land-use patterns. Additionally, rezoning the property to R-3 would provide opportunities for much-needed housing while encouraging orderly and responsible growth within the community. This change would represent a more appropriate use of the property, enhance the overall development of the area, and contribute positively to the long-term goals and needs of the community.

6. Neighborhood Characteristics:

Please fill in the blanks below indicating the zones and land uses adjacent to the property requested to be rezoned.

<u>Location</u>	<u>Present Zoning</u>	<u>Present Land Use</u>
North	<u>I</u>	<u>Recreation Center</u>
East	<u>I</u>	<u>Vacant</u>
South	<u>I</u>	<u>Century Furniture</u>
West	<u>R-3</u>	<u>Residential</u>

7. Attach an accurate map of the property requested for rezoning. The map must show all lot dimensions, right-of-way widths, current land uses of the subject property and adjacent property. Applications that do not contain a map will not be processed and will be returned to the applicant for completion. Staff will assist in directing the applicant in obtaining a map.

I hereby certify that the above information is true and accurate to the best of my knowledge and belief.

Juke Parsons
Signature of Applicant or Agent

7-1-26
Date

828-493-2572
Daytime Telephone Number

This application must be filed with the Town Clerk not less than twenty (20) days before a regularly scheduled meeting of the Planning Board. The Planning Board meets on the third Thursday of each month.

A non-refundable application fee of one hundred and fifty dollars (~~\$150.00~~) must be paid at the time of submission.

\$ 300.00

Additional Property to be rezoned:

PIN: 2783908797/ REID:32186- .31 acres

PIN: 27839096234/ REID: 32177- .38 acres

PIN: 2783909856/ REID: 32179- .11 acres

PIN: 2793000702/ REID: 32191- .28 acres

All property is owned by Julie Parsons

Mailing address: 1222 Hillsboro Ave, Hickory, NC 28602

Phone: 828-493-2572



ORDINANCE No. CO-01-26-27

AN ORDINANCE DIRECTING TOWN OFFICIALS TO VACATE AND CLOSE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED

WHEREAS, N.C. Gen. Stat. § 160D-1201, et seq. authorizes any local government by ordinance to provide for the repair, closing, or demolition of dwellings, as defined by N.C. Gen. Stat. § 160D-1201(a), found unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light, or sanitary facilities, or other conditions rendering the dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the local government; and

WHEREAS, the Town has adopted by ordinance in Chapter 152, Section 152.25 (d) of the Town of Long View Code of Ordinances (“Residential Minimum Housing”) to provide for the repair, closing, or demolition of dwellings found unfit for human habitation; and

WHEREAS, on or about February 10, 2026, the Code Enforcement Officer, as defined in Section 152.03 of the Residential Minimum Housing Ordinance, found the Dwelling located at 180 19th St NW, Unit 180C, Hickory, North Carolina, Parcel ID: 279319601783 (the “Dwelling”), as unfit for human habitation; and

WHEREAS, on February 10, 2026, the Code Enforcement Officer, after conducting a preliminary investigation disclosing a basis for such charges, issued and caused to be served on Hilltop NC LLC, the Owner of the Dwelling, as defined by N.C. Gen. Stat. § 160D-1202(1), and parties in interest of such Dwellings a complaint stating the charges in that respect and containing a notice that an administrative hearing would be held before the Code Enforcement Officer, or the designated agent, at a place within Catawba County; and

WHEREAS, after notice and an administrative hearing, the Code Enforcement Officer determined that the Dwelling was unfit for human habitation due to the fact that conditions within the Dwelling exist which violate or do not comply with one or more of the minimum standards of fitness established by the Residential Minimum Housing Ordinance and stated, in writing, findings of fact to support that determination; and

WHEREAS, the repair to the Dwelling can be made at a reasonable cost in relation to the value of the Dwelling; and

WHEREAS, on March 3, 2026, the Code Enforcement Officer issued and caused to be served on the Owner an order requiring the Owner to repair, alter, or improve the dwelling or to vacate and close the Dwelling by a date not later than June 1, 2026; and

WHEREAS, the Owner of the Dwelling has been given a reasonable opportunity to bring the Dwelling into conformity with the Minimum Housing Standards, but has failed to comply; and

WHEREAS, N.C. Gen. Stat. § 160D-1203 provides that if the Owner fails to comply with

ORDINANCE No. CO-01-26-27

an order to vacate, close and/or remove the Dwelling, the Code Enforcement Officer may, following ordinance adopted by the governing board, cause the Dwelling to be vacated, closed, posted with a placard on the main entrance of the Dwelling the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful," and removed; and

WHEREAS, the Town Council has determined that the Dwelling is unfit for human habitation due to structural damage and deterioration rendering the Dwelling unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the Town of Long View; and

WHEREAS, based on the foregoing, the Town Council finds that the Dwelling should be vacated and closed to meet the requirements of the Minimum Housing Standards, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the Town Council finds that all of the provisions of the Minimum Housing Standards have been complied with as a condition of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Long View, that:

SECTION 1. The Owner of the Dwelling having been notified in accordance with Chapter 160D of the North Carolina General Statutes, is hereby ordered to vacate the Dwelling on or before July 13th, 2026.

SECTION 2. The real property upon which the Dwelling is situated is more particularly described as follows:

BEGINNING at a set PK nail in curbing, said nail being the point of intersection of the westerly right of way of 18th Street NW, and the southern right of way of Second Avenue NW, and said nail being the Point of Beginning; thence with running with said westerly right of way of said 18th Street Place NW S 04 37 33 W, a distance of 679.91 feet to an existing 2" pipe, and said pipe being the northeast corner of Swift Air, Inc., as described in Deed Book 2032 at Page 1809 in the Catawba County Registry; thence with the line of said Swift Air, Inc., N 87 21 56 W, a distance of 99.98 feet to a 1" pipe; thence S 04 33 52 W, a distance of 74.97 feet to a #5 iron rebar; thence S 87 20 17 E, a distance of 100.10 feet to a 2" iron pipe on the westerly right of way of said 18th Street Place NW; thence westerly along said right of way of an existing alleyway having a right of way width of 15 feet; thence N 87 15 28 W, a distance of 372.45 feet to a 1" pipe, said pipe being the northeasterly corner of Ruth Arlee Bryant as described in Deed Book 966 at Page 209 in said Registry; thence N 87 13 28 W, a distance of 109.83 feet to a 2" pipe on the easterly right of way of 19th Street NW; thence northerly with said right of way of said 19th Street NW N 04 25 30 E, a distance of 505.69 feet to a #5 iron rebar at an existing headwall; thence N 46 29 58 E, a distance of 64.24 feet to an iron pin set in the center of a branch and the southern right of way of said Second

ORDINANCE No. CO-01-26-27

Avenue NW; thence S 81 11 00 E, a distance of 442.21 feet to the Point of Beginning, containing 378,169 square feet or 8.682 acres, more or less, according to a survey prepared by Craig L. Long, NC R.L.S. #2993 of Reeser Surveying and Mapping, LLC, (Pell City, Alabama) and Professional Property Surveyors, Inc. of Mooresville, N.C. said survey being dated June 6, 2011 and being entitled "Hilltop Limited Partnership".

Parcel ID: 279319601783

SECTION 3. That the Owner of the real property described herein is Hilltop NC LLC.

SECTION 4. The Code Enforcement Officer or his designee is hereby authorized and directed to place a placard on the main entrance of the Dwelling containing the legend: "THIS DWELLING IS UNFIT FOR HUMAN HABITATION. THE USE OR OCCUPATION OF THIS DWELLING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL. ANYONE FOUND TRESPASSING ON THE PROPERTY CAN BE CHARGED WITH A CLASS 1 MISDEMEANOR."

SECTION 5. It shall be unlawful for any person to remove or cause to be removed the placard from a Dwelling to which it is affixed thereto pursuant to this Ordinance. It shall likewise be unlawful for any person to occupy or to permit the occupancy of a Dwelling having been declared to be unfit for human habitation. Occupation of a building so posted shall constitute a Class 1 misdemeanor.

SECTION 6. That Owner and parties in interest of the Dwelling are hereby ordered to vacate and close the Dwelling found by the Code Enforcement Officer and Town Council to be unfit for human habitation within thirty (30) days from the date of adoption of this Ordinance. If the Owner or parties in interest fail to have the Dwelling vacated within thirty (30) days from the adoption of this Ordinance, the Code Enforcement Officer is hereby authorized to commence summary ejectment proceedings pursuant to N.C. Gen. Stat. § 160D-1203(8).

If the Owner or parties in interest shall fail or refuse to vacate and close Dwelling within the time allowed, then the Code Enforcement Officer is hereby authorized to proceed to vacate, close and secure the Dwelling in accordance with this Ordinance pursuant to the Minimum Housing Standards and N.C. Gen. Stat. § 160D-1203. The cost of vacating and closing by the Code Enforcement Officer shall be a lien against the real property upon which the cost was incurred as provided in the Minimum Housing Standards and N.C. Gen. Stat. § 160D-1203(7).

SECTION 7. The Code Enforcement Officer or his designee is further directed and authorized to take such other and further action and exercise such other powers with respect to said dwelling as may be necessary or convenient to carry out and effectuate the provisions of the Minimum Housing Code of the Town of Long View.

SECTION 8. That the Town Clerk is hereby directed to record a certified copy of this Ordinance in the Office of the Catawba County Register of Deeds and see that it is properly

ORDINANCE No. CO-01-26-27

indexed in the name of the Owner in the grantor index.

SECTION 9. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. That if any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 11. That the Town Attorney is authorized to proceed with in rem foreclosure proceedings to collect taxes and liens owed for the property, if any.

SECTION 12. This Ordinance shall become effective upon its adoption.

ORDAINED by Town Council for the Town of Long View, North Carolina, this 13th day of July, 2026.

THE TOWN OF LONG VIEW,
a North Carolina Municipal Corporation

ATTEST:

Heather Minor, CMC, NCCMC
Town Clerk

Douglas E. Marlowe Jr., Mayor

Long View

Minimum Housing Violation
180 19th St NW; Unit 180C
(Hilltop Apartments)

180 19th St NW; Unit 180C (Hilltop Apartments)

Photo Date: 10FEB2026



Conditions of note; Inoperable heating unit (tenant was using a space heater to heat the unit), severe water leak in bathroom (discharge of Category 3 water), flooring in hallway was soft and rotted due to moisture which had soaked through the floor into the maintenance room below the unit, ceiling in below maintenance room was sagging due to the water leak in this dwelling unit, unsanitary conditions, trash junk and clutter creating hazards (inhibiting emergency egress, etc.)

NOTE - Photos on the next slide show conditions observed within the maintenance room located directly below this dwelling unit.

180 19th St NW; Unit 180C (Hilltop Apartments)

Photo Date: 10FEB2026



WPCOG

Ordinance No. CO-02-26-27

AN ORDINANCE DIRECTING TOWN OFFICIALS TO VACATE AND CLOSE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED

WHEREAS, N.C. Gen. Stat. § 160D-1201, et seq. authorizes any local government by ordinance to provide for the repair, closing, or demolition of dwellings, as defined by N.C. Gen. Stat. § 160D-1201(a), found unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light, or sanitary facilities, or other conditions rendering the dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the local government; and

WHEREAS, the Town has adopted by ordinance in Chapter 152, Section 152.25 (d) of the Town of Long View Code of Ordinances ("Residential Minimum Housing") to provide for the repair, closing, or demolition of dwellings found unfit for human habitation; and

WHEREAS, on or about March 17, 2026, the Code Enforcement Officer, as defined in Section 152.03 of the Residential Minimum Housing Ordinance, found the Dwelling located at 188 19th St NW, Unit 188J, Hickory, North Carolina, Parcel ID: 279319601783 (the "Dwelling"), as unfit for human habitation; and

WHEREAS, on March 17, 2026, the Code Enforcement Officer, after conducting a preliminary investigation disclosing a basis for such charges, issued and caused to be served on Hilltop NC LLC, the Owner of the Dwelling, as defined by N.C. Gen. Stat. § 160D-1202(1), and parties in interest of such Dwellings a complaint stating the charges in that respect and containing a notice that an administrative hearing would be held before the Code Enforcement Officer, or the designated agent, at a place within Catawba County; and

WHEREAS, after notice and an administrative hearing, the Code Enforcement Officer determined that the Dwelling was unfit for human habitation due to the fact that conditions within the Dwelling exist which violate or do not comply with one or more of the minimum standards of fitness established by the Residential Minimum Housing Ordinance and stated, in writing, findings of fact to support that determination; and

WHEREAS, the repair to the Dwelling can be made at a reasonable cost in relation to the value of the Dwelling; and

WHEREAS, on April 7, 2026, the Code Enforcement Officer issued and caused to be served on the Owner an order requiring the Owner to repair, alter, or improve the dwelling or to vacate and close the Dwelling by a date not later than July 6, 2026; and

WHEREAS, the Owner of the Dwelling has been given a reasonable opportunity to bring the Dwelling into conformity with the Minimum Housing Standards, but has failed to comply; and

WHEREAS, N.C. Gen. Stat. § 160D-1203 provides that if the Owner fails to comply with

Ordinance No. CO-02-26-27

an order to vacate, close and/or remove the Dwelling, the Code Enforcement Officer may, following ordinance adopted by the governing board, cause the Dwelling to be vacated, closed, posted with a placard on the main entrance of the Dwelling the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful," and removed; and

WHEREAS, the Town Council has determined that the Dwelling is unfit for human habitation due to structural damage and deterioration rendering the Dwelling unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the Town of Long View; and

WHEREAS, based on the foregoing, the Town Council finds that the Dwelling should be vacated and closed to meet the requirements of the Minimum Housing Standards, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the Town Council finds that all of the provisions of the Minimum Housing Standards have been complied with as a condition of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Long View, that:

SECTION 1. The Owner of the Dwelling having been notified in accordance with Chapter 160D of the North Carolina General Statutes, is hereby ordered to vacate the Dwelling on or before _____, 2026.

SECTION 2. The real property upon which the Dwelling is situated is more particularly described as follows:

BEGINNING at a set PK nail in curbing, said nail being the point of intersection of the westerly right of way of 18th Street NW, and the southern right of way of Second Avenue NW, and said nail being the Point of Beginning; thence with running with said westerly right of way of said 18th Street Place NW S 04 37 33 W, a distance of 679.91 feet to an existing 2" pipe, and said pipe being the northeast corner of Swift Air, Inc., as described in Deed Book 2032 at Page 1809 in the Catawba County Registry; thence with the line of said Swift Air, Inc., N 87 21 56 W, a distance of 99.98 feet to a 1" pipe; thence S 04 33 52 W, a distance of 74.97 feet to a #5 iron rebar; thence S 87 20 17 E, a distance of 100.10 feet to a 2" iron pipe on the westerly right of way of said 18th Street Place NW; thence westerly along said right of way of an existing alleyway having a right of way width of 15 feet; thence N 87 15 28 W, a distance of 372.45 feet to a 1" pipe, said pipe being the northeasterly corner of Ruth Arlee Bryant as described in Deed Book 966 at Page 209 in said Registry; thence N 87 13 28 W, a distance of 109.83 feet to a 2" pipe on the easterly right of way of 19th Street NW; thence northerly with said right of way of said 19th Street NW N 04 25 30 E, a distance of 505.69 feet to a #5 iron rebar at an existing headwall; thence N 46 29 58 E, a distance of 64.24 feet to an iron pin set in the center of a branch and the southern right of way of said Second

Ordinance No. CO-02-26-27

Avenue NW; thence S 81 11 00 E, a distance of 442.21 feet to the Point of Beginning, containing 378,169 square feet or 8.682 acres, more or less, according to a survey prepared by Craig L. Long, NC R.L.S. #2993 of Reeser Surveying and Mapping, LLC, (Pell City, Alabama) and Professional Property Surveyors, Inc. of Mooresville, N.C. said survey being dated June 6, 2011 and being entitled "Hilltop Limited Partnership".

Parcel ID: 279319601783

SECTION 3. That the Owner of the real property described herein is Hilltop NC LLC.

SECTION 4. The Code Enforcement Officer or his designee is hereby authorized and directed to place a placard on the main entrance of the Dwelling containing the legend: "THIS DWELLING IS UNFIT FOR HUMAN HABITATION. THE USE OR OCCUPATION OF THIS DWELLING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL. ANYONE FOUND TRESPASSING ON THE PROPERTY CAN BE CHARGED WITH A CLASS 1 MISDEMEANOR."

SECTION 5. It shall be unlawful for any person to remove or cause to be removed the placard from a Dwelling to which it is affixed thereto pursuant to this Ordinance. It shall likewise be unlawful for any person to occupy or to permit the occupancy of a Dwelling having been declared to be unfit for human habitation. Occupation of a building so posted shall constitute a Class 1 misdemeanor.

SECTION 6. That Owner and parties in interest of the Dwelling are hereby ordered to vacate and close the Dwelling found by the Code Enforcement Officer and Town Council to be unfit for human habitation within thirty (30) days from the date of adoption of this Ordinance. If the Owner or parties in interest fail to have the Dwelling vacated within thirty (30) days from the adoption of this Ordinance, the Code Enforcement Officer is hereby authorized to commence summary ejectment proceedings pursuant to N.C. Gen. Stat. § 160D-1203(8).

If the Owner or parties in interest shall fail or refuse to vacate and close Dwelling within the time allowed, then the Code Enforcement Officer is hereby authorized to proceed to vacate, close and secure the Dwelling in accordance with this Ordinance pursuant to the Minimum Housing Standards and N.C. Gen. Stat. § 160D-1203. The cost of vacating and closing by the Code Enforcement Officer shall be a lien against the real property upon which the cost was incurred as provided in the Minimum Housing Standards and N.C. Gen. Stat. § 160D-1203(7).

SECTION 7. The Code Enforcement Officer or his designee is further directed and authorized to take such other and further action and exercise such other powers with respect to said dwelling as may be necessary or convenient to carry out and effectuate the provisions of the Minimum Housing Code of the Town of Long View.

SECTION 8. That the Town Clerk is hereby directed to record a certified copy of this Ordinance in the Office of the Catawba County Register of Deeds and see that it is properly

Ordinance No. CO-02-26-27

indexed in the name of the Owner in the grantor index.

SECTION 9. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. That if any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 11. That the Town Attorney is authorized to proceed with in rem foreclosure proceedings to collect taxes and liens owed for the property, if any.

SECTION 12. This Ordinance shall become effective upon its adoption.

ORDAINED by Town Council for the Town of Long View, North Carolina, this 13th day of July, 2026.

THE TOWN OF LONG VIEW,
a North Carolina Municipal Corporation

ATTEST:

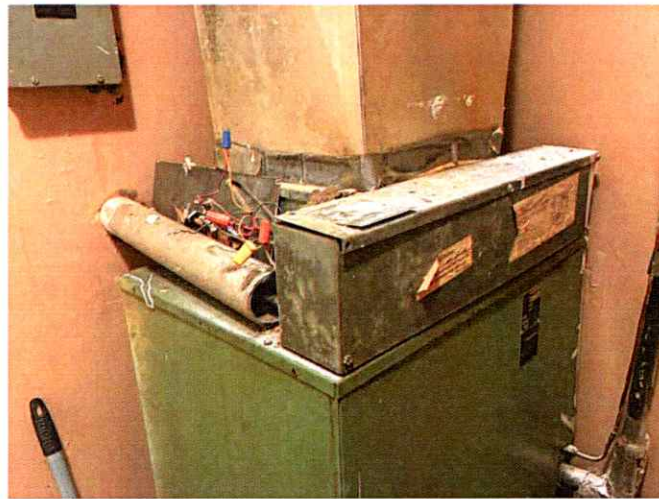
Heather Minor, CMC, MCCMC
Town Clerk

Douglas E. Marlowe Jr., Mayor

188 19th St NW; Unit 188J
Photo Date: 17MAR2026



188 19th St NW; Unit 188J
Photo Date: 17MAR2026



188 19th St NW; Unit 188J
Photo Date: 17MAR2026



Ordinance No. CO-03-26-27

AN ORDINANCE DIRECTING TOWN OFFICIALS TO VACATE AND CLOSE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED

WHEREAS, N.C. Gen. Stat. § 160D-1201, et seq. authorizes any local government by ordinance to provide for the repair, closing, or demolition of dwellings, as defined by N.C. Gen. Stat. § 160D-1201(a), found unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light, or sanitary facilities, or other conditions rendering the dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the local government; and

WHEREAS, the Town has adopted by ordinance in Chapter 152, Section 152.25 (d) of the Town of Long View Code of Ordinances ("Residential Minimum Housing") to provide for the repair, closing, or demolition of dwellings found unfit for human habitation; and

WHEREAS, on or about March 24, 2026, the Code Enforcement Officer, as defined in Section 152.03 of the Residential Minimum Housing Ordinance, found the Dwelling located at 168 19th St NW, Unit 168A, Hickory, North Carolina, Parcel ID: 279319601783 (the "Dwelling"), as unfit for human habitation; and

WHEREAS, on March 24, 2026, the Code Enforcement Officer, after conducting a preliminary investigation disclosing a basis for such charges, issued and caused to be served on Hilltop NC LLC, the Owner of the Dwelling, as defined by N.C. Gen. Stat. § 160D-1202(1), and parties in interest of such Dwellings a complaint stating the charges in that respect and containing a notice that an administrative hearing would be held before the Code Enforcement Officer, or the designated agent, at a place within Catawba County; and

WHEREAS, after notice and an administrative hearing, the Code Enforcement Officer determined that the Dwelling was unfit for human habitation due to the fact that conditions within the Dwelling exist which violate or do not comply with one or more of the minimum standards of fitness established by the Residential Minimum Housing Ordinance and stated, in writing, findings of fact to support that determination; and

WHEREAS, the repair to the Dwelling can be made at a reasonable cost in relation to the value of the Dwelling; and

WHEREAS, on April 7, 2026, the Code Enforcement Officer issued and caused to be served on the Owner an order requiring the Owner to repair, alter, or improve the dwelling or to vacate and close the Dwelling by a date not later than July 6, 2026; and

WHEREAS, the Owner of the Dwelling has been given a reasonable opportunity to bring the Dwelling into conformity with the Minimum Housing Standards, but has failed to comply; and

WHEREAS, N.C. Gen. Stat. § 160D-1203 provides that if the Owner fails to comply with

Ordinance No. CO-03-26-27

an order to vacate, close and/or remove the Dwelling, the Code Enforcement Officer may, following ordinance adopted by the governing board, cause the Dwelling to be vacated, closed, posted with a placard on the main entrance of the Dwelling the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful," and removed; and

WHEREAS, the Town Council has determined that the Dwelling is unfit for human habitation due to structural damage and deterioration rendering the Dwelling unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the Town of Long View; and

WHEREAS, based on the foregoing, the Town Council finds that the Dwelling should be vacated and closed to meet the requirements of the Minimum Housing Standards, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the Town Council finds that all of the provisions of the Minimum Housing Standards have been complied with as a condition of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Long View, that:

SECTION 1. The Owner of the Dwelling having been notified in accordance with Chapter 160D of the North Carolina General Statutes, is hereby ordered to vacate the Dwelling on or before _____, 2026.

SECTION 2. The real property upon which the Dwelling is situated is more particularly described as follows:

BEGINNING at a set PK nail in curbing, said nail being the point of intersection of the westerly right of way of 18th Street NW, and the southern right of way of Second Avenue NW, and said nail being the Point of Beginning; thence with running with said westerly right of way of said 18th Street Place NW S 04 37 33 W, a distance of 679.91 feet to an existing 2" pipe, and said pipe being the northeast corner of Swift Air, Inc., as described in Deed Book 2032 at Page 1809 in the Catawba County Registry; thence with the line of said Swift Air, Inc., N 87 21 56 W, a distance of 99.98 feet to a 1" pipe; thence S 04 33 52 W, a distance of 74.97 feet to a #5 iron rebar; thence S 87 20 17 E, a distance of 100.10 feet to a 2" iron pipe on the westerly right of way of said 18th Street Place NW; thence westerly along said right of way of an existing alleyway having a right of way width of 15 feet; thence N 87 15 28 W, a distance of 372.45 feet to a 1" pipe, said pipe being the northeasterly corner of Ruth Arlee Bryant as described in Deed Book 966 at Page 209 in said Registry; thence N 87 13 28 W, a distance of 109.83 feet to a 2" pipe on the easterly right of way of 19th Street NW; thence northerly with said right of way of said 19th Street NW N 04 25 30 E, a distance of 505.69 feet to a #5 iron rebar at an existing headwall; thence N 46 29 58 E, a distance of 64.24 feet to an iron pin set in the center of a branch and the southern right of way of said Second

Ordinance No. CO-03-26-27

Avenue NW; thence S 81 11 00 E, a distance of 442.21 feet to the Point of Beginning, containing 378,169 square feet or 8.682 acres, more or less, according to a survey prepared by Craig L. Long, NC R.L.S. #2993 of Reeser Surveying and Mapping, LLC, (Pell City, Alabama) and Professional Property Surveyors, Inc. of Mooresville, N.C. said survey being dated June 6, 2011 and being entitled "Hilltop Limited Partnership".

Parcel ID: 279319601783

SECTION 3. That the Owner of the real property described herein is Hilltop NC LLC.

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SECTION 7. The Code Enforcement Officer or his designee is further directed and authorized to take such other and further action and exercise such other powers with respect to said dwelling as may be necessary or convenient to carry out and effectuate the provisions of the Minimum Housing Code of the Town of Long View.

SECTION 8. That the Town Clerk is hereby directed to record a certified copy of this Ordinance in the Office of the Catawba County Register of Deeds and see that it is properly

Ordinance No. CO-03-26-27

indexed in the name of the Owner in the grantor index.

SECTION 9. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. That if any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 11. That the Town Attorney is authorized to proceed with in rem foreclosure proceedings to collect taxes and liens owed for the property, if any.

SECTION 12. This Ordinance shall become effective upon its adoption.

ORDAINED by Town Council for the Town of Long View, North Carolina, this 13th day of July, 2026.

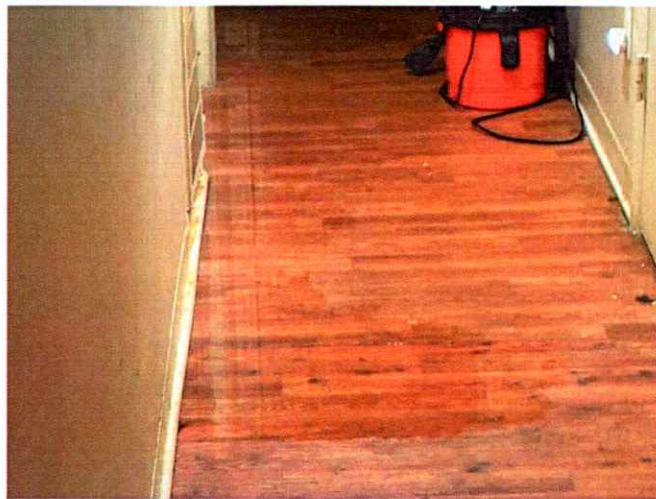
THE TOWN OF LONG VIEW,
a North Carolina Municipal Corporation

ATTEST:

Heather Minor, CMC, NCCMC
Town Clerk

Douglas E. Marlowe Jr., Mayor

168 19th St NW; Unit 168A
Photo Date:24MAR2026



168 19th St NW; Unit 168A
Photo Date: 24MAR2026





TOWN OF LONG VIEW
2404 1ST AVENUE SOUTHWEST
LONG VIEW, NC 28602
TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Chris Eckard, Public Works Director
DATE: Monday, July 13, 2026
SUBJECT: Request to Declare Public Works Equipment as Surplus and List on GovDeals Pursuant to N.C.G.S. §160A-266

Background

The following equipment assigned to the Public Works Department are no longer in service and have aged out of inventory. Due to age these tractors are no longer suitable for daily departmental use. Staff recommends that they be declared surplus and disposed of in accordance with state statute.

Year	Make/Model	VIN	Notes
1998	Ford New Holland 1720 Tractor	UL40972	Aged out inventory
1998	Ford New Holland 1720 Tractor	UL40794	Aged out inventory

Action

Pursuant to N.C.G.S. §160A-266(a), which authorizes the disposition of personal property by electronic public auction, I respectfully request that the Board of Aldermen:

1. Declare the above-listed Public Works equipment as surplus property, and
2. Authorize staff to dispose of the equipment through electronic auction on GovDeals, an approved public auction platform used by the Town.

Department Requesting Disposal of Surplus Property	
Date of Request	7/13/2026
Department Name	Public Works
Contact Name	Director Chris Eckard
Phone	828-322-3921

Item	Qty	Code *	Serial/VIN #	Make	Model Year	Milage/Machine Hours	Reason For Request	Current Location
Ford New Holland 1720 Tractor	1	S4	UL40972	Ford	1998	2833 Hours	Aged out inventory	Surplus Lot
Ford New Holland 1720 Tractor	1	S4	UL40794	Ford	1998	3311 Hours	Aged out inventory	Surplus Lot

* Please enter one CODE per item: (S1) Obsolete (S2) Too Costly to Maintain (S3) Beyond Repair (S4) retirement

Approved By	Date



TOWN OF LONG VIEW

2404 1ST AVENUE SOUTHWEST

LONG VIEW, NC 28602

TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

Memorandum

To: Mayor and Board of Aldermen

From: Justin Reid, Chief of Police

Subject: Surplus of Equipment

Date: July 13th, 2026

While auditing police department inventory, nine (9) Smith & Warren police badges were located. The badges (silver shield with a gold star in the middle) were used before our currently used badges. These badges are worn and not currently used. I don't foresee them being used for official purposes in the future.

Action Suggested:

I move that the Board of Aldermen to surplus the badges for future department display purposes and to be turned over to officers who are currently in good standing with the Long View Police Department. The badges can not be sold due to them having "Long View Police Department" law enforcement identification on them.

ORDINANCE NO. 01-26-27
BUDGET ORDINANCE AMENDMENT NO. 1

BE IT ORDAINED by the Governing Board of the Town of Long View, that the following Amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2027:

Section 1: To amend the General Fund budgeted amounts, the budget will be changed as follows:

Street Dept Capital Outlay	<u>Line Item</u> 10-530-7400	<u>Increase</u> \$300,936.00
Fund Balance	<u>Line Item</u> 10-399-0000	<u>Increase</u> \$300,936.00

PURPOSE FOR AMENDMENT:

To reappropriate funds to purchase tractor

Douglas E. Marlowe Jr.
Mayor

Attest:

Heather T. Minor, CMC, NCCMC
Town Clerk

Approved by Board of Aldermen on July 13, 2026.
Date



CODE ENFORCEMENT REPORT
June 2026



CODE ENFORCEMENT ACTIONS TRACKER
June 2026

Case Number	Address	Violation Type	Case Status
LV2606-026	1211 24th St SW	Nuisance - Ovrgh	Resolved
LV2606-027	706 19th St SW	Nuisance - Ovrgh	Resolved
LV2606-028	336 21st St SW	Nuisance - TJD	Order Issued
LV26052-029	521 22nd St SW	JNMV	Owner Notified
LV2606-030	521 22nd St SW	Nuisance - Ovrgh	Resolved
LV2606-031	540 23rd St SW	JNMV	Resolved
LV2606-037	504 28th St SW	Min Housing	Order Issued
LV2606-038	504 28th St SW	Nuisance - TJD	Owner Notified
LV2606-039	504 28th St SW	Nuisance - Ovrgh	Owner Notified
LV2606-040	1035 37th St SW	Nuisance - TJD	Resolved
LV2606-041	1035 37th St SW	JNMV	Resolved
LV2606-042	2037 1st Ave SW	Nuisance - Ovrgh	Resolved
LV2606-043	630 24th St SW	Nuisance - Ovrgh	Resolved
LV2606-083	510 21st St SW	Nuisance - TJD	Owner Notified
LV2606-098	2019 1st Ave SW	JNMV	Resolved



CODE ENFORCEMENT ACTIONS TRACKER

June 2026

Case Number	Address	Violation Type	Case Status
LV2606-099	Parcel ID: 279207584563 (Lot beside 2019 1st Ave SW)	JNMV	Resolved
LV2606-100	1938 Main Ave NW	Nuisance - Ovrgh	Order Issued
LV2606-101	24 20th St NW	Nuisance - Ovrgh	Resolved
LV2606-102	55 20th St NW	Nuisance - Ovrgh	Resolved
LV2606-103	50 20th St NW	JNMV	Order Issued
LV2606-104	50 20th St NW	Nuisance - Ovrgh	Order Issued
LV2606-105	320 25th St SW	Nuisance - Ovrgh	Resolved
LV2606-106	341 24th St SW	Nuisance - Ovrgh	Resolved
LV2606-107	351 24th St SW	Nuisance - Ovrgh	Resolved
LV2606-108	442 22nd St SW	Nuisance - TJD	Order Issued
LV2606-109	1905 15th Ave SW	Nuisance - TJD	Resolved
LV2606-119	2516 13th Ave SW	Min Housing	Order Issued
LV2606-120	1342 26th St SW	Nuisance - TJD	Resolved
LV2606-121	2240 15th Ave SW	Nuisance - Ovrgh	Order Issued
LV2606-122	2150 14th Ave PI SW	JNMV	Order Issued



CODE ENFORCEMENT ACTIONS TRACKER

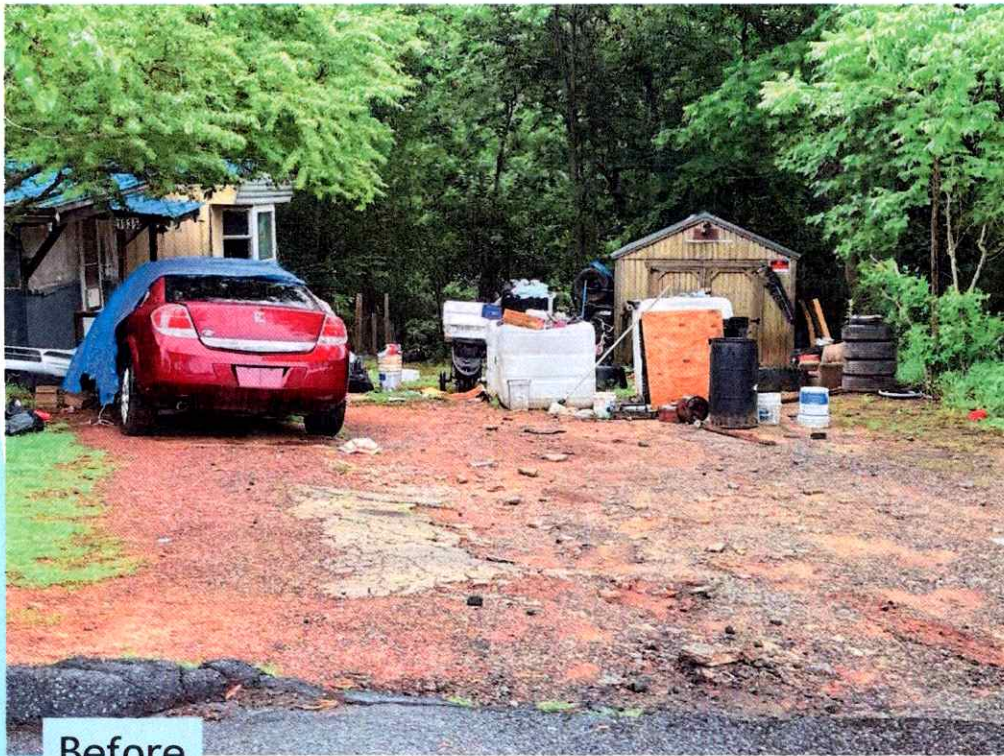
June 2026

Case Number	Address	Violation Type	Case Status
LV2606-123	2150 14th Ave Pl SW	Nuisance - Ovrgh	Resolved
LV2606-124	761 19th St SW	Nuisance - Ovrgh	Resolved
LV2606-125	627 25th St NW	Nuisance - Ovrgh	Resolved
LV2606-126	627 25th St NW	JNMV	Resolved
LV2606-183	1829 5th Ave SW	Nuisance - Ovrgh	New Violation
LV2606-195	306 Pine Meadows Cir	Nuisance - TJD	Owner Notified
LV2606-196	105 Pine Meadows Cir	Nuisance - TJD	Owner Notified
LV2606-197	3818 1st Ave NW	Nuisance - Ovrgh	Owner Notified
LV2606-198	3709 1st Ave NW	Nuisance - TJD	Owner Notified
LV2606-199	37 36th St NW	Nuisance - Ovrgh	Owner Notified
LV2606-200	Parcel ID# 2792075928 + Parcel ID# 279207593871	Nuisance - Ovrgh	Owner Notified
LV2606-237	3980 Main Ave Dr NW	Nuisance - TJD	New Violation
LV2606-243	620 23rd St NW	Nuisance - Ovrgh	New Violation
LV2606-244	317 22nd St NW	Nuisance - Ovrgh	New Violation
LV2606-245	2223 3rd Ave NW	JNMV	New Violation
LV2606-246	2418 Main Ave NW	Nuisance - TJD	New Violation
LV2606-247	2418 Main Ave NW	JNMV	New Violation

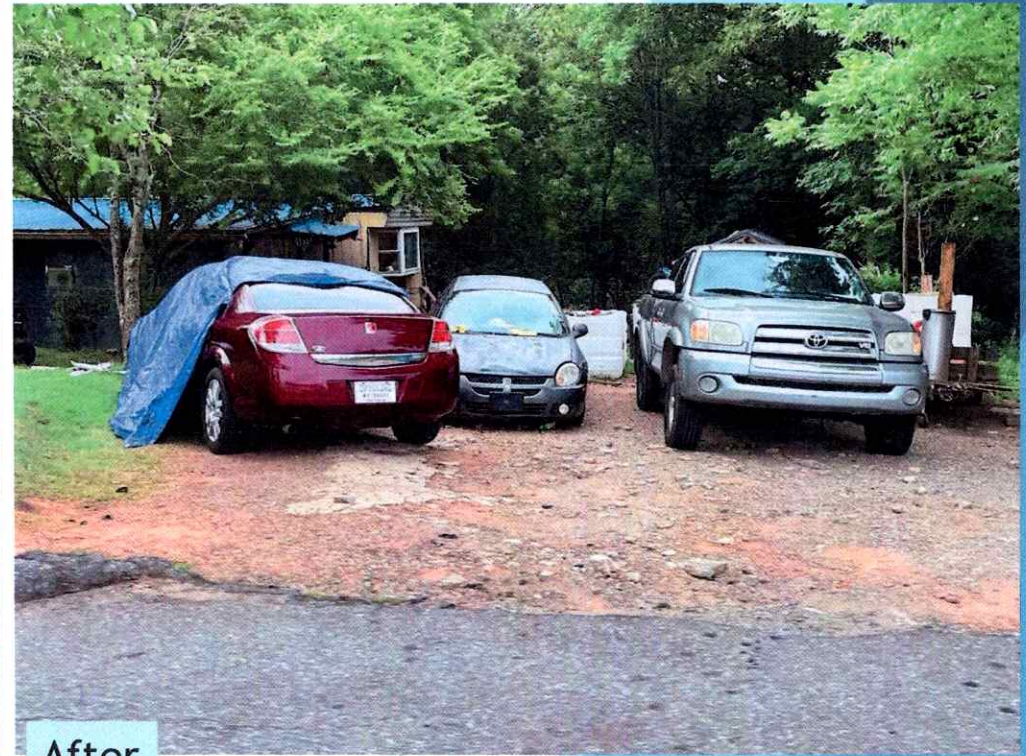
504 28th St SW



1035 37th St SW



Before



After

2037 1st Ave SW



Before

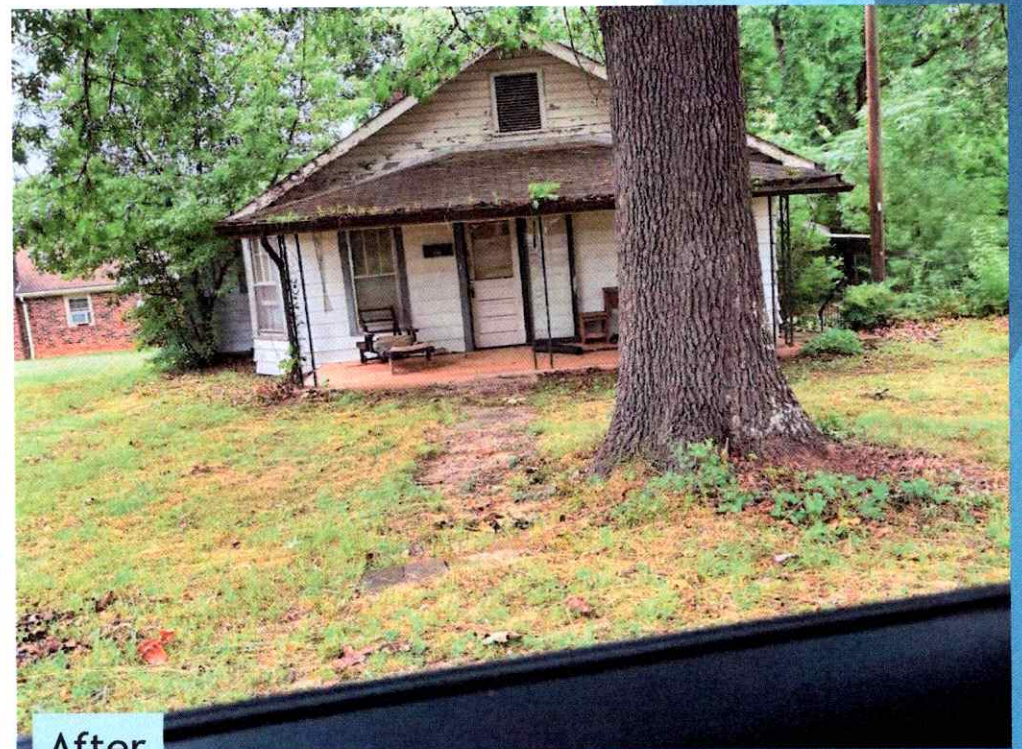


After

630 24th St SW



Before



After

2019 1st Ave SW + Parcel ID: 279207584563

Before



After





Questions / Comments / Concerns?

Code Enforcement Officers:

Chad Powell: 828-455-3343, chad.powell@wpcog.org

Kevin Wyatt: 828-234-6023, kevin.wyatt@wpcog.org

Fire Department Activity Report

June 2026

Calls for the Month	62		FIRE RESPONSE TYPE
Structure Fires-Includes Mutual Aid	2	1	Alarm - Residential
12 / 38	Town	1	Alarm - Commercial
12 / 0	MA + ETJ		Alarm - Industrial
			Alarm - Institution
Average Number of Personnel (rounded)			Fire - Residential
4 / 3	Town		Fire - Commercial
3 / NA	County		Fire - Industrial
3 / NA	Mutual Aid		Fire - Institution
Estimated Risk Value		2	Fire - Vehicle
\$533,014,081	Town	1	Fire - Grass/Woods
\$12,000,000	County		Fire - Trash/Dumpster
			Fire - Other
Estimated Loss Value		3	MVA
\$500	Town		Auto-Crash Notification
\$0	County		Assist - PD
			Assist - Other
Training Hours	298.5		Public Dis./Prevention
Pre-Incident Surveys	2	3	Service
Overlapping Incidents	3	1	Good Intent
		1	Gas Leak
			Illegal Burn
Mutual Aid Given		2	HazCon
Mtn View	0		HazMat
Icard	3		Airport/Craft/Crash
Hickory	0	9	Mutual Aid/Standby
Cooksville	1		Search
Conover	5		Rescue
			CO Alarm
Mutual Aid Recieved			Other
Mtn View	0		
Icard	0		
Hickory	0		
Other	0	24	TOTAL FIRE
		0	Single Response

	MEDICAL RESPONSE TYPE
9	Breathing
4	Chest Pain
3	Sick / Unknown
6	Unconscious
1	Seizure
2	Diabetic
	Choking
	Laceration
1	Assault/Stab/Shot
1	Trauma/Amputate/Avulsion
3	Fall/Trip/Slip
	Fracture/Break
	Hemorrhage/Bleeding
1	Behavioral/Psyc.
2	Overdose
	Poisoning
	Suicide
1	Stroke
1	Exposure to Hot/Cold
	Burn
	Electrocution
	Allergic Reaction/Anaphx.
	Bites/Stings
1	Gen.Pain/Back/Ab
	Pregnancy/O.B.
	Inhalation Injury
	Drowning
	Obvious Death
1	Cardiac Arrest
1	Lift Assist
	Other
38	TOTAL MEDICAL
0	Single Response

Respectfully submitted

John M. Keen

John E. Bily



LONG VIEW POLICE DEPARTMENT



Monthly Activity Report

June 2026

PATROL	
Dispatched Calls for Service	222
Self/Citizen Initiated Activity	79
Incident Reports	/
Larceny	3
Residential B&E&L	1
Business B&E&L	0
Motor Vehicle B&E&L	0
Motor Vehicle Theft	0
Damage to Property	1
Domestic / Non-Assault	4
Domestic / Assault	2
Aggravated Assaults	1
Sexual Crimes	0
Overdose	2
Death Investigations	0
Robbery	0
DRUG	8
Animal Control	7
Fraud	0
Total Incident Reports	43
Traffic	/
Traffic Stops	223
Citations	260
Warning Citations	3
Traffic Accidents	7
On-View Arrest	/
Felony	8
Misdemeanor	63
Criminal Papers Served	9
Training Hours	/
In-person	314
Online	0

Patrol	
Patrol Prosecution Summaries	4
Alarms	22
Residential Keep Checks	0
Business Keep Checks	6500
SW Primary SRO/Community Resource	
Security Checks	0
Doors Found Unsecured/Secured Back	0
Traffic Control	0
Community Resource Projects	0
Teacher Assist calls/mentor Students	0
Lockdown Drills/Fire/Tornado	0
DVO/Child Custody Calls	0
Teacher Parent Conferences	0
Lunch Buddy Program	0
Incident/Arrest/MV Accident Report	0
Animal Services	
Cats	8
Dogs	11
Dog Bites Incidents	2
Dispatched Calls	50
ACO Incident Reports	15
Citations	0
CRIMINAL INVESTIGATIONS	
Cases Assigned	8
Drug Violations/Complaints Investigated	1
Closed Cases	2
Arrests	0
Prosecution Summaries Submitted	13
Search Warrants/Orders	4
Vehicles Recovered	0
Evidence Submitted to Lab	5
Felony Cases Assigned Back to Patrol	0

Revised: March 2021



LONG VIEW POLICE DEPARTMENT

2404 1st AVENUE SOUTHWEST, LONG VIEW, NC 28602
TELEPHONE: (828) 327-2343 FAX: (828) 578-6703



Long View Police Department Monthly Activity Report

Month: June		Year: 2026	Investigator: Lt. Goudelock
Offense Committed	OCA	Report Date	Case Disposition
B and E Past	LV2026-00151	3/11/2026	Inactive/Items Entered NCIC
Larceny of MV	LV2025-00722	12/9/2025	Inctive/Hot File/Prior 355 case
Unattend Death	LV2026-00252	4/26/2026	Active/Waiting ME Report
Larceny of Trailer	LV2026-00256	4/30/2026	Inactive/Items Entered NCIC
Possible Sexual Assault	LV2026-00274	5/7/2026	Active/Pros. Summ sent to DA Office
Larceny of Leaf Blower	LV2026-00287	5/14/2026	Inactive/Item Entered NCIC
Larceny of Tools	LV2026-00370	6/26/2026	Active

Recovered Property	OCA	Recovery Date	Value
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LVPD Stats	Totals		
Cases Assigned	1		
Drug complaints Investigated			
Total closed case			
Arrest Made			
Porsecution Summ. Sub.	12		
Search Warr/Papers Issued			
Search Warr/Papers Served			
Vehicles Recovered			
Evidence submitted to the lab	5		
Total active cases	3		
Special assignment			



LONG VIEW POLICE DEPARTMENT

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Long View

Long View Police Department Monthly Activity Report

Month: June		Year: 2026	Investigator: Sgt. Callicutt
Offense Committed	OCA	Report Date	Case Disposition
Fraud (SCAM)	LV2026-00313	5/28/2026	Closed- Determined SCAM
Fraud- Identity Theft	LV2026-00342	6/10/2026	Open- Active Investigation
Assist Other Agency	LV2026-00353	6/16/2026	Closed- Info Only - No LVPD invol.

Recovered Property	OCA	Recovery Date	Value
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LVPD Stats	Totals		
Cases Assigned		3	
Drug complaints Investigated		0	
Total closed case		2	
Arrest Made		0	
Prosecution Summ. Sub.		0	
Search Warr/Papers Issued		2	
Search Warr/Papers Served		0	
Vehicles Recovered		0	
Evidence submitted to the lab		0	
Total active cases		3	
Special assignment	N/A		



LONG VIEW POLICE DEPARTMENT

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TELEPHONE: (828) 327-2343 FAX: (828) 578-6703



Long View Police Department Monthly Activity Report

Month: June		Year: 2026	Investigator: E. HARRELSON
Offense Committed	OCA	Report Date	Case Disposition
Sex Offense (Cold Case)	92-00196	11/1/1992	Active- Waiting on DA's Office
Sex Offense (Sex Offender)	LV2026-00104	2/14/2026	Active- PS Submitted
Sex Offense (Juvenile Victim)	LV2026-00208	4/8/2026	Active- Warrants Issued
Truancy/Child Neglect	LV2026-00254	4/28/2026	Active- Waiting on DSS

Recovered Property	OCA	Recovery Date	Value
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LVPD Stats	Totals		
Cases Assigned	4		
Drug complaints Investigated	1		
Total closed case			
Arrest Made			
Porsecution Summ. Sub.	1	EH:1	
Search Warr/Papers Issued	2		
Search Warr/Papers Served	2		
Vehicles Recovered			
Evidence submitted to the lab			
Total active cases	4		
Special assignment			