

Sec. 21-4. Definitions. [EXCERPT]

Built-upon area means 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, and paths), recreation facilities (e.g. tennis courts), etc. This does not include slatted decks, the water area of a swimming pool, a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric, and trails defined in G.S. 113A-85 that are either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).

Cabin means a habitable structure used for overnight or temporary lodging of a recreational rental purpose regardless of whether said structure is subject to the NC Building Code. For purposes of this definition, the term does not include a dwelling unit, but is intended to include cottages, huts, treehouses, yurts and other similar structures.

Caliper means the diameter of a tree trunk.

Campground means an area or property that provides more than one (1) site or space for overnight and temporary primitive tent camping for recreation, education or vacation purposes. Campgrounds may not provide or include sites or spaces for a recreational vehicle. This definition is not intended to include camping by an individual or family on their own property.

Child care center means any child care arrangement which provides child care for between three (3) and twelve (12) preschool-age children in a residence or three (3) or more children in a building other than a residence on a regular basis of at least once per week for more than four (4) hours but less than twenty-four (24) hours per day, regardless of the time of day and regardless of whether the same or different children attend as defined by G.S. 110-86. The following are not included: public schools; non-public schools whether or not accredited by the state department of public instruction, which regularly and exclusively provide a course of grade school instruction to children who are school-age; specialized activities such as athletics, dance, music lessons, or Boy Scouts; summer day camps that operate less than four (4) consecutive months and do not participate in the child care subsidy program; summer camps having children in full-time residence; bible schools conducted during vacation periods; facilities licensed under G.S. Ch. 122C, Art. 2; and cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment.

Church/synagogue means a tax exempt building used for nonprofit purposes by a recognized and legally established sect for the purpose of worship, including educational buildings and daycare facilities when operated by such church/synagogue.

Classic motor vehicle means any motor vehicle, twenty (20) years old or older, being of recognized and enduring interest, appeal and importance to the owner.

Cluster development shall refer to residential clustering for the purposes of this chapter.

Co-location means the placement or installation of additional antennas, antenna arrays or wireless facilities on an existing wireless support structure or broadcast tower, the sharing of an antenna or antenna array, or otherwise sharing a common location by two (2) or more FCC licensed providers of mobile broadband or wireless telecommunication services. Co-location does not include routine maintenance on wireless support structures and facilities, including in-kind replacement of wireless facilities. Routine maintenance includes activities associated with regular and general upkeep of transmission equipment, including the replacement of existing wireless facilities with facilities of the same size.

Combination use means a use consisting of a combination on one (1) lot of two (2) or more principal uses separately listed in the table of permissible uses in section 21-113.

1 buildings and other building or lot lines does not conform to the regulations applicable to the
2 district in which the property is located

3 *Discontinue* means to stop or cease the use of a property.

4 *District*. See term "zoning district."

5 *Drinking Place* means an establishment whose principal purpose is to derive income from the
6 sale of alcoholic beverages that are served and consumed on premise. These establishments,
7 commonly known as bars, pubs, saloons, and taverns, hold themselves out to the public through
8 advertising, signage, or other activities as purveyors of alcoholic beverages served on premise.
9 Drinking places may also provide limited food services but do not meet the definition of an eating
10 place as defined herein. In determining whether a use meets this definition, the Zoning
11 Administrator may also consider the percentage of income from alcoholic beverage sales, floor
12 plans, and plans / permits from the Rowan County Building Inspections Department, Rowan
13 County Environmental Health Division, and the North Carolina ABC Commission. Unless
14 otherwise indicated, this definition does not include congressionally chartered veteran
15 organizations or wine tasting rooms defined by G.S. 18B-1000 or this ordinance.

16 *Driveway* means a private travel way which provides access from a public or private road,
17 street or easement.

18 ***Dump station means a dedicated on-site system in an RV park that is designed to treat***
19 ***or retain raw sewage and / or gray water produced by the occupant(s) of a recreational***
20 ***vehicle(s). The dump station is subject to approval and permitting by the Rowan County***
21 ***Health Department.***

22 *Dwelling unit* means a building, or portion thereof, providing complete and permanent living
23 facilities for one (1) family.

24 *Dwelling unit, attached* means a dwelling unit that shares one (1) or more common walls with
25 other similar units.

26 *Dwelling unit, detached* means any dwelling unit that is freestanding and shares no common
27 walls with any other dwelling unit.

28 *Easement* means a grant by the property owner to the public, a corporation, or persons, of the
29 right to use a specified portion of a lot or lots for a specified purpose.

30 *Eating Place* means an establishment principally engaged in preparing and serving food and
31 beverages, which may or may not be consumed on premise, and in which the service of
32 alcoholic beverages are accessory to the service of food and non-alcoholic beverages in terms of
33 sales and square footage. In determining whether a use meets this definition, the Zoning
34 Administrator may also consider the percentage of income from alcoholic beverage sales, floor
35 plans, and plans / permits from the Rowan County Building Inspections Department, Rowan
36 County Environmental Health Division, and the North Carolina ABC Commission.

37 *Eligible facilities request* means a request for modification of an existing wireless support
38 structure or base station that involves co-location of new transmission equipment but does not
39 include a substantial modification.

40 *Equipment compound* means an area surrounding or near the base of a wireless support
41 structure within which a wireless facility is located.

42 *Erosion* means the wearing away of the earth's surface by water, wind, or other natural agents
43 under natural environmental conditions undisturbed by man.

44 *Existing development* means a project that is built or those projects that at a minimum have an
45 established right under state common law as of the effective date of this chapter based on at

1 *Instrument landing system (ILS)* means a radio navigation system which provides aircraft with
2 horizontal and vertical guidance prior to and during landing, and at certain fixed points, indicates
3 the distance to the reference point of landing.

4 *Junk* means scrap, copper, brass, rope, rags, batteries, paper, trash, rubber or junked,
5 dismantled or wrecked motor vehicles, or parts thereof, iron, steel and other old or scrap ferrous
6 or nonferrous materials.

7 *Junked motor vehicle* means a vehicle that does not display a current license plate and:

8 (1) Is partially dismantled or wrecked; and

9 (2) Cannot be self-propelled or moved in the manner in which it originally was intended to
10 move.

11 *Junkyard* means any establishment or place of business which is maintained, operated, or
12 used for storing, keeping, building, or selling junk or for maintenance or operation of a motor
13 vehicle graveyard. An establishment or place of business which stores or keeps for a period of
14 fifteen (15) days or more material within the meaning of "junk" (as previously defined) which had
15 been derived or created as a result of industrial activity shall be considered to be a junkyard
16 within the meaning of this chapter.

17 *Junkyard Control Act* means G.S. Ch. 136, Art. 12, 136-141--136-155 which delegate to the
18 state department of transportation the responsibility to regulate "junkyard" and "automobile
19 graveyards" located on interstate and federal-aid primary system highways.

20 *Kenel* means a commercial operation that provides food, shelter, and care of dogs for
21 purposes not primarily related to medical care or engages in the breeding of dogs for sale.

22 *Land division.* See term "subdivision."

23 *Landfill* means a facility for the disposal of solid waste on land in a sanitary manner in
24 accordance with G.S. Ch. 130A, Art. 9. For the purpose of this chapter, this term does not
25 include composting facilities.

26 *Landowner* means an owner of a legal or equitable interest in real property, including the heirs,
27 devisees, successors, assigns, and personal representative of such owner. Also includes a
28 person holding a valid option to purchase land to act as an agent or representative.

29
30 ***Light Duty Truck means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight***
31 ***Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a***
32 ***basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:***
33

34 (a) ***Designed primarily for purposes of transportation of property or is a derivation of***
35 ***such a vehicle, or***
36

37 (b) ***Designed primarily for transportation of persons and has a capacity of more than***
38 ***12 persons; or***
39

40 (c) ***Available with special features enabling off-street or off-highway operation and***
41 ***use.***

42 *Livestock facility* means any farm structure or improvement used for waste lagoons, animal
43 waste storage areas, poultry houses or hog lots and similar uses.

44 *Lot* means a parcel of land or any combination of several parcels of land occupied or intended
45 to be occupied by a principal use or structure, together with accessory structures or uses such as
46 accessways, parking areas, yards, and open spaces required by this chapter.

sewage by a public entity, (e.g. city, town, county, sewer district), or other public body created, pursuant to state, federal and local laws, or any combination thereof acting cooperatively or jointly, or a privately owned state licensed sewer system, for profit or nonprofit firm or corporation. A package treatment plant shall be considered part of a public sewer system if owned by a city, town, county, sewer district, etc., otherwise shall be considered as a private sewer system.

Public or private water system means the provision to the public of piped water by a system with fifteen (15) or more connections or twenty-five (25) or more year round residents owned and operated by a municipality, county or other public entity or a privately owned licensed water supply, for profit or not-profit firm or corporation. This includes the term "community water supply system."

Public road means a dedicated road rights-of-way meeting all minimum construction standards of NCDOT or is maintained by the NCDOT road maintenance program and available for use by the general public.

Public safety tower means a tower or wireless support structure with antennas or other similar devices providing either or both an 800 MHz trunked radio system or conventional 2-way paging systems.

Recreation area or park means an area of land or combination of land and water resources that is developed for active and or passive recreation pursuits with various manmade features that accommodates such activities.

Recreational vehicle (RV) means a vehicle, which is:

(a) Built on a single chassis;

(b) Four hundred (400) square feet or less when measured at the largest horizontal projection;

(c) Designed to be self-propelled or permanently towable by a light duty truck;

(d) Designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel, or seasonal use; and

(e) Is fully licensed and ready for highway use.

Recreational vehicle (RV) park means an area or property established to accommodate the set-up, parking, rental, letting or leasing of a site(s) for a recreational vehicle(s). Recreational vehicle parks may also provide sites or spaces for primitive tent camping.

Residence means a home, manufactured home, an apartment, a group of homes, or single room occupied or intended for occupancy as separate living quarters for one (1) or more persons.

Residential development means buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. and customary home occupations.

Residential storage facility means an off-premises building classified as the principle structure on a lot, used for the storage of personal property and used in association with an owners residence or current tenant or lessee of the residence. This building is not intended for uses other than storage of personal vehicles, goods or materials.

Residuals means any solid or semi-solid waste generated from a wastewater treatment plant or

Section 21-56. Specific criteria for uses listed as SR in section 21-113. [EXCERPT]

(8) Additional standards applicable to specific uses listed as SR in the services group.

a. Cabins (SIC 7011), Campgrounds and recreational vehicle parks (SIC 7033).

1. Minimum lot size. The minimum lot size is two (2) acres.

2. Setbacks.

Front 50 feet

Side street 30 feet

Side 20 feet

Rear 20 feet

3. Density. The minimum size of spaces shall be determined by the county health department.

4. Interior drives. Interior drives shall be a minimum of eighteen (18) feet compacted gravel six (6) inches thick. "Hammerhead" style turnarounds or suitable alternative shall be provided at the terminus of all interior roads subject to inspection and approval by the Rowan County Fire Marshal. Each internal road shall have a road name and addresses for each site or space displayed, regardless of occupancy, in accordance with provisions of Chapter 19.5 of the Rowan County Code of Ordinances.

5. Parking. No parking will be allowed on public streets. Off-street parking and loading space shall be provided in sufficient quantity to accommodate all parking and loading on-site. At a minimum, one (1) parking space per space or unit shall be provided.

6. Screening and buffering. Land uses in this category shall be considered a group 2 use and shall be screened accordingly.

7. Additional Standards. The standards noted below are in addition to those listed in this subsection, but applicable only to RV parks:

i. Water Supply. A dedicated method for providing an adequate on-site potable water supply, which may include an individual or multi-connection well system approved and permitted by the Rowan County Health Department or connection to a municipal system where available.

ii. Sewage Disposal. A dedicated method for providing an adequate on-site sewage collection disposal system, which may consist of an engineered septic tank system or dump station subject to approval by Rowan County Health Department or connection to a municipal system where available.

iii. Trash Removal. Provide a centralized trash dumpster(s) to accept the solid waste and or garbage generated by the RV park occupants. The dumpster should be emptied on a regular basis to prevent odor, rodents, etc., with its contents being disposed of at a facility licensed to accept the material(s).

iv. Street Addressing. Unless currently in compliance, the owner or operator of any RV park subject to the jurisdiction of this Chapter, shall have twelve (12) months from the adoption of these amendments to have all internal streets and each site or space addressed and displayed in accordance with Chapter 19.5 of the Rowan County Code of Ordinances.

~~a.~~ **b.** *Educational services (SIC 82) that include overnight boarding or lodging.*

1. Proof of accreditation by a recognized board, or provide proposed articles of incorporation and by-laws that provide specific criteria for a board of directors including membership makeup and general responsibilities for oversight of the facility.
2. Projected school enrollment and number of boarders.
3. Description of curriculum.
4. Traffic study.
5. Overnight staffing.

b. *Recreation facilities, membership and nonmembership.*

1. *Required licenses and permits.* The applicant shall provide a copy of all required licenses and permits prior to issuance of a zoning permit.
2. Recreational facilities located within a major subdivision used exclusively by resident members and their guests in the RA, RR, and RS districts are exempt from the locational requirements of Section 21-55 (2).

~~c.~~ **d.** *Automotive repair and services (SIC 75).*

1. *Screening required.* Junked motor vehicles and motor vehicle parts shall be screened from adjacent property by a six-foot high opaque screening. Vegetative screening, if used, shall be opaque during all seasons of the year and planted and maintained in accordance with article IX.
2. *Storage of junked motor vehicles.* The junked motor vehicles shall not be stored in the front yard of the property or in the required front yard setback.
3. *Setbacks for stored junked motor vehicles.* The junked motor vehicles shall be a minimum of fifteen (15) feet off the side and rear property line or side street right-of-way and twenty (20) feet off the right-of-way existing at the effective date of this chapter or fifty (50) feet off the centerline of the road if the right-of-way is not established.
4. *Stacking of junked motor vehicles.* The junked motor vehicles shall not be stacked higher than the screening.

(9) *Additional standards applicable to specific uses listed as SR in the unclassified uses group.*

a. *Multitenant developments.*

1. *Application.* An application shall be provided with:
 - i. Site plan as provided in section 21-52; and
 - ii. Development name, name(s) and address(es) of owners and park designers.
2. *Board of commissioners review of the development proposal.* The board of commissioners shall review the site plan and other pertinent information to ensure that the general health, safety and public welfare have been adequately protected.
3. *Uses allowed.* Uses are limited to those provided in the district the multitenant development is located. Uses requiring conditional use permits shall obtain the required approval prior to issuance of a building permit.

b. *Winery, Wine Tasting Room*

Sec. 21-60. Conditional use requirements for specific uses. [EXCERPT]

b. *Cabins (SIC 7011), Campgrounds and recreational vehicle parks (SIC 7033).*

1. *Minimum lot size.* The minimum lot size is two (2) acres.

2. *Setbacks.*

Front 50 feet

Side street 30 feet

Side 20 feet

Rear 20 feet

3. *Density.* The minimum size of spaces shall be determined by the county health department.

4. *Interior drives.* Interior drives shall be a minimum of eighteen (18) feet compacted gravel six (6) inches thick. ***“Hammerhead” style turnarounds or suitable alternative shall be provided at the terminus of all interior roads subject to inspection and approval by the Rowan County Fire Marshal. Each internal road shall have a road name and addresses for each site or space displayed, regardless of occupancy, in accordance with provisions of Chapter 19.5 of the Rowan County Code of Ordinances.***

5. *Parking.* No parking will be allowed on public streets. Off-street parking and loading space shall be provided in sufficient quantity to accommodate all parking and loading on-site. At a minimum, one (1) parking space per space or unit shall be provided.

6. *Screening and buffering.* Land uses in this category shall be considered a group 2 use and shall be screened accordingly.

7. *Additional Standards. The standards noted below are in addition to those listed in this subsection, but applicable only to RV parks:*

i. Water Supply. A dedicated method for providing an adequate on-site potable water supply, which may include an individual or multi-connection well system approved and permitted by the Rowan County Health Department or connection to a municipal system where available.

ii. Sewage Disposal. A dedicated method for providing an adequate on-site sewage collection disposal system, which may consist of an engineered septic tank system or dump station subject to approval by Rowan County Health Department or connection to a municipal system where available.

iii. Trash Removal. Provide a centralized trash dumpster(s) to accept the solid waste and or garbage generated by the RV park occupants. The dumpster should be emptied on a regular basis to prevent odor, rodents, etc., with its contents being disposed of at a facility licensed to accept the material(s).

iv. Street Addressing. Unless currently in compliance, the owner or operator of any RV park subject to the jurisdiction of this Chapter, shall have twelve (12) months from the adoption of these amendments to have all internal streets and each site or space addressed and displayed in accordance with Chapter 19.5 of the Rowan County Code of Ordinances.

c. *Zoological garden.*

1. *Site plan.* A site plan shall be provided showing all fencing, exhibit and storage areas,

Sec. 21-113. Table of Uses.[EXCERPT]

As of 10/15/18

491 pt.	Ground Mounted Solar Energy Systems over 6,000 sq.ft.	C	C				C	C		C
495	Sanitary services									
4952	Sewerage systems	C								C
4953	Refuse systems, all prohibited <i>except</i>									
	Dumps: operation of	C								C
	Garbage: collect, destroy & process									C
	Landfills, sanitary: operation of	C								C
	Refuse systems									C
	Rubbish collection and disposal	C								C
	Sludge disposal sites	C								C
4959	Sanitary services, not elsewhere classified	C					P			P
496	Steam and air conditioning supply						P			P
Wholesale trade										
50	Wholesale trade, durable goods, <i>all except</i>	SR					P			P
5015	Motor vehicle parts, used	C								C
5032	Brick, stone & construction materials						P	SR		P
505	Metal & minerals, except petroleum						P			P
5093	Scrap and waste materials									C
51	Wholesale trade, nondurable goods, <i>all except</i>	SR					P			P
5154	Livestock (wholesale)									P
516	Chemical and allied products									C
517	Petroleum and petroleum products									C
5191	Farm supplies	SR	SR				P	SR		P
SIC 516 and 517 were removed as conditional uses in the CBI district as a result of Z-10-04 text amendments.										
Retail trade										
52	Building material, hardware, garden supplies and mobile	SR					P	SR		P
53	General merchandise stores	SR					P	SR		P
54	Food stores	SR					P	SR		P

P- Permitted by Right P(A) - Permitted as Accessory Use SR - Permitted with Special Requirements C- Conditional Use		Zoning Districts								
		Residential				Nonresidential				
		RA	RR	RS	MHP	MFR	CBI	NB	INST	IND
Retail trade cont.										
55	Auto dealers, gas service stations	SR					P	SR		
56	Apparel and accessory stores	SR					P	SR		
57	Home furniture, furnishings and equipment stores	SR					P	SR		
58	Eating and drinking places	SR					P	SR		P
5813	Drinking places (alcohol beverages)						C			P
59	Miscellaneous retail	SR					P	SR		P
Finance, insurance and real estate										
60	Depository institutions	SR					P	SR		P
61	Non-depository institutions	SR					P	SR		P
62	Security and commodity brokers	SR					P	SR		
63	Insurance carriers	SR					P	SR		
64	Insurance agents, brokers & service	SR					P	SR		
65	Real estate	SR					P	SR		
67	Holding and other investment offices	SR					P	SR		
Services										
70	Hotels, rooming houses, camps and other lodging places, <i>all except</i>	SR					P	SR		
7011	Cabins	C					P-SR	C		
7033	Campgrounds and RV parks	C					P-SR	C		
72	Personal services	SR					P	SR		P
73	Business services	SR					P	SR		P
75	Auto repair, services and parking	SR					P	SR		P
76	Misc repair services	SR					P	SR		P
78	Motion pictures	SR					P			
79	Amusement, recreational services, <i>all except</i>						P			
7948(pt)	Racetrack operations, including						C			C