

Zoning Ordinance

of the

Town of Littleton, North Carolina

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ARTICLE I

INTRODUCTORY PROVISIONS

Section 101. Authority and Enactment

In pursuance of the authority granted by the General Statutes of North Carolina, Chapter 160A, Article 19, Part 3, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF LITTLETON as follows:

Section 102. Title

This ordinance shall be known and may be cited as the Zoning Ordinance of the Town of Littleton, North Carolina, and may be referred to as the Zoning Ordinance.

Section 103. Purpose

For the purpose of promoting the health, safety, morals and general welfare, this ordinance is adopted by the governing body to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

The zoning regulations in this ordinance are in accordance with a comprehensive plan and are 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, sewerage, schools, parks and other public requirements. The regulations have been made with reasonable consideration, among other things, as to the character of the jurisdiction and its areas and their 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 jurisdiction.

Section 104. Jurisdiction

The area to which this ordinance applies is shown on the official zoning map.

ARTICLE II

GENERAL PROVISIONS

Section 201. Application of Regulations

The regulations set forth in this ordinance shall affect all land, every structure, and every use of land and/or structure and shall apply as follows:

- 201.1 No structure or land shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, or structurally altered except in compliance with the regulations of this ordinance for the district in which it is located.
- 201.2 No structure shall hereafter be erected or altered so as to exceed the height limit or density regulations of this ordinance for the district in which it is located.
- 201.3 No lot, even though it may consist of one or more adjacent lots of record in single ownership, shall be reduced in size so that the lot area per dwelling unit, lot width, yard and lot coverage requirements and other requirements of this ordinance are not maintained. This prohibition shall not be construed to prevent the purchase or condemnation of narrow strips of land for public utilities or street right-of-way purposes.
- 201.4 No part of a yard or other open space required about any structure or use for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space similarly required for another structure or use.
- 201.5 In any district, no more than one (1) principal building or use may be erected on a single lot of record, except as specifically permitted in other sections of this ordinance.

Section 202. Interpretation of Regulations

The regulations in this ordinance shall be enforced and interpreted according to the following rules:

- 202.1 Uses not designated in the district regulations as permitted, conditional, or special uses shall be prohibited. Conditional and special uses are permitted according to the additional regulations imposed. These conditional and special uses can be approved only by the Board of Adjustment or Board of Commissioners as specified in this ordinance. Additional uses may be added to the ordinance by amendment.

- 202.2 Regulations set forth by this ordinance shall be minimum regulations. If the requirements set forth in this ordinance are at variance with the requirements of any other lawfully adopted uses, regulations, or ordinances, the more restrictive or higher standard shall govern.
- 202.3 Unless restrictions established by covenants with the land are prohibited by or contrary to the provisions of this ordinance, nothing herein contained shall be construed to render such covenants inoperative.

Section 203. Exceptions and Modifications

- 203.1 The minimum front yard requirements of this ordinance for dwellings shall not apply on any lot where the average front yard of existing dwellings located wholly or in part within one hundred (100) feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is less than the minimum required front yard. In such cases, the front yard on such lot may be less than the required front yard, but not less than the adjacent dwelling with the greatest front yard depth or the average front yard of existing dwellings located wholly or in part within one hundred (100) feet on each side, whichever is greater.
- 203.2 In any residential district for corner lots, the side yard requirements along the side street(s) shall be increased by ten (10) feet.
- 203.3 The Board of Adjustment shall review as a conditional use structures such as church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, chimneys, smokestacks, conveyors, flag poles, radio towers, masts, aerials, and similar structures, which exceed the height limitations of this ordinance.
- 203.4 Uncovered stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard, but such projection may not exceed six (6) feet and may not be closer than ten (10) feet to any lot line.
- 203.5 Architectural projections, such as chimneys, flues, sills, eaves, belt courses and ornaments, may project into any required yard, but such projection shall not exceed three (3) feet.
- 203.6 The requirements of this ordinance do not apply to roads, water, sewer, gas, electric, telephone and similar utility lines except as specifically mentioned in this ordinance.
- 203.7 Lot width on lots which front on the turnaround circle of a cul-de-sac may be measured at the line formed by connecting the midpoint of the side lot line of the shorter side with a point

on the longer side lot line which is the same distance from the front lot line as the midpoint of the shorter side, or if both side lot lines are the same length, at the line connecting the midpoints of the side lot lines. All yard requirements must be met on such lots. If a lot has more than two (2) sides, the side lot lines to be used are the two which connect with the front lot line.

Section 204. Visibility at Intersections

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2½) and ten (10) feet in a triangular area formed by a diagonal line between two (2) points on the right-of-way lines, twenty (20) feet from where they intersect.

Section 205. Regulations Concerning Home Occupations

205.1 Home Occupations. Home occupations are permitted in all districts only as an incidental use and must comply with the following regulations:

205.1.1 No more than two (2) persons other than a resident of the dwelling shall be engaged in such occupation.

205.1.2 No more than six (6) customers, clients or patrons shall come to the dwelling at any one time nor more than thirty (30) in any one day.

205.1.3 No more than two (2) vehicles may be used in the conduct of the home occupation. Any such vehicle shall be parked off the street. The parking of any such vehicles on the property, other than an automobile, shall be in an enclosed building as described in Section 205.1.4 below, or shall be a conditional use subject to approval by the Board of Adjustment.

205.1.4 No more than twenty-five (25) percent of the total actual floor area of the dwelling or eight hundred (800) square feet, whichever is less, shall be used in the conduct of the home occupation. In addition, one (1) accessory building, not exceeding one thousand (1000) square feet, shall be a conditional use in connection with the home occupation, to house commercial vehicles and/or for storage of materials used in connection with the home occupation. The accessory building may not be used for manufacturing, processing, instruction, sales, service or other work in connection with the home occupation. All lot coverage, dimensional, and other requirements of this ordinance must be met by such accessory building. Such accessory building must resemble a residential garage. A sketch of the proposed building and list of the materials to be used on the outside must be submitted with the application for a conditional use permit.

- 205.1.5 Notwithstanding the provisions of subsection 205.1.4 a home greenhouse shall be permitted provided that such greenhouse meets the requirements of Section 206 and that any sales in connection with such greenhouse meet the requirements of this section (Section 205).
- 205.1.6 No outdoor sales or storage shall be permitted in connection with the home occupation.
- 205.1.7 The exterior appearance of the dwelling shall not be altered in such a manner nor shall the occupation in the residence be conducted in such a way as to cause the premises to differ from its residential character in exterior appearance.
- 205.1.8 The use may not emit noise beyond that which normally occurs in the applicable zoning district, nor shall it emit dust, vibration, odor, smoke, fumes, glare, electrical interference, interference to radio and television reception or other nuisance and shall not be volatile or present a fire hazard, nor may the occupation discharge into any waterway, stream, lake, or into the ground or a septic tank any waste which will be dangerous or a nuisance to persons or animals, or which will damage plants or crops.
- 205.1.9 No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is conducted.
- 205.1.10 There shall be no more than two (2) deliveries per day to the premises of materials to be used in conjunction with the home occupation and these shall take place between the hours of seven (7:00) a.m. and nine (9:00) p.m.
- 205.1.11 No customers, clients, patrons, or employees other than the residents' household may be on the premises in connection with the home occupation before seven (7:00) a.m. or after nine (9:00) p.m.
- 205.1.12 The following are strictly prohibited as home occupations: car washes, commercial automotive repair garages, truck terminals, slaughterhouses, paint, petroleum and chemical plants, any occupation which involves the storage of liquid petroleum, gasoline, kerosene or other flammable liquids, funeral homes and mortuaries, massage parlors, sale of reading or viewing material of a pornographic nature, movie theaters, animal hospitals and kennels, bottled gas sales.
- 205.1.13 Any home occupation not complying with these regulations shall be a special use.

Section 206. Accessory Uses

Accessory uses are permitted in any zoning district in accordance with the following regulations:

- 206.1 An accessory building, structure or use is a building, structure or use on the same lot or site with, of a nature customarily incidental or subordinate to, and of a character related to the principal use or structure.
- 206.2 Accessory uses to single-, and two-family dwellings, and multifamily dwellings may not include commercial uses, except as permitted as home occupations in Section 205 of this ordinance or for multifamily dwellings, as allowed by the board of adjustment in accordance with the provisions of Section 710 of this ordinance.
- 206.3 Residences for watchmen and caretakers are permitted accessory uses to research and industrial uses.
- 206.4 No accessory building shall exceed thirty-five (35) feet in height, nor shall any accessory building exceed the principal building in height.
- 206.5 An accessory building sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this ordinance and must meet all yard requirements applied to the principal building.
- 206.6 No detached accessory building shall be located closer than ten (10) feet to any other building or mobile home.
- 206.7 No accessory building or recreational structure or use may extend in front of the rear line of a single- or two-family dwelling or mobile home.
- 206.8 No accessory building or recreational structure or use may extend within three (3) feet of a lot line, nor within twenty (20) feet of a street right-of-way line.
- 206.9 Recreational uses and buildings accessory to apartment complexes shall be in accordance with Section 710 of this ordinance.
- 206.10 Fences and walls are permitted as accessory uses provided that they comply with the following:
 - 206.10.1 No fence more than three (3) feet in height, nor retaining wall more than five (5) feet in height which is more than seventy-five (75) percent solid may be placed in any front yard including along the side lot line to the front of any principal building, unless approved by the Littleton Board of Commissioners as a buffer in accordance with Section 207.6 of this ordinance.

- 206.10.2 Rear and side fences greater than seven (7) feet in height shall be of an open type similar to woven wire or wrought iron fencing except where a buffer with different specifications is required elsewhere in this ordinance.
- 206.10.3 Fences may not exceed seven (7) feet in height, except in commercial and industrial districts, where such fences may be no more than ten (10) feet in height.
- 206.10.4 Fences need not comply with the setback requirements of this ordinance.
- 206.10.5 No fence shall impede vision as regulated in Section 204 of this ordinance.
- 206.10.6 Swimming pools shall be enclosed by a fence or wall at least five (5) feet in height.

Section 207. Buffer Strips

Whenever a buffer strip is required by this ordinance, such strip shall meet the specifications of this section, unless different specifications are given in the section where the buffer strip is required.

- 207.1 A buffer strip shall consist of a planted strip which shall be a minimum of sixteen (16) feet in width, shall be composed of evergreen bushes, shrubs, and/or trees such that at least two (2) rows of coverage are provided from the ground to a height of six (6) feet within six (6) years and foliage overlaps. The sixteen (16) feet required for the buffer strip shall be in addition to all normal yard requirements of this ordinance.
- 207.2 Buffer strips shall be required in the following situations, as well as in any others specified in other sections of this ordinance: whenever a manufacturing, processing, retail, wholesale trade, or warehousing use or public utility installation is established, a buffer strip shall be provided wherever the lot on which the use is established abuts or is across an easement or right-of-way from land zoned RA, RS, RH, or RMH.
- 207.3 All buffer strips shall become part of the lot(s) on which they are located, or in the case of commonly-owned land, shall belong to the homeowners' or property-owners' association.
- 207.4 The buffer strip shall be maintained for the life of the development. Maintenance shall be the responsibility of the property owner, or, if the property is rented, the leasee.
- 207.5 If a natural screen is already in place which will adequately fulfill the purpose of the buffer strip, the zoning administrator may, in writing, allow a substitution of all or part of this screen for the buffer strip. Written permission of the zoning administrator shall be obtained before removing an existing natural buffer in the location of the required buffer strip.

- 207.6 Where, because of intense shade, or soil conditions, a planting screen cannot be expected to thrive, the zoning administrator may, in writing, allow substitution of a well-maintained wooden fence or masonry wall at least six (6) feet in height.
- 207.7 Where it is clear that a smaller buffer will protect neighboring property from harmful effects, the Board of Adjustment or Town Board of Commissioners, for special uses, may reduce the buffer to eight (8) feet and one (1) row of trees.
- 207.8 For special and conditional uses, the Board may require a maintenance bond for the buffers, as a condition of approval.

Section 208. Nonconformities

A lawful pre-existing use, structure, or lot which does not meet the requirements of the current zoning ordinance is called a nonconformity. Special provisions apply to nonconformities and these are listed in Sections 208.1 to 208.5 of this ordinance. In lieu of the provisions in this section, nonconforming signs shall comply with the requirements in Article V.

208.1 Existing Substandard Structures

- 208.1.1 The conforming use of a structure as explained in Section 208.4 of this ordinance existing at the time of the adoption of this ordinance may be continued although the structure's size or location does not conform with the yard, dimensional, height, parking, loading, access, lot area and lot coverage provisions of this ordinance. Such structures are called substandard structures.
- 208.1.2 Substandard structures with conforming uses may be added to or enlarged provided that the enlargements comply with the yard, height, parking, loading, access and all other applicable requirements of this ordinance for the district in which such a structure is located.
- 208.1.3 Substandard structures which are damaged or destroyed by fire, explosion, flood, or other calamity, may be reconstructed and shall comply with the yard, height, parking, loading, access and all other applicable provisions of this ordinance for the district in which such structure is located unless the structure is situated on a substandard lot of record in which case the provisions concerning substandard lots of record shall apply.
- 208.1.4 A substandard structure may not be moved off the lot or lots on which it is located unless when relocated it complies with the regulations for the district in which it is located.

208.2 Existing Nonconforming Uses

The lawful nonconforming use of a structure, land or water existing at the time of the adoption of this ordinance may be continued except that:

- 208.2.1 Only that portion of the land or water in actual use may be so continued and the nonconforming use may not be enlarged or extended, nor may any additional structures be added to be occupied by the nonconforming use, except that existing cemeteries can expand to the boundaries of the property which they owned at the time they became nonconforming and existing mobile home parks may rerent existing spaces.
- 208.2.2 Normal maintenance, repair, and incidental alteration of a building occupied by a nonconforming use is permitted provided it does not extend the nonconforming use. A structure occupied by a nonconforming use may be changed to make the structure more in character with the uses permitted in the district in which it is located.
- 208.2.3 If such nonconforming use is damaged by fire, explosion, flood or other calamity to the extent of more than seventy-five (75) percent of its current equalized value, it shall not be restored except so as to comply with the use provisions of this ordinance.
- 208.2.4 If such nonconforming use is discontinued or terminated for a period of more than one-hundred-eighty (180) days, any future use of the structure, land or water shall comply with the provisions of this ordinance.
- 208.2.5 A nonconforming use may not be moved off the lot or lots on which it is located unless when relocated it complies with the regulations for the district in which it is relocated.
- 208.2.6 The Board of Adjustment may permit as a conditional use a change in nonconforming use provided that the requirements of subsections 208.2.1, 208.2.2, 208.2.3, 208.2.4, and 208.2.5 of this section are met and the Board of Adjustment finds that such new use would be more in character with the uses permitted in the district than the previous use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.
- 208.2.7 Once a nonconforming use has been changed or altered so as to comply with the provisions of this ordinance, it shall not revert back to a nonconforming use. Once the Board of Adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use the substituted use shall lose its status as a legal

nonconforming use and become subject to all the conditions required by the Board. If the structure occupied by a nonconforming use is changed so as to be more in character with the uses permitted in the district in which it is located it shall not subsequently be changed to be less in character.

208.3 Existing Vacant Substandard Lots

208.3.1 Where the owner of a lot at the time of adoption of this ordinance or his successor in title thereto does not own sufficient land to enable him to conform to the lot area or lot width requirements of this ordinance, such a lot may be used as a building site for a single, family residence in a district in which residences are permitted, provided that the lot width and lot area are not more than twenty (20) percent below the minimum specified in this ordinance, and further provided that the appropriate County Health Department approves the reduction if onsite water or wastewater facilities are involved. In cases where the lot area and lot width are more than twenty (20) percent below the minimum specified in this ordinance or other dimensional requirements cannot be met, the Board of Adjustment is authorized to approve as a variance such dimensions as shall conform as closely as possible to the required dimensions, if the appropriate County Health Department submits a letter of approval if onsite water or wastewater facilities are involved. If the pre-existing substandard lot is not in a district where single family residences are permitted, the Board of Adjustment may issue a variance to allow some reasonable use.

208.3.2 If two or more adjoining and vacant lots are in one ownership when this ordinance is adopted or at any time after the adoption of this ordinance, and such lots individually do not meet the minimum dimensional requirements of this ordinance for the district in which such lots are located, then such group of lots shall be considered as a single lot or several lots of minimum permitted width and area for the district in which located, and therefore, the provisions of 208.3.1 do not apply.

208.4 Conforming Uses and Structures

208.4.1 Any use or structure existing prior to the effective date of this ordinance which conforms to the regulations of this ordinance for permitted uses and satisfies the dimensional requirements and any other applicable regulations of the district in which it is located may be continued, provided any changes shall comply with the provisions of this ordinance.

208.4.2 Any structure or use existing prior to the effective date of this ordinance which would be permitted by this ordinance as a special or conditional use in the district in which it is

located may be continued as if a special or conditional use permit had been applied for and issued, provided that any changes shall comply with the provisions of this ordinance.

208.5 Effect of Amendments

If subsequent amendments to this ordinance or the official zoning map result in the creation of additional nonconformities or conformities, such nonconformities and conformities shall be governed by the provisions of this section unless otherwise stated in the amendment.

Section 209. Complexes

Office centers, shopping centers, institutional and industrial and similar complexes may have more than one principal building on a single lot provided that the following requirements are met:

- 209.1 Uses in complexes shall be limited to those permitted within the zoning district in which the project is located.
- 209.2 The overall intensity of land use shall be no higher, and the standard of open space no lower, than that permitted in the district in which the project is located.
- 209.3 The distance of every building from the nearest property line shall meet the front yard setback and side yard requirements of the district in which the project is located or fifty (50) feet, whichever is greater.
- 209.4 The building heights shall not exceed the height limits permitted in the district in which the project is located.
- 209.5 The buildings shall be located so as to provide access for emergency vehicles.

Section 210. Lots on which Principal Buildings, Structures, and Uses are Established Must Abut Street

No principal building, structure, or use may be erected or established on any lot which does not abut at least twenty (20) feet on one of the following:

- 210.1 a public street dedicated to and maintained by the Town of Littleton or the North Carolina Department of Transportation;
- 210.2 a street constructed to the standards of the Town of Littleton or to the North Carolina Department of Transportation, with a written agreement concerning maintenance of the street.

ARTICLE III

District Regulations

Section 301. Establishment and Purpose of Districts

For the purposes of this ordinance, the zoning jurisdiction of the Town of Littleton is hereby divided into the following districts:

RA - Residential-agricultural district. The purpose of this district is to provide areas for low-density residential development and agriculture in areas outside the corporate limits of the Town of Littleton.

RS - Residential subdivision district. The purpose of this district is to provide for existing residential subdivisions and the establishment of new subdivisions.

RH - Single and multifamily residential district. The purpose of this district is to provide for a compatible mixture of single-family dwellings, and multifamily buildings and complexes.

RMH - Mobile home residential district. The purpose of this district is to provide areas for the location of mobile homes.

C - Commercial district. The purpose of this district is to provide areas for offices, services and businesses.

LI - Light industrial district. The purpose of this district is to provide locations for manufacturing, wholesaling and warehousing uses which can be conducted without producing harmful effects on the citizens of the Littleton area.

Section 302. Zoning Map

The boundaries of the districts are hereby established as shown upon the map accompanying this ordinance and made a part hereof, entitled "Official Zoning Map Littleton, North Carolina". The zoning map and all the notations, references and all amendments thereto, and other information shown thereon is hereby made a part of this ordinance and the same as if such information set forth on the map were all fully described and set out herein. The zoning map properly attested is on file in the Office of the Zoning Administrator and is available for inspection by the public.

In the creation, by this ordinance, of the respective districts, the Board of Commissioners has given due and careful consideration to the peculiar suitability of each and every such district for the particular regulations applied thereto, and the necessary, proper, and comprehensive groupings and arrangements of the various uses and densities of population in accordance with a well-considered plan for the development of the town and its extraterritorial area.

Section 303. Uncertainty as to boundaries

The boundaries of such districts as are shown upon the map adopted by this ordinance are hereby adopted and the provisions of this ordinance governing the use of land and buildings, the height of buildings, the sizes of yards about buildings and other matters as hereinafter set forth, are hereby established and declared to be in effect upon all land included within the boundaries of each and every zone shown upon said map.

If uncertainty exists as to the boundaries of the use districts shown on the official zoning map which is not resolved by the ordinance or ordinances establishing and amending such boundaries, the following rules shall apply:

- 303.1 Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
- 303.2 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 303.3 Boundaries indicated as approximately following governmental incorporation or extraterritorial jurisdiction boundaries shall be construed as following such jurisdictional boundaries.
- 303.4 Boundaries indicated as approximately following the center of railroad lines shall be construed to be midway between the main track or tracks.
- 303.5 Boundaries indicated as approximately following the centerlines of streams, rivers, lakes, or other bodies of water shall be construed as following such centerlines.
- 303.6 Boundaries indicated as following shorelines shall be construed to follow such shorelines, and if the shoreline is changed either naturally or as permitted by law, such a boundary shall be construed as moving with the actual shoreline.
- 303.7 Boundaries indicated as following the contours of certain elevations or soils of a particular type shall be construed as following the actual height or soil contour as determined by accepted surveying practices.
- 303.8 Boundaries indicated as parallel to or extensions of natural or man-made features indicated in subsections 303.1 through 303.7 above shall be so construed, and
- 303.9 Distances not specifically indicated shall be determined by the scale of the official zoning map.

Where uncertainties continue to exist after application of the above rules, appeal may be taken to the Board of Adjustment as provided in Article VII of this ordinance.

Section 304. Amendments to the Official Zoning Map

Amendments to the official zoning map shall be adopted by ordinance as provided in Article VIII. Promptly after the adoption of an amendment the zoning administrator shall alter or cause to be altered the official zoning map to indicate the amendment. The town clerk shall enter in writing upon the face of the map a certification indicating the alteration and citing the date of adoption and the effective date of the amendment as well as the book and page of record of the ordinance amending the map.

Section 305. True Copy to be Maintained

The chairman of the planning board shall also maintain a true copy of the official zoning map which shall include thereon all matters shown on the official zoning map. The true copy shall have no legal effect except as provided in section 306.

Section 306. Replacement and Preservation of Official Zoning Map and True Copy Thereof

- 306.1 If the official zoning map is damaged, lost, or destroyed in whole or in part, the governing body may by resolution adopt the true copy in whole or in part as the official zoning map, and the zoning administrator and town clerk shall promptly prepare or cause to be prepared a new true copy of the official zoning map. From time to time, the governing body may by resolution adopt a new official zoning map if the prior map becomes difficult to interpret due to the number of amendments or other matters shown thereon, or if the governing body desires to replace the map for other reasons, provided that the new map is an exact copy of the prior map.
- 306.2 The zoning administrator shall preserve any and all remaining parts of all prior official zoning maps and true copies thereof together with all available records pertaining to their adoption, amendment, or repeal.

Section 307. Regulations for Residential-Agricultural, Residential Subdivision, Single and Multifamily Residential, and Residential Mobile Home Districts

- 307.1 Table of Permitted Uses. Uses allowed in the districts named in this section shall be in accordance with the following table in which x signifies that the use is permitted as of right, c indicates that the use is a conditional use which requires approval of the Board of Adjustment, s indicates that the use is a special use which requires approval of the Littleton Board of Commissioners and a blank indicates that the use is not permitted in that zoning district.

Residential Districts

<u>Use</u>	<u>Districts</u>			
	<u>RA</u>	<u>RS</u>	<u>RH</u>	<u>RMH</u>
Single-family dwellings on individual lots	x	x	x	x
Two-family dwellings	x	x	x	x
Three or four-family dwellings in one building			x	
Multifamily dwellings and complexes			s	
Townhouses			s	
Mobile homes on individual lots in accordance with Section 601 of this ordinance.	c			x
Mobile home parks				s
Day nurseries	x	x	x	x
Kindergartens	x	x	x	x
Public educational institutions and private schools having a curriculum the same as ordinarily given in public schools	x	x	x	x
Public buildings; uses and utilities	s	s	s	s
Hospitals, clinics except animal hospitals, nursing homes	x	c	x	x
Family care homes as defined in G.S. 168-21 for handicapped persons as defined in G.S. 168, Article 3, provided that no such home may be located within a ½ mile radius of an existing family care home	x	x	x	x
Any agricultural or horticultural use in accordance with the animal and livestock ordinances of the Town of Littleton	x	x	x	x

Residential Districts

<u>Use</u>	<u>Districts</u>			
	<u>RA</u>	<u>RS</u>	<u>RH</u>	<u>RMH</u>
Professional offices and sales offices for items not delivered from or stored on the premises	c	c	c	c
Churches, temples, synagogues	x	x	x	x
Libraries	x	x	x	x
Museums	x	x	x	x
Cemeteries	x	x	x	x
Radio and TV Stations and Transmission Towers	c			
Parks	x	x	x	x
Golf courses, excluding carpet or miniature	x	x		x
Playgrounds	x	x	x	x
Community centers	x	c	c	c
Private clubs	c	c	c	c
Fraternal organizations not open to the public	c	c	c	c
Farming, including sale of products on property where produced	x			
Commercial plant nurseries and greenhouses	x			
Riding stables	x			
Planned Unit Development	s	s	s	s
Temporary Uses such as circuses, carnivals, fairs	s	s	s	s
Bed and Breakfast Facility			x	

Section 308. Regulations for Commercial and Light Industrial Districts

308.1 Table of Permitted Uses. Uses allowed in the districts named in this section shall be in accordance with the following table in which x signifies that the use is permitted as of right, c indicates that the use is a conditional use which requires approval of the Board of Adjustment, s indicates that the use is a special use which requires approval of the Littleton Board of Commissioners and a blank indicates that the use is not permitted in that zoning district.

COMMERCIAL AND INDUSTRIAL DISTRICTS

Any retail or wholesale business or service establishment, or public use or utility which is enclosed in a building and does not emit smoke, odor, dust, fumes, glare, noise or vibration from the building in which it is located, and does not involve bulk storage of volatile materials or other fire hazards, except commercial amusements.

(C)
x

LI

Offices-business, professional and public

x

Financial institutions

x

Assembly halls

x

x

Restaurants

x

Shopping Centers

x

Hotels and Motels

x

Automobile service stations

x

Car Washes

x

Commercial Amusements

s

Electronic game machines and pinball machines within an establishment devoted to another purpose shall be an accessory use provided that there shall be no more than two (2) machines. More than two (2) machines shall be considered a commercial amusement requiring a special use permit.

Any agricultural or horticultural use in accordance with the animal and livestock ordinances of the Town of Littleton.

x

x

C LI

Retail or wholesale businesses or service establishments or public uses or utilities other than those specifically listed which have outdoor sales, service or storage areas or would emit smoke, odor, dust, fumes or noise from the building in which they are located or involve possible fire hazards.

c

Any manufacturing, processing, or warehousing use or public use or utility which is enclosed in a building and does not emit smoke, odor, dust, fumes, glare, noise or vibration from the building in which it is located, except acid manufacture, cement, lime, gypsum, or plaster of paris manufacture, distillation of bones, explosives, manufacture or storage, fat rendering, fish and/or fertilizer plant, garbage, offal or dead animal reduction or dumping, gas manufacture, glue manufacture, stockyards or slaughter of animals, tannery, or pulp manufacture.

x

Any manufacturing, processing, warehousing or transportation use or public use or utility which involves outdoor storage, service, operations, emits or will emit smoke, odor, dust, fumes, glare, noise or vibration from the building in which it is located, or involves storage of combustible materials or is among the uses listed as exceptions in the list immediately above.

s

Cafeterias and snack bars for plant employees and offices of plants shall be considered an accessory use.

308.2 Dimensional Requirements

C

LI

Minimum lot area in square feet

20,000 for 20,000
site - more
than one use
can be grouped
on a site or
in a building

Minimum lot width in feet

100

100

	C	LI
Minimum lot depth in feet	150	150
Minimum yards in feet		
- front	*	50
- side (each side)	*	20
- rear	*	25
Maximum lot coverage in percent	40	40
Maximum permitted height in feet	50	50

- * No yards are required where a lot abuts commercially or industrially zoned property.

Where the front of a commercial lot abuts upon a residentially zoned lot without being separated by a street, there shall be a minimum required front yard of 30 feet.

Where the side of a commercial lot abuts upon a residentially zoned lot without being separated by a street, there shall be a minimum required side yard of 15 feet.

Where the rear of a commercial lot abuts upon a residentially zoned lot without being separated by a street, there shall be a minimum required rear yard of 25 feet.

ARTICLE IV
PARKING AND LOADING REQUIREMENTS

Section 401. Off-Street Parking Requirements

There shall be provided at the time of the erection of any building or the establishment of any use or at the time any principal building or use is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, floor, storage or sales area; or before conversion from one type of use or occupancy to another, permanent off-street parking in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded open space.

The following regulations concerning required parking shall apply:

- 401.1 Each zoning permit application filed with the zoning administrator shall include information as to the location and dimensions of off-street parking space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the zoning administrator to determine whether or not the requirements of this section are met. No certificate of occupancy shall be issued until the parking requirements and regulations are fully met.
- 401.2 The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use, except that one-half (1/2) of the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night and on Sundays.
- 401.3 If the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the main entrance to such principal use.
- 401.4 Parking space sizes shall be governed by the following dimensions:

Parallel stall - 20' x 9.0'
Angle stall ---- 19' x 8.5'
90° stall ----- 19' x 9.0'

- 401.5 Minimum aisle widths shall be:

Parking Angle	Aisle Width in Feet	
	One-Way Traffic	Two-Way Traffic
0-15°	12	24 (0° only)
16-37°	11	-
38-57°	13	-
58-74°	18	-
75-90°	24	24

- 401.6 A safe means of ingress and egress shall be provided for all parking spaces and driveways for uses other than single and two-family residential shall be at least twenty-four (24) feet wide.
- 401.7 When off-street parking for more than twenty (20) vehicles is provided, the following regulations shall apply in addition to all other regulations in this article:
- 401.7.1 Surfacing: All such parking lots shall be graded and surfaced with compacted gravel, black top, concrete or other such surfacing material to ensure a dustless surface condition.
- 401.7.2 Markings: Each parking stall shall be marked off and maintained so as to be distinguishable.
- 401.7.3 Lighting: Any lighting shall be so arranged as to direct the light and glare away from streets and adjacent property.
- 401.7.4 Yards: All such parking lots shall observe a minimum front yard of not less than five (5) feet and a side yard on a corner lot of not less than five (5) feet. Parking lots in residential-agricultural and residential districts shall have front yards of not less than fifteen (15) feet and side and rear yards of not less than five (5) feet. Yards surrounding parking lots shall be planted and maintained in lawn or other appropriate planting or shall be improved otherwise in keeping with the character of adjacent property. When a parking lot is adjacent to residential-agriculture or residential zoned or used property, and a buffer as defined in Section 207 is not required, natural planting, hedge, or a decorative fence to a height of at least six (6) feet shall screen the residential property.
- 401.7.5 Curbs or Bumpers: The required yards shall be set off from parking areas by either continuous curb or one non-continuous stationary bumper for each parking space abutting on a yard, which curb or bumper shall not be less than five (5) inches or more than two (2) feet high.
- 401.7.6 Drainage: Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement. In already developed areas where this condition would be impossible to meet, the zoning administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage.
- 401.7.7 Separation of Bumper and Walkways: In the event any parking stall abuts upon a walkway there shall be a space of three and one-half (3½) feet between the wheel bumper or curb and the edge of the walkway.

- 401.7.8 Entrances and Exits: On all corner lots, all vehicular openings shall be located at least twenty (20) feet from the point of intersection of the established street right-of-way lines. No entrance or exit, whether on a corner lot or not, shall exceed thirty (30) feet in width at the property line or forty (40) feet at the curb line. There shall be a minimum distance between driveways of twenty-five (25) feet measured along the curb line unless such driveways are less than five (5) feet apart.
- 401.7.9 Internal Circulation: Sufficient area shall be provided within the property lines of the parking lot, exclusive of required yards, so that all vehicles may enter and leave the lot in a forward motion.
- 401.8 Exceptions:
- 401.8.1 The zoning administrator may withhold a permit or certificate of occupancy if a parking layout not specifically prohibited by this section would be likely to cause avoidable safety or traffic congestion problems until modification is made. The applicant may appeal the zoning administrator's decision to the Board of Adjustment under the normal procedure for an appeal.
- 401.8.2 If a peculiar characteristic of an establishment makes the requirements in this section clearly unrealistic, the Board of Adjustment may grant the applicant a parking modification.
- 401.8.3 In the central business district, the zoning administrator may allow a new use to be established in an existing building even if all parking requirements of this article cannot be met for the new use, provided that as much off-street parking as can reasonably be provided is provided by the use, and no foreseeable traffic congestion problems will be created.
- 401.9 The minimum number of required off-street parking spaces shall be calculated as provided in subsection 401.10. In the case of a building or use not expressly provided for, the number of off-street spaces shall be the same as for a similar use or inclusive category which is provided for. Where there is more than one use in a single structure, or on a single tract, or two or more instances of the same use, the minimum number of required off-street parking spaces shall be equal to the sum of the requirements of the various uses, except for shopping centers which are expressly provided for.

401.10 The following shall be the minimum number of off-street parking spaces which shall be provided:

<u>Use</u>	<u>Number of Required Off-Street Parking Spaces</u>
<u>Residential Uses</u>	
Dwellings, single, and two-family	2 per dwelling unit
Dwellings, multifamily	2 spaces for each dwelling unit plus 1 visitor space for each 4 dwelling units
Townhouses	2 spaces for each dwelling unit plus 1 visitor space for each 4 dwelling units
Group housing, such as boarding houses, dormitories and similar establishments	1.2 for each bedroom
Mobile homes on individual lots	2 per mobile home
Mobile home parks	2 spaces for each mobile home plus 1 visitor parking space for each 4 mobile homes
<u>Office and Institutional Uses</u>	
Financial institutions	1 for each 150 square feet of gross floor area or fraction thereof, plus safe facilities to accommodate passengers waiting in line for drive- in windows and banking machines, if any
Hospitals	1 space for each 150 square feet of gross floor area or fraction thereof
Libraries	1 space for each 200 square feet for use by the public or fraction thereof
Museums and Art galleries	1 space for each 800 square feet of gross floor area or fraction thereof
Nursing homes, family care homes and similar institutions	.4 times the maximum lawful number of occupants
Offices:	
- Doctor or dentist	6 for each doctor or dentist plus 1 for each other employee
- Other	1 for each 300 square feet of gross floor area or fraction thereof

Places of assembly, including clubs, lodges, churches, funeral parlors, auditoriums, gymnasiums, amusement parks and similar places

1 for each 3 seats, plus 1 for each 100 square feet of floor area used for assembly, but not containing fixed seats, or fraction thereof

Schools and Colleges:

- Day nurseries, kindergartens, elementary, junior high
- Senior high, and college, trade, vocational with dormitories
- College, trade, vocational without dormitories

2 for each 750 square feet of classroom floor area or fraction thereof, plus 1 for each administrative office, plus auditorium/gymnasium parking if applicable

5 for each 750 square feet of classroom floor area or fraction thereof, plus 1 for each administrative office, plus auditorium/gymnasium/dormitory parking requirement if applicable

10 for each 750 square feet of classroom floor area or fraction thereof, plus auditorium/gymnasium parking requirement if applicable

Commercial Uses

Bowling alley

5 per lane

Campground:

- Tent
- Recreational vehicle

1 for each campsite plus office parking requirement

1 for each campsite plus office parking requirement

Car wash

5 per wash lane

Golf course (not including putting greens accessory to multifamily dwelling or hotels or motels)

4 per hole

Hotel or motel

1.2 for each guest room plus requirement for restaurant or other facilities if provided

Restaurant:

- Drive-in or take-out
- Other

Minimum of 15 spaces, plus one additional for each 50 square feet of gross floor area or fraction thereof

1.2 for each 100 square feet of gross floor area or fraction thereof

SERVICE STATIONS

2 for each gas pump, plus 3 for each grease rack or similar facility

Shopping centers
(in lieu of individual store parking requirements)

5.5 per 1,000 square feet of gross leaseable area or fraction thereof

Low generator retail and service establishments such as furniture, appliance, household equipment, carpet and hardware stores, repair shops including shoe repair, contractors' showrooms, drapery, paint and wallpaper, upholstery, interior decorator, motor vehicles sales, plant nurseries

1 for each 500 square feet of gross floor area or fraction thereof, including any outdoor sales area

All other commercial uses such as retail stores, wholesale outlet stores, department stores, discount stores, drug stores, coin-operated laundries, variety stores

1 for each 200 square feet of gross floor area or fraction thereof, including any outdoor sales area

Industrial Uses

Industrial and research uses, warehousing and very low customer volume wholesaling operations

1 for each employee on premises at any one time

Section 402. Off-Street Loading Requirements

402.1 Every building or structure used for business, trade, industry, or office and institutional purposes, shall provide loading space as indicated in this section. Each loading space shall be no less than fifteen (15) feet in width, and thirty (30) feet in depth. Each space shall also be no less than fifteen (15) feet in height if such space is covered. It shall have access driveways to public streets or alleys which driveways shall be at least twenty-four (24) feet wide and with adequate turning radii for the delivery vehicles customarily associated with the particular use. If there is not more than one delivery and pickup during the hours when a retail trade, office, or institutional establishment is open to patrons such space may be combined with the existing parking space on the premises. Loading space shall be provided in accordance with the following schedule:

402.1.1 Retail Business - 1 space for each 20,000 square feet of gross floor area or fraction thereof.

402.1.2 Wholesale Trade and Industry - 1 space for each 10,000 square feet of gross floor space or fraction thereof.

402.1.3 Office and Institutional Uses including hotels and motels - 1 space for each 50,000 square feet of gross floor area or fraction thereof.

402.1.4 As well as meeting the requirements of 402.1.3 elementary, junior high, high schools, kindergartens, nurseries and day care centers shall also provide a safe place off the street for the loading and unloading of children from automobiles and buses.

402.2 Exceptions.

402.2.1 If a peculiar characteristic of an establishment makes the requirements in this section clearly unrealistic, the Board of Adjustment may grant the applicant a modification of the loading requirements in regard to that particular establishment.

402.2.2 In the central business district, the zoning administrator may allow a new use to be established in an existing building even if all loading requirements of this section cannot be met for the new use, provided that as much loading space as can reasonably be provided is provided by the use and traffic or safety hazards will not be created.

ARTICLE V

SIGNS

Section 501. Signs

No sign or sign structure may be erected, posted, hung, painted, rehung, repainted, repaired, replaced, changed or maintained in any district except in compliance with this section.

501.1 General sign regulations.

- 501.1.1 No sign or sign structure shall be erected or constructed to interfere with vision clearance as defined in Section 204.
- 501.1.2 No ground sign structure may be placed in the right-of-way.
- 501.1.3 Individual stores in a shopping center may not have separate ground sign structures. The shopping center as a whole may display signs in accordance with this section.
- 501.1.4 Signs and sign structures shall meet all requirements of the North Carolina State Building Code.
- 501.1.5 Signs and sign structures shall be maintained at all times in a state of proper repair, with all braces, bolts, clips, guys, anchors, supporting frames and fastening free from deterioration, insect infestation, rot, rust or loosening. All signs shall be kept neatly finished, with lettering intact, and if of a type which requires painting, free from visible peeling, or chipping.
- 501.1.6 Obsolete signs and their supporting structures shall be removed within ninety (90) days after they have been made obsolete by reason of the activity, business, product, or usage which the sign identifies or advertises being abandoned at the location to which the sign refers. This provision does not refer to billboards, until the commercial use of the billboard for rent has ceased. An extension of the ninety (90) day time limit for removal may be granted by the zoning administrator for reasonable cause.
- 501.1.7 Illuminated signs shall be limited to those lighted from behind to silhouette letters and internally illuminated, and spotlighted signs. All illuminated and spotlighted signs shall be placed so as to prevent the light rays, illumination or glare from being cast directly on any building or on traffic.

- 501.1.8 Strings of light bulbs used in connection with commercial premises for commercial purposes shall be limited to white, yellow, or bug repellant bulbs and shall not cast glare on traffic or adjoining premises.
- 501.2 Prohibited signs. The following types of signs are expressly prohibited:
- 501.2.1 Signs with moving, revolving or rotating parts, or any sign which moves or gives an illusion of movement, except for time and temperature units and traditional barber poles, shall be prohibited in all districts.
- 501.2.2 Signs with lights or illumination which flash, move, rotate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations, except for time and temperature units.
- 501.2.3 Signs which obstruct the view of or could be confused with any authorized traffic sign, signal or device or make use of the words "stop", "look", "danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
- 501.2.4 Signs which obstruct openings required to be left uncovered or unobstructed by building codes, the housing code or other laws relating to buildings.
- 501.3 Off-site advertising signs. Off-site advertising signs (billboards) shall be permitted only as a special use in the C and LI districts. The conditions in Section 710 of this ordinance are not applicable to off-site advertising signs. A special use permit shall be granted provided the following conditions are met:
- 501.3.1 The property on which the sign is to be located must be adjacent to an interstate or federal aid primary highway.
- 501.3.2 The sign must be located within six hundred sixty (660) feet of the edge of the right-of-way of such highway.
- 501.3.3 The sign shall comply with all regulations of the North Carolina Department of Transportation, and with the North Carolina General Statutes.
- 501.3.4 No two (2) such structures shall be placed less than five hundred (500) feet apart. Distance shall be measured as specified in the North Carolina Administrative Code T19A: 02E.0200.
- 501.3.4 The sign will be compatible with the general neighborhood in which it is located and will not have a detrimental effect on adjoining properties.

501.4 Nonconforming signs. Nonconforming signs, when removed for other than normal maintenance may not be erected again, nor may any such sign be replaced with another nonconforming sign.

501.5 Permitted signs. Signs shall be permitted in accordance with Table 501.5.

TABLE 501.5

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
Advertising, off-site (billboards)	See section 501.3		Special use in LI	See Section 501.3
Agricultural, advertising products produced on premises	32	8	Permitted use in RA, LI.	
Awning, silkscreened or sewn on front of awning	NA	NA	Permitted use in C, LI	
Bulletin board, church or public	32	8	Permitted use in all districts	
Canopy signs (may also be placed on nonraisable marquees)	4		Permitted use in C, LI	Identification only. 1 per establishment entrance way. Bottom of sign must be 7 feet above sidewalk level - more over public right-of-way if required by Town regulations
Construction site placards	64	12	Permitted use in all districts	Must be removed when construction has been completed
Directional signs containing no advertising matter:				
Traffic, safety, utility warning, public			Permitted use in all districts	
Pedestrian, public			Permitted use in all districts	

TABLE 501.5 (contd)

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
Traffic and pedestrian, private			Permitted use in all districts	
No trespassing			Permitted use in all districts	
Off-site directional to churches, meeting halls, civic clubs	12		Permitted use in all districts	
Temporary directional to garage sales and similar events in residential area, excluding portable commercial signs	4		Permitted use in all districts	Must be posted no more than 24 hours before sale and removed within 24 hours after sale
Entrance or monument-type signs to subdivisions, neighborhoods, public, commercial, industrial, institutional establishments	32	Sign and pillars may not exceed 8 feet in height	Permitted use in all districts	No more than 2 per entrance allowed
The flag, pennant, or insignia of any nation or organization of nations, state, county, city, religious, civic or fraternal organization or educational institution, when not used in connection with a commercial promotion, or as an advertising device or as an integral part of another sign			Permitted use in all districts	In RA, RS, RH and RMH districts, wall and projecting insignia may not exceed 10 square feet in area nor may they project more than 9 feet from wall at farthest point. In business and industrial districts insignia may be placed on signs permitted in those districts. In any district flags or pennants shall not exceed fifteen (15) square feet or, if on a pole, one-fourth height of pole, whichever gives the flag the greater permitted area.
Ground signs	150	35	Permitted use in L1	No more than 1 per street frontage containing entrance to use. May be used only for identification or on-site advertising.

TABLE 501.5 (contd)

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
Ground signs (contd)	40	20	Permitted use in C	Must be at least 30 feet from any other ground sign. Must meet vision clearance of Section 204.
House numbers	4		Permitted use in all districts	May contain no advertising matter
Memorial signs, tablets, name of building and date of construction			Permitted use in all districts	Must be cut into a masonry surface or cast of metal and affixed flat against a surface
Name of occupant of residential premises	2		Permitted use in all districts	
Newspaper names on newspaper tubes			Permitted use in all districts	
No vacancy signs			Permitted use in all districts	
Political signs	4			Must be removed within 15 days after last election to which they pertain
Portable signs, including any signs mounted on a vehicle or a trailer or trailer-type device	32	10	Permitted use in C, LI	Nonrenewable permit from zoning administrator required. 10 day time limit. No more than 1 sign per establishment per street frontage. Same establishment may not have temporary sign(s) again for 2 days after removal of such sign(s). Such signs shall not have colored or flashing

TABLE 501.5 (contd)

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
				lights, or lights which cause glare on traffic or adjacent properties. Such signs shall not be located on the public right-of-way, nor obstruct vision clearance as indicated in 501.1.1
Professional or announcement signs	4		Permitted use in all districts	one per establishment
Projecting signs	20		Permitted use in C, LI	Sign may be no more than 9 feet from wall at farthest point. 1 such sign per face on street, or 2 per establishment whichever is less. Such sign may be hung on corner of building but shall count against the maximum allowed above. Establishment may not also have a wall or roof sign on same face as projecting sign Corner sign shall count as one face.
Real estate signs	6		Permitted use in residential and RA districts	
	32		Permitted use in C, LI	
Religious symbols at formal places of worship			Permitted use in all districts	
Roof signs - see wall signs				

TABLE 501.5 (contd)

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
Service station signs, automobile or truck			Permitted use in all districts when accessory to a service station	
Signs on racks for the orderly display of engine oil, provided such signs are no longer than the rack				
Signs on pumps and/or pump islands concerning the type and price of the fuel				
Signs on open portable tire racks provided the signs are no longer than the rack				
A sign may be painted on the inside and outside front door face of the closed tire rack, but shall not be painted on the sides or rear				
One double-faced on site advertising sign per street frontage showing the current price of fuel sold on the premises. Such sign shall be located off the right-of-way	20	5		
Temporary banners, pennants, streamers, excluding portable commercial signs			Permitted use in C,LI	Only for opening of new business. May remain for no more than 4 weeks.
Temporary signs relating to farm auctions, agricultural production sales, annual charitable, civic or fraternal events, excluding portable commercial signs	20 off site 32 on site		Permitted use in all districts	Off-site. No more than 1 per lot On-site. No more than 3 per lot May remain for no more than 45 days in all.

TABLE 501.5 (contd)

Type of Sign	Dimensions		District	Other Requirements
	Maximum Area in sq. ft.	Maximum Height in ft.		
Vending machine signs painted or mounted on the machine related to the products in the machine; bank machine or book de- pository signs which instruct customers or patrons			Permitted use in all districts	
Wall or roof signs	1.25 sq. ft. of sign area per running foot of building frontage	Such signs shall not in C project over the roof line of the building to which they are attached.	Permitted use	Wall signs must be mounted on area of wall free of windows, doors or other archi- tectural detail. Sign may not interrupt or cover major architec- tural features. Only one wall, roof or projecting sign per establishment per street frontage is permitted other than those specifi- cally mentioned else- where in this table. Such signs may be used only for identification or on-site advertising and at least 80% of sign face shall be for identification.
Window signs			Permitted use in C, LI	

ARTICLE VI

Section 601. Mobile Homes on Individual Lots

Mobile homes on individual lots shall be a permitted use in the RMH district and a conditional use in the RA district. All requirements for the location of a single family dwelling on an individual lot shall be met. Any mobile home constructed before July 1, 1970 must be approved by Underwriters' Laboratories and any mobile home constructed after that time must meet all applicable State and Federal standards. All mobile homes shall be tied down in accordance with the State of North Carolina Regulations for Mobile Homes and Modular Housing. All County Health Department requirements for the County in which the mobile home is located shall be met.

Section 602. Mobile Home Parks

Mobile home parks shall be special uses in the RMH district and shall be subject to approval by the Littleton Board of Commissioners in accordance with the procedures in Article VII.

ARTICLE VII

ADMINISTRATIVE PROVISIONS

Section 701. Zoning Administrator

- 701.1 The zoning administrator who shall be appointed by the Littleton Board of Commissioners is duly charged with the enforcement of the provisions of this ordinance. If the zoning administrator finds that any of the provisions of this ordinance are being violated, he shall notify in writing the person(s) responsible for such violations, indicating the nature of the violation and ordering the action(s) necessary to correct it. He shall also take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

Section 702. Zoning Permit

- 702.1 No building or structure or any part thereof shall be erected, extended, enlarged or structurally altered until a zoning permit has been issued by the zoning administrator or his authorized representative. A fee of \$5.00 shall be charged for the issuance of each zoning permit.
- 702.2 Application for permit. All applications for permits shall be in the form prescribed by the zoning administrator and shall include a plot or site plan drawn to scale which shall clearly show:
- 702.2.1 The actual shape and dimensions of the lot to be built upon or used and total acreage in the lot.
 - 702.2.2 The location of the proposed structure or use on the lot.
 - 702.2.3 The exact location and size of existing structures and uses.
 - 702.2.4 The existing and intended use of each structure or part of structure.
 - 702.2.5 The number of dwelling units the building is designed to accommodate if applicable.
 - 702.2.6 The height and number of stories of the structure.
 - 702.2.7 The location and design of any off-street parking and/or loading.
 - 702.2.8 The location and dimensions of driveways. Driveway approval procedures as required by the North Carolina Department of Transportation shall be initiated.
 - 702.2.9 Date of plan preparation

- 702.2.10 Location and descriptions of landscaping, buffering, and signs.
- 702.2.11 Such other information as may be necessary for determining whether the provisions of this ordinance are being met.
- 702.3 In addition to the information required in subsection 702.2, any use which involves the grouping of more than one principal building or use on the same lot shall include the following information:
 - 702.3.1 A vicinity map showing the relationship of the proposed development to the surrounding area.
 - 702.3.2 North arrow and declination.
 - 702.3.3 Detailed layouts for all utilities, rights-of-way, and roads and other improvements.
 - 702.3.4 Railroads, bridges, culverts, storm drains, wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds, and any other similar features affecting the site.
 - 702.3.5 A copy of any proposed deed restrictions or similar covenants.
 - 702.3.6 For projects over an acre in size, or if otherwise required by the zoning administrator, a topographic map showing vertical contours every two feet.
 - 702.3.7 The names, addresses, and telephone numbers of owners, mortgagees, registered surveyors, land planners, architects, landscape architects, and professional engineers responsible for the development.
- 702.4 The zoning administrator may, in writing, exempt the applicant from meeting any plan requirement which is clearly inapplicable to the proposed use.
- 702.5 Mobile home parks shall comply with the requirements in Section 710.3 of this ordinance in lieu of the requirements in this section.
- 702.6 Cancellation of permit. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six months of its date of issue, or if the work authorized by it is suspended or abandoned or a period in excess of one year.
- 702.7 Record of zoning permits. A record of all zoning permits shall be kept on file and open to the public, subject to State law.

Section 703. Certificate of Occupancy/Compliance.

No land shall be used or occupied, and no building or structure erected or altered shall be used or changed in use until a Certificate of Occupancy/Compliance has been issued by the zoning administrator stating that the building and/or the proposed use complies with the provisions of this ordinance. A certificate of the same shall be required for the purpose of changing any existing use; as well as for maintaining, reviewing, changing or extending any nonconforming use. The aforementioned Certificate shall be applied for coincidentally with the application for a zoning permit and shall be issued within ten (10) working days after the erection or alterations of such building or part shall have been completed in conformity with the provisions of this ordinance. A record of all such certificates shall be kept on file and open to the public, subject to State law.

Section 704. Conformance with Plans.

Permits or certificates issued on the basis of plans and applications shall authorize only the use, arrangement and construction set forth in such approved plans and applications and no other use, arrangement or construction.

Section 705. Enforcement.

- 705.1 Violation-Penalty. Any person violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished for each offense by a fine not exceeding fifty dollars (\$50) or by imprisonment not to exceed thirty days. Each day a violation continues shall be deemed a separate offense.
- 705.2 Violation-Remedies. In case any building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the zoning administrator or any other appropriate town authority, or any person who would be damaged by such violation; in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent the violation.

Section 706. Right of Appeal

If the zoning permit and/or Occupancy/Compliance Certificates are denied, the applicant may appeal the action of the zoning administrator to the Board of Adjustment.

Section 707. Board of Adjustment

- 707.1 Establishment. A Board of Adjustment is hereby established. The Board of Adjustment shall consist of five (5) regular members and three (3) alternate members. Three (3) of the regular members and one (1) of the alternate members shall reside within the corporate limits of the Town of Littleton. They shall be appointed by the Board of Commissioners of the Town of Littleton for terms of three (3) years, except that for initial terms one (1) regular member

shall be appointed for a three (3) year term, one (1) regular member shall be appointed for a two (2) year term, and one (1) regular member shall be appointed for a one (1) year term so that staggered terms may be instituted. Subsequent terms shall be for three (3) years. Two (2) of the regular members and two (2) of the alternate members shall reside outside of the corporate limits of the Town of Littleton but within its extraterritorial jurisdiction. One of the regular and one of the alternate members from the town's extraterritorial jurisdiction shall be appointed by the Halifax County Board of Commissioners for three (3) year terms. One of the regular and one of the alternate members from the Town's extraterritorial jurisdiction shall be appointed by the Warren County Board of Commissioners for three (3) year terms. The members appointed by the counties shall have full authority with respect to any matter before the Board of Adjustment. An alternate member appointed from within the corporate limits of the town may serve on the board only in the absence of a regular member appointed from the town's corporate limits. The alternate member from each county's portion of the extraterritorial jurisdiction of the town may serve on the board only in the absence of the regular member from that county's portion of the extraterritorial area.

If the appropriate Board of County Commissioners fails to appoint the extraterritorial members within ninety (90) days after receiving a resolution from the Littleton Board of Commissioners requesting that these appointments be made, the Littleton Board of Commissioners may make them.

- 707.2 Proceedings of the Board of Adjustment. The Board of Adjustment shall elect a chairman and vice-chairman from its regular members, who shall serve for one year or until re-elected or until their successors are elected. The Board shall adopt rules and bylaws in accordance with the provisions of this ordinance and of Article 19, Chapter 160A of the General Statutes of North Carolina. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the vice-chairman, may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public.

The concurring vote of four-fifths of the members of the Board of Adjustment is necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of this ordinance, or to decide in favor of the applicant any matter upon which it is required to pass under this ordinance, or to grant a variance from the provisions of this ordinance.

Hearings by the Board of Adjustment shall be conducted in accordance with Section 709 of this ordinance.

- 707.3 Decision and Appeal. Every decision of the Board of Adjustment shall be filed in the office of the zoning administrator and a written copy thereof shall be delivered to the appellant by personal service or registered mail. Every decision by the Board shall be subject to review by superior court by proceeding in the nature of certiorari. Any appeal to the superior court shall be taken within thirty (30) days after the decision of Board is filed in the office of the

zoning administrator, or after a written copy thereof is delivered to the appellant by personal service or registered mail, whichever is later.

707.4 Powers and Duties of the Board of Adjustment. The Board of Adjustment shall have the following powers and duties:

707.4.1 Administrative Review. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this ordinance. An appeal may be taken by any person aggrieved or by an officer, department, board, or bureau of the town. Appeals shall be taken within times prescribed by the Board of Adjustment by general rule, by filing with the officer from whom the appeal is taken, and with the Board of Adjustment, a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after notice of appeal has been filed with him, that because of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property or that because the violation charged is transitory in nature a stay would seriously interfere with enforcement of this ordinance. In that case proceedings shall not be stayed except by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give due notice thereof to the parties, and decide it within a reasonable time. The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the premises. To this end, the Board shall have all the powers of the officer from whom the appeal is taken.

707.4.2 Variances. To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in practical difficulty, or unnecessary hardship, so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done. The existence of a nonconforming use of neighboring land, building, or structure in the same district, or of permitted or nonconforming uses in other districts, shall not constitute a reason for the

requested variance. Such variance may be granted in such individual cases of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:

- 707.4.2.1 There are exceptional conditions pertaining to the particular piece of property in question because of its shape, size, or topography, that are not applicable to other lands or structures in the same district, or there is a peculiar characteristic of an establishment which makes the parking and/or loading requirements of this ordinance unrealistic.
- 707.4.2.2 Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
- 707.4.2.3 A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
- 707.4.2.4 The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- 707.4.2.5 The special circumstances are not the result of the actions of the applicant.
- 707.4.2.6 The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.
- 707.4.2.7 The variance is not a request to permit a use which is not a permitted or conditional use in the district involved.

Conditions imposed on variances: In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards to ensure that substantial justice has been done and that the public safety and welfare has been assured. Such conditions may be imposed by the Board regarding the location, character, and other features of the proposed building, structure, or use as may be deemed by the Board to protect property values and general welfare of the neighborhood. Nonconformance with such conditions and safeguards, when under part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

707.4.3 Conditional Uses. To hear and decide whether to allow specific conditional uses to be established in the districts indicated; to decide such questions as are involved in determining whether a conditional use should be granted; to grant conditional uses with such conditions and safeguards as are appropriate under this ordinance, or to deny conditional uses when not in harmony with the purpose and intent of this ordinance. Application for conditional uses shall be decided in accordance with the provisions in Sections 708 through 710 of this ordinance.

707.4.4 Map Interpretation. To interpret the official zoning map in accordance with Section 306 of this ordinance.

Section 708. Special Uses and Conditional Uses

The provisions of this ordinance permit some uses to be established by right in the appropriate district while other uses are listed which require a permit from the Board of Adjustment or Littleton Board of Commissioners. Those which require a permit from the Board of Adjustment are termed conditional uses by this ordinance, while those which involve broader policy considerations and therefore require a permit from the Littleton Board of Commissioners are termed special uses. Both types of uses, in some circumstances, may be compatible with and desirable in the districts in which they are designated as special or conditional uses, but they may also have characteristics which could have detrimental effects on adjacent properties, or even the entire Littleton area, if not properly designed and controlled. Special and conditional uses shall be in accordance with the requirements in Section 710, as well as all other applicable requirements of this ordinance.

Section 709. Application to and Hearing by the Board of Adjustment on Appeals, Variances and Conditional Uses and by the Littleton Board of Commissioners on Special Uses.

The applicant shall submit the appropriate appeal for administrative review or for a variance, or an application for a special or conditional use permit accompanied by a site plan prepared in accordance with Section 702 in the number of copies established by and along with any other information required by the zoning administrator for proper review of the application. The Board of Adjustment or Littleton Board of Commissioners, for special uses, shall cause a public hearing to be held on the application and shall give due notice of the hearing to the parties involved. In the case of a special use permit application the planning board shall be given sixty (60) days to review the application, before the hearing. The hearing shall not be held until a planning board recommendation has been received or sixty (60) days has elapsed. The planning board shall give due notice to the applicant of any meetings at which the application will be considered. The hearing shall be conducted in accordance with the general law and court decisions of this state. More specifically, any interested party must be given the opportunity to present evidence or testimony, to cross-examine witnesses, to inspect documents, and to offer evidence or testimony in explanation or rebuttal. Findings shall be based on substantial evidence or testimony which is competent, relevant, and material. Findings as to the existence or nonexistence

of crucial facts shall be based on sworn evidence or testimony unless the party or parties before the Board stipulate the facts or waive this requirement. Although a four-fifths majority is necessary for the Board of Adjustment to grant a permit, the Littleton Board of Commissioners does not have to meet this requirement in issuing special use permits. The clerk of the Board shall keep minutes of the proceedings, showing the vote of each member upon every question, or if absent or failing to vote indicating that fact. A fee of ~~twenty-five dollars (\$25.00)~~ shall be paid to the town for each application, for an administrative review, for a variance or special or conditional use permit not initiated by an officer or agency of the town, to cover the costs of advertising and other administrative expenses involved. No application will be processed until the above fee has been paid.

Section 710. Conditions which must be met by Special and Conditional Uses.

710.1 General Conditions

In order for any special or conditional use to be granted, the applicant, at the hearing, shall present sufficient evidence to enable the Board to find that the following conditions exist where applicable:

- 710.1.1 All applicable specific conditions pertaining to the proposed use have been or will be satisfied.
- 710.1.2 Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or other emergency.
- 710.1.3 Off-street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood.
- 710.1.4 Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use.
- 710.1.5 The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts.
- 710.1.6 The type, size, and intensity of the proposed use, including such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.

710.2 Additional Conditions

If the appropriate board approves a special or conditional use, it may, as part of the terms of such approval, impose any additional reasonable conditions and safeguards as may be necessary to insure that the criteria for the granting of such a permit will be complied with and to reduce or minimize any potentially injurious effect of the use on adjoining properties, the character of the neighborhood, or the health, safety, morals, or general welfare of the community. Where appropriate, such conditions may include requirements that street and utility right-of-way be dedicated to the public and that provisions be made of recreational space and facilities.

710.3 Specific Conditions

In addition to the general conditions in Section 710.1, special and conditional uses shall meet specific conditions for the type of use as indicated in this section.

Use: Multifamily dwellings and complexes as a special use in RH

Requirements: Maximum density shall be as indicated in Section 307.2 of this ordinance.

Where more than one building is to be located on the site, Building Separation shall be determined as follows:

The minimum horizontal distance between the vertical projections of any points on two (2) adjacent buildings shall be determined according to the following table. The vertical projections for each building shall be drawn from that point on each building which is horizontally closest to the other building.

<u>Height of Taller Building</u>	<u>Minimum Horizontal Distance Between Vertical Projections</u>
20 feet or less	16 feet
between 20.1 and 25.0 feet	25 feet
between 25.1 and 30.0 feet	30 feet
between 30.1 and 35.0 feet	40 feet

Distance Related to Windows: The minimum distance between the centers of facing windows of different dwelling units shall be 20 feet.

A yard of at least fifty (50) feet shall be provided around the entire perimeter of the site, with the exception of driveways. Parking spaces and accessory buildings shall not be allowed in the required yard.

Access for emergency vehicles to all parts of the complex and to each dwelling unit shall be provided.

Accessory buildings and uses for multifamily dwellings shall not be placed in the fifty (50) foot yard around the perimeter of the site.

The Board may approve the inclusion of leasing offices, and of coin-operated laundry facilities, swimming pool snack bars and similar service uses for residents of the multifamily dwelling provided that they are intended to serve residents of the dwelling or complex only, and will not attract outside traffic to the site.

Use: Planned Unit Developments as a Special use in RA, RS, RH, RMH

(a) A planned unit development is a project which is at least two (2) gross acres in size to be located on land under unified control, planned as a whole, and developed in a single development operation or in a definitely programmed series of units or stages of development according to comprehensive and detailed plans, with a program for the provision, operation, and maintenance of any areas, improvements, and facilities provided for the common use of the occupants or users of the development.

(b) A planned unit development may contain any of the permitted, special or conditional uses listed for the RA, RS or RH districts, subject to approval of the plans by the Littleton Board of Commissioners. Board of adjustment approval of those listed as conditional uses is not needed in a planned unit development. Dimensional and density requirements for multifamily dwellings in a planned unit development shall be as indicated for multifamily dwellings in Section 307.2 and in this section of this ordinance. Dimensional requirements for nonresidential uses in a planned unit development shall be those listed for other principal use in Section 307.2 of this ordinance for the district in which the planned unit development is located. Shopping centers are also permitted in a planned unit development. Uses allowed in such shopping centers are: grocery stores, drug stores, laundry and dry cleaning establishments, offices, gift shops, card shops, camera and photography shops, barber and beauty shops, and restaurants.

(c) In addition to the uses allowed in the RA, RS or RH districts, and shopping centers, the following uses are allowed in planned unit developments:

(1) Clustered detached single family dwellings. These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district, as indicated in Section 307.2 of this ordinance and the reduced dimensions is dedicated to a homeowners' association as common open space.

(2) Zero lot line dwellings, that is, detached single family dwellings on lots without a side yard requirement on one side of the lot. The lot for a zero lot line dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district as indicated in Section 307.2 of this ordinance and the reduced dimensions is dedicated to a homeowners' association as common open space.

(d) Common areas and common open space shall be deeded to an owners association and the developer or owner shall file with the zoning administrator and record in the appropriate County Register of Deeds office a declaration of covenants and restrictions as well as regulations and bylaws that will govern the open space. Provisions shall include but not be limited to the following:

(1) The association shall be established before the homes, buildings or uses are sold.

(2) Membership shall be mandatory for each buyer and all successive buyers, unless another arrangement is approved by the Littleton Board of Commissioners which adequately protects the interests of the town and the owners.

(3) The association shall be responsible for the liability insurance, local taxes and maintenance of recreation and other facilities.

(4) Any sums levied by the association that remain unpaid shall become a lien on the individual owner's property which shall be subordinate only to tax and mortgagee liens unless another arrangement is approved by the town board which adequately protects the interests of the town and the owners.

(5) An owner of each dwelling unit or each homeowner or other building owner shall have voting rights in the association.

(6) Uses of common property shall be appropriately limited.

(7) The following information shall also be provided:

- a. the name of the association
- b. the manner in which directors of the association are to be selected
- c. the post office address of the initial registered office
- d. the name of the city and county in which the registered office is located
- e. the number of directors constituting the initial board of directors

Use: Public buildings, uses, utilities as a special use in RA, RS, RH, RMH

Requirements: The Board shall review each application carefully and shall deny the permit if the benefit to the public will not outweigh any adverse effects the use might have.

Use: Radio and TV stations and transmission towers as a conditional use in RA.

Requirements: The minimum distance from the center of the transmission tower to the nearest property line shall be two (2) times the height of the tower or the height of the tower plus two hundred (200) feet, whichever is greater. Off-street parking shall be provided at the rate of one (1) space for each employee.

Use: Community centers as a conditional use in RS, RH, RMH, private clubs as a conditional use in RA, RS, RH, RMH

Requirements: Noise from a public address system shall not be heard beyond the property.

The use will not be located in an area where traffic congestion will be a problem for neighboring residential uses.

Use: Fraternal organizations not open to the public as a conditional use in RA, RS, RH, RMH

Requirements: The use shall be located where there shall be no disturbance to residences and shall be adequately designed for its size and purpose.

Noise from a public address system shall not be heard beyond the property where the use is located.

The use shall not be located in an area where traffic congestion will be a problem for neighboring residential uses.

Use: Temporary uses such as circuses, carnivals, fairs as a special use in RA, RS, RH, RMH

Requirements: The site shall be located at least two hundred (200) feet from the nearest occupied residential structure, and shall be adequately designed for its size and purpose. The use shall meet any applicable County Health Department Requirements.

Use: Commercial amusements as a special use in C.

Requirements: The use will comply with the town's ordinance licensing and regulating game rooms.

Use: Retail or wholesale businesses, service establishments or public uses other than those specifically listed with outdoor sales, service, storage areas or which would emit smoke, odor, dust, fumes or noise from the building in which they are located or involve possible fire hazard.

Requirement: The Board shall carefully consider the effects of the individual operation on neighboring property and the Littleton area and shall deny the permit if an adverse effect would be created.

Use: Any manufacturing, processing, or warehousing or transportation use or public use or utility which involves outdoor storage, services, operations, emits or will emit smoke, odor, dust, fumes, glare, noise or vibration from the building in which it is located, or involves storage of combustible materials, or is among the uses listed as exceptions to permitted uses.

Requirements: The Board will carefully consider the effects of the individual operation on neighboring property and the Littleton area and shall deny the permit if an adverse effect would be created.

The Board shall require sufficient buffering to screen the outdoor use or portion of the use from view of streets and neighboring property.

The outdoor use or portion of the use shall be maintained in a sanitary condition at all times so as not to harbor mosquitoes, vermin or otherwise be a menace to public health and safety.

Where a use could involve potential fire or other health hazards, the Fire Chief, and where applicable, the appropriate County Health Department shall have an opportunity to review the application. The applicant shall provide all needed information to enable the appropriate officials to determine the safety of the operations and any storage measures.

Use: Townhouses as a special use in RH

Requirements:

(a) Minimum lot area, width, depth and lot coverage requirements shall be as indicated in Section 308.2 of this ordinance.

(b) The yard requirements around the perimeter of townhouse projects with more than two attached townhouses shall be increased to fifty (50) feet.

(c) Townhouses shall meet the requirements of the Subdivision Regulations of the Town of Littleton, North Carolina including the requirements for dedication of park, recreation and open space land.

(d) The minimum number of townhouses attached to each other shall be two (2) and the maximum shall be eight (8).

(e) Any common areas and common open space shall be deeded to a homeowners association which meets the requirements of Subsection (d) under "Use: Planned Unit Developments as a Special Use in RA, RS, RH, RMH" in this ordinance.

Use: Mobile homes on individual lots as a conditional use in RA

Requirements: All requirements for the location of a single family dwelling on an individual lot shall be met.

Any mobile home constructed before July 1, 1970 must be approved by Underwriters' Laboratories and any mobile home constructed after that time must meet all applicable State and Federal standards. All mobile homes shall be tied down in accordance with the State of North Carolina Regulations for Mobile Homes and Modular Housing. All County Health Department requirements shall be met.

Use: Mobile home parks as a special use in RMH

- (a) Approval required: No mobile home park within the jurisdiction of the Town of Littleton shall be established, altered or expanded until a construction permit has been issued by the Zoning Administrator authorizing such construction.
- (b) Mobile home park construction permit:
 - (1) Mobile home parks shall be treated as special uses and shall follow the general procedures for special use permits as specified in Article VII as well as the specific procedures herein.
 - (2) The park plan shall be drawn to a scale of one hundred (100) feet to one (1) inch or larger and shall include the following:
 - a. The name of the park, the names and addresses of the owner or owners, and the designer or surveyor.
 - b. Date, scale, and approximate north arrow.
 - c. Boundaries of the tract shown with bearings and distances.
 - d. Site plan showing streets, driveways, recreation areas, parking spaces, service buildings, water courses, easements, mobile home spaces, and all structures to be located on the park site.
 - e. Vicinity map showing the location of the park and the surrounding land usage.
 - f. Names of adjoining property owners.
 - g. The proposed utility system for gas, surface water drainage, street lights, electrical power, water supply, and solid waste and sewage disposal facilities.
 - h. Certification of approval of water supply system plans by the appropriate State and County agencies.
 - i. Certification of approval of sewage collection systems and treatment facilities plans and septic tanks by the appropriate State and County agencies.
 - j. Certification of approval of solid waste storage, collection, and disposal plans by the town or, in the extraterritorial jurisdiction by the appropriate county health department.

- k. Land contours with vertical intervals of not less than two (2) feet for all mobile home parks with twenty-five (25) mobile home spaces or more.
 - (3) The town may require that the street layout of the proposed park plan be approved by the district highway department.
 - (4) The appropriate county health department shall review the proposed park plan to determine if the plan is in accordance with the minimum health standards and regulations:
 - a. Source of water and water distribution system.
 - b. Sanitary sewerage system.
 - c. Adequate lot size, if septic tanks are to be used.
 - d. Adequate facilities for solid waste storage, collection, and disposal, where applicable.
 - (5) The electrical inspector shall review the proposed park plan to determine if the proposed electrical system is adequate to serve the proposed park and complies with the electrical codes.
- (c) Issuance of construction permit and operating permit:
- (1) After receiving approval of the park plan and special use by the Littleton Board of Commissioners, after review by the planning board, the Zoning Administrator is authorized to issue a construction permit. The intent of this permit is to enable the execution of the park plan in the field and shall not be construed to entitle the recipient to offer spaces for rent or lease, or to operate a mobile home park as defined in this ordinance.
 - (2) If the construction of the park has not begun within six (6) months from issue date of the construction permit, the Littleton Board of Commissioners may grant an extension of the construction permit if the developer appears before the Board of Commissioners and shows cause.
 - (3) When the developer has completed the construction of the mobile home park, he shall apply to the Zoning Administrator for an operating permit. The Zoning Administrator, the electrical inspector, and a representative of the appropriate county health department, if applicable, shall make an on-site inspection of the park.
 - a. If the plan conforms to the approved park plan, the Zoning Administrator shall issue the developer an operating permit.

- b. If the construction does not conform with the approved plan, the Zoning Administrator shall delay issuance of the operating permit until it comes into conformity.
 - (4) In no case shall the operating permit be issued for less than the minimum number of spaces required by this ordinance.
 - (5) The operating permit issued to the developer shall constitute authority to lease or rent spaces in the mobile home park.
 - (6) When a mobile home park is to be developed in stages, the proposed park plan may be submitted for the entire development, and application for an operating license may be made for each stage developed.
- (d) Design standards: The following standards shall be considered the minimum requirements for all new mobile home parks.
- (1) General requirements:
 - a. Mobile homes shall not be sold within a mobile home park, except that an individual mobile home owner shall be allowed to sell the mobile home in which he resides, and except as set out in paragraph g. below.
 - b. The transfer of title of a mobile home space or spaces either by sale or by any other manner shall be prohibited within a mobile home park as long as the mobile home park is in operation. This does not prohibit the sale of the entire park operation from one owner to another owner.
 - c. No living compartment or structure other than a "Florida Room", or other prefabricated structure specifically designed for mobile home use or extension shall be added to any mobile home parked within the jurisdiction of this ordinance.
 - d. If required by the Board of Commissioners, the owner of the proposed park shall provide a buffer strip around the mobile home park as defined in this ordinance.
 - e. Within a mobile home park, one (1) mobile home may be used as an administrative office.
 - f. Convenience establishments of a commercial nature shall be limited to food stores, coin operated laundries, beauty parlors, and barber shops. These may be permitted in mobile home parks subject to the following restrictions:

1. Such establishments shall be subordinate to the residential use and character of the park;
 2. Such establishments shall present no visible evidence of their commercial character from any portion of any residential district outside the park; and
 3. Such establishments shall be designed to serve the trade and service needs of the park residents only.
- g. The owner or operator of a mobile home park shall not sell mobile homes on or within a mobile home park unless the mobile home unit for sale shall be placed individually and separately upon an existing mobile home space where all design standards and utilities have been completed as specified by this ordinance, and unless said mobile home is being occupied as a residence.

(2) Streets and parking:

- a. Convenient access to each mobile home space shall be provided by streets or drives with a minimum right-of-way of fifty (50) feet of which twenty (20) feet shall be graded and drained for automobile circulation within the park. Maintenance of such streets shall be provided by the owner or operator of the park.
- b. Closed ends of dead-end drives or roads extending into a mobile home park shall be provided with a "Y" or "T" turn-around with at least an eighteen (18) foot radius and a twenty (20) foot tangent, except that if any such drive or road shall exceed one thousand (1,000) feet in length one additional "Y" or "T" turn-around shall be provided, and the location thereof shall be subject to the approval of the town board.
- c. Streets or drives within the mobile home park shall intersect as nearly as possible at right angles, and no street shall intersect at less than sixty (60) degrees. Where a street intersects a public street or road, the design standards of the North Carolina Department of Transportation shall apply.
- d. New street names shall not duplicate or be similar to existing street names in the town or county.

(3) Mobile home space:

- a. Each mobile home space shall have sufficient square footage to comply with the requirements of the appropriate county health department and must be at least five thousand (5000) square feet in area for single wide mobile homes and fifteen thousand (15,000) square feet in area for double wide mobile homes.
- b. Each mobile home space shall be clearly defined by means of concrete or iron pipe markers placed at all corners.
- c. Each mobile home space shall be located on ground not susceptible to flooding and graded so as to prevent any water from ponding or accumulating on the premises.
- d. Each mobile home shall be located at least twenty (20) feet from any other mobile home, at least twenty (20) feet from any building within the mobile home park, at least twenty (20) feet from any property line, and at least fifteen (15) feet from the edge of the right-of-way of any street.
- e. Each mobile home park shall provide four hundred (400) square feet of recreation area for each mobile home space that is less than ten thousand (10,000) square feet in area. However, no recreation area shall be less than twenty-five hundred (2,500) square feet.
- f. Each mobile home unit within a mobile home park shall be secured by adequate anchors and tie downs, such as cast-in-place concrete "dead men" eyelets imbedded in concrete foundations or runways, screen augers, arrowhead anchors, or other devices securing the stability of the mobile home. Each mobile home unit shall comply with the above standards or with standards specified by the State of North Carolina, whichever are the higher standards. Each mobile home owner shall be responsible for securing his individual mobile home to anchors. It shall be the responsibility of the mobile home park owner or operator to enforce compliance with this paragraph.

(4) Utility requirements:

- a. An accessible, adequate, safe, and palatable supply of water shall be provided in each mobile home park.
- b. 1. Adequate and safe sewage disposal facilities shall be provided in all mobile home parks.

2. Each mobile home space shall be provided with at least a four (4) inch diameter sewer riser pipe where collection systems are provided. The sewer riser pipe shall be so located on each space that the sewer connection to the mobile home drain outlet will approximate a vertical position.
 - 3. A 2' x 2' concrete apron shall be installed around all sewer connection riser pipes for support and protection. The sewer connection shall be located a distance of at least one hundred (100) feet from the water supply.
 4. The sewer connection shall be a nominal inside diameter of at least four (4) inches, and the slope of any portion thereof shall be at least one-four ($\frac{1}{4}$) inch per foot. The sewer connection shall consist of one (1) pipe line only without any branch fittings. All joints shall be water-tight including connection from trailer to sewer riser pipe.
 5. All material used for sewer connections shall be semirigid, corrosion resistant, nonabsorbent, and durable. The inner surface shall be smooth.
 6. Provision shall be made for plugging the sewer pipe when a mobile home does not occupy a space. Surface drainage shall be diverted away from the rise. The rim of the riser pipe shall extend at least four (4) inches above ground elevation.
- c. 1. The storage, collection, and disposal of solid waste in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or pollution.
2. All solid waste containing garbage shall be stored in standard flytight, watertight, rodent-proof containers, with a capacity of not more than thirty-two (32) gallons which shall be located not more than one hundred fifty (150) feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all solid waste containing garbage. The mobile home park management shall be responsible for the proper storage, collection, and disposal of solid waste.
 3. Containers shall be situated so as to prevent said containers from being tipped, in order that spillage and container deterioration, may be minimized, and in order to facilitate cleaning around said containers.

4. All solid waste containing garbage shall be collected at least two (2) times weekly. Where suitable collection service is not available from municipal or private agencies, the mobile home park operator shall provide this service. All solid waste containing garbage shall be collected and transported in covered vehicles or covered containers.
 5. Where municipal or private disposal service is not available the mobile home park operator shall dispose of the solid waste by transporting to a disposal site approved by the health director.
- d.
1. Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the county health director.
 2. Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitos, and other pests.
 3. Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe, and other building material shall be stored at least one (1) foot above the ground.
 4. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
 5. The growth of brush, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.
- (e) Registration of occupants: Every mobile home park owner or operator shall maintain an accurate register containing a record of all occupants and owners of mobile homes in the park. The register shall be available for inspection at all times by authorized county representatives. The register shall contain the following information:

- (1) Name of owner or occupant.
 - (2) Mobile home space number.
 - (3) Make, model and registration number of mobile home.
 - (4) Date when occupancy within the mobile home park begins and date when occupancy within the mobile home park ceases.
- (f) Operation:
- (1) The person to whom an operating permit for a mobile home park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
 - (2) The park owner or operator shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.
- (g) Administration:

Existing mobile home parks: Mobile home parks existing at the time of the adoption of this ordinance shall not be allowed to add spaces unless such expansion meets fully the requirements set forth in this ordinance.

Use: Professional offices and sales offices for items not delivered from or stored on the premises

Offices shall be for persons engaged in professions:

- (a) where the services offered are personal to one's being;
- (b) where the services offered are of an intangible nature; and
- (c) where the profession is one in which a person is required to successfully pass a required competency or skills test administered by the government to engage in such profession.

Sales office shall be for sales of real estate and sales of other items where such items are not delivered from or stored on the premises used as a sales office or where the item delivered is an intangible item or chose in action.

Add to Section 803 the following paragraph:

Whenever there is a zoning classification action involving a parcel of land, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of land as shown on the county tax listing, shall be mailed a notice of the proposed classification by first class mail at the last addresses listed for such owners on the county tax abstracts. The person or persons mailing such notices shall certify to the Town of Littleton that fact, and such certificate shall be deemed conclusive in the absence of fraud. This provision shall apply only when tax maps are available for the areas to be zoned.

Adopted October 7, 1985

Nancy Hyrick
Town Clerk

ARTICLE VIII

AMENDMENTS

Section 801. Initiation of Amendments

This zoning ordinance, including the zoning map, may be amended only by the Board of Commissioners of the Town of Littleton, according to the procedures of this article. Proposed amendments may be initiated by the Board of Commissioners, Planning Board, or Board of Adjustment of the Town of Littleton. Proposed amendments to the text of the zoning ordinance may also be initiated by any resident or property owner within the jurisdiction covered by this ordinance, and any property owner within the jurisdiction covered by this ordinance may initiate a request for a change in the zoning classification of his property.

Section 802. Application

Except for amendments initiated by the town board, planning board, or board of adjustment, no proposed amendment shall be considered by the town board nor a public hearing held until an application containing the following information is submitted by the applicant: a statement of the present zoning regulation or district boundary, the name and signature of the applicant, and if an amendment to the zoning map is proposed, the tax parcel number of the lot proposed to be rezoned, the names and addresses of the owners of the lot in question, and the use of each adjacent property. The applicant shall provide any additional information related to the proposed amendment requested in writing by the planning board or board of commissioners. The zoning administrator shall transmit the original application to the town board, and a copy to the planning board. The original application shall be filed in the office of the zoning administrator after consideration by the town board.

Section 803. Public Hearing

No amendment shall be adopted by the board of commissioners until they have held a public hearing on the amendment, and shall have given the planning board at least thirty (30) days after the public hearing to make a recommendation concerning the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the Littleton area at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall appear not more than twenty-five (25) nor less than ten (10) days prior to the hearing date. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

Section 804. Protest Petitions

Should a protest petition as described in G.S. 160A-385 and 160A-386 be submitted, it shall be handled in accordance with the procedures in G.S. 160A-385 and G.S. 160A-386.

ARTICLE IX

LEGAL STATUS PROVISIONS

Section 901. Legal Status Provisions

- 901.1 In its interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Wherever the requirements of lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, are at variance with the requirements of this ordinance, the most restrictive, or that imposing the highest standards, shall govern.
- 901.2 This ordinance and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid as applied to a particular property, buildings, or structures shall not be affected hereby. Whenever any condition or limitation is included in an order authorizing a special use permit, conditional use permit, variance, zoning compliance permit, certificate of occupancy or site plan approval, it shall be conclusively presumed that the authorizing officer or body considered such condition or limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision hereof, and to protect the public health, safety and welfare, and that the officer or board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.
- 901.3 Repeal of Conflicting Ordinances
- All ordinances or parts of ordinances of the Town of Littleton which are in conflict or inconsistent with this ordinance are repealed and superseded to the extent necessary to give this ordinance full force and effect.
- 901.4 Statute of Limitations
- In accordance with G.S. 160A-364.1, a cause of action as to the validity of this ordinance, or amendment thereto, shall accrue upon the adoption of this ordinance or amendment thereto, and shall be brought within nine months as provided in G.S. 1-54.1.

901.5 Effective Date

This ordinance shall take effect and be in force from and after
April 1st, 1985.

901.6 Adoption

Duly adopted by the Board of Commissioners of the Town of
Littleton, North Carolina, this the 1st day of
April, 1985.

Nancy L. Myrick
Clerk

B. Mason Hawfield
Mayor

ARTICLE X
DEFINITIONS

Section 1001. Generally

For the purposes of interpreting this ordinance, certain words or terms are defined in this article. Except as defined herein or in other sections of this ordinance, all words used in this ordinance shall have their customary dictionary definition. Unless the context clearly indicates otherwise, the terms defined in this ordinance shall have the meanings indicated below:

Section 1002. Interpretation of Commonly Used Terms and Words

Words used in the present tense include the future tense.

Words used in the singular number include the plural, and words used in the plural include the singular. Words used in the masculine gender include the feminine gender.

"Person" includes a firm, association, organization, partnership, corporation, trust, and company as well as an individual.

"Lot" includes the words "plot", "parcel", and "tract".

The word "structure" includes the word "building".

The word "shall" is always mandatory and not merely directory.

"Used", as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used".

"Map", "zoning map", or "Littleton Zoning Map" shall mean the official zoning map of the Town of Littleton, North Carolina.

The words "town board", "governing body", and "Littleton Board of Commissioners" shall refer to the Board of Commissioners of the Town of Littleton, North Carolina.

The words "planning board" shall refer to the planning board of the Town of Littleton, North Carolina.

The words "board of adjustment" shall refer to the board of adjustment of the Town of Littleton, North Carolina, established by this ordinance.

Section 1003. Definition of Commonly Used Terms and Words.

"Accessory building, structure, or use" means a building, structure, or use on the same lot with, or of a nature customarily incidental or subordinate to, and of a character related to the principal use or structure.

"Abutting" means that the property directly touches another piece of property.

"Alley" means a strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

"Building" means any structure having a roof supported by columns or by walls, and intended for shelter, housing, or enclosure of persons, animals or chattels.

"Building, height of" means the vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the height level between the eaves and ridge of a gable, hip, or gambrel roof.

"Condominium" means a project meeting the requirements of the North Carolina General Statutes, Chapter 47A. The type of structure and use rather than the condominium form of ownership shall be the determining factor in deciding whether a use is permitted in a district.

"Dwelling, single-family" means a building arranged to be occupied by one family, the building housing only one dwelling unit, but excluding mobile homes, and townhouses.

"Dwelling, two-family" means a building arranged to be occupied by two families, the building having two dwelling units, but excluding mobile homes, and townhouses.

"Dwelling, multifamily" means a building arranged to be occupied by more than two families, the building having more than two dwelling units, but excluding mobile homes, and townhouses.

"Dwelling unit" means a building or portion thereof designed, arranged and/or used for the living quarters for one or more persons living as a single family, with cooking facilities, excluding units in rooming, boarding, and tourist houses, family or group care homes, or hotels or motels or other buildings designed for transient residence.

"Family" means one or more persons related by blood, adoption, or marriage, living together as a single housekeeping unit, exclusive of household servants. A number of persons not exceeding five living together as a single housekeeping unit though not related by blood, adoption or marriage, shall be deemed to constitute a family, as shall a foster care home approved by the state.

"Family care home" means a facility as defined in G.S. 168-21.

"Floor area, gross". Gross floor area shall be defined as the number of square feet of total floor area bounded by the exterior faces of a structure, plus the number of square feet of unenclosed space devoted to the conduct of the use, excluding basements and unenclosed porches, balconies and terraces, unless used in conjunction with the use, such as for outdoor eating, merchandising storage, assembly, or similar uses, and excluding off-street parking and loading areas.

"Home occupation" means an incidental use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services.

"Kennel" means an establishment for the keeping or breeding of dogs for profit.

"Lot" means a single lot of record, or more than one contiguous lot of record in the same ownership, which lot or lots of record are not divided by any street or public alley, and excluding any part of a lot or lots of record which, when severed from contiguous land in the same ownership, creates a nonconformity or a lot or parcel which does not meet the dimensional requirements of this ordinance.

"Lot, corner" means a lot which occupies the interior angle at the intersection of two or more right-of-way lines. A lot abutting on the right-of-way of a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees.

"Lot coverage, maximum in percent" means the maximum percent of the lot which may be covered with structures. All yard requirements must be met in addition to lot coverage requirements.

"Lot depth" means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear. On lots having an access strip extending from the front of the main portion of the lot in order to comply with the requirements of Section 210 of this ordinance, the foremost points of the side lot lines shall be measured at the place where the access strip joins the main portion of the lot.

"Lot of record" means a lot which is part of a subdivision recorded in the office of the register of deeds of Halifax or Warren County or a lot described by metes and bounds, the description of which has been so recorded.

"Lot width" means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided however, that width between side lot lines at their foremost points (where they intersect the right-of-way line, or for lots having an access strip extending from the front of the main portion of the lot in order to comply with the requirements of Section 210 of this ordinance, at the place where the access strip joins the main portion of the lot) shall not be less than eighty percent of the required lot width, except in the case of the turning circle of cul-de-sacs where the eighty percent requirement shall not apply.

"Mobile home" means a factory-assembled, movable dwelling designed and constructed to be towed on its own chassis, comprised of frame and wheels, to be used without a permanent foundation and distinguishable from other types of dwellings in that the standards to which it is built include provisions for its mobility on that chassis as a vehicle. A dwelling meeting the above definition shall be considered a mobile home, even if placed on a permanent foundation.

"Mobile home park" means any plot of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations.

"Net acreage, acres, land area, square footage of land area" means land area with streets, right-of-ways, driveways which serve as access to more than two units or uses, and major transmission line easements not included in its measurement.

"Planned unit development" is defined in Section 710.3.

"Principal building, use or structure" means the main use of a lot or the building or structure in or on which the main use of the lot takes place.

"Roof line" means the top edge of the roof or the top edge of the parapet, whichever forms the top line of the building silhouette, but not including penthouses or equipment structures.

"Restaurant" means an establishment whose primary purpose is serving meals to patrons.

"Restaurant, indoor" means any restaurant except a drive-in or take-out restaurant.

"Restaurant, drive-in or take-out" means any restaurant which makes provision for curb service, outdoor service or a drive-in window, or any restaurant more than ten percent of whose average daily customers take their food or beverages out of the restaurant.

"Right-of-way, street" means a strip of land, owned publicly or privately, which affords the principal means of access to abutting property.

"Shopping center" means any building or group of buildings on the same site containing more than two retail or wholesale trade establishments.

"Sign" means any outdoor letter, symbol, number, trademark, or other form of publicity or combination of these as well as the surface on which they are painted or to which they are attached, and any background material, coloring, shapes or other trim shall be considered a sign, unless entirely enclosed by a fence or wall such that the above items and any structure or lighting attached to or accessory to them cannot be seen off the premises on which they are located. Works of fine art which in no way identify or advertise a product or business shall be excluded from this definition.

"Sign, area" means the area of the smallest regular polygon composed of eight (8) lines or less, circle, half circle, ellipse or combination thereof, which will encompass the entire sign, excluding the base or apron, supports, or other structural members unless some part of the message appears on them, in which case they shall be included. Where symbols, letters, or numbers are attached separately to a structure, including a sign structure or to separate surfaces, the area between the separate items or letters, whether open or solid shall be computed as part of the sign area. The total sign area for a double-faced sign shall be measured on the largest face of the sign. Where three-dimensional figures are used as signs, the largest dimensions of such figure shall be projected on a vertical plane and measured in the standard manner.

"Sign, height" means the vertical distance measured from the adjacent street grade or from the ground on which it rests, whichever allows the sign the greatest height, to the top of the sign.

Types of Signs

"Identification sign" means a sign which contains any or all of the following: the name of the occupant, owner, or establishment, the type of establishment, the name of the franchise, the hours of operation and house number when located on the site of the establishment.

"Onsite advertising sign" means a sign which contains information about an establishment or the products or services that it offers, other than that contained in an identification sign, when located on the same site as the establishment to which it refers.

"Offsite advertising sign" means a sign which contains information about an establishment, business, commodity, activity or service not conducted, sold, or offered upon the premises where such sign is located and not otherwise allowed in Table 501.5.

"Ground sign" means a sign erected on a freestanding frame, mast and/or pole and not attached to any building, fence or wall.

"Wall sign" means a sign which is attached flat to the wall or facade of a building, or to a fence or wall.

"Projecting sign" means a sign which extends beyond and is attached to a building wall and may extend over a public right-of-way.

"Roof sign" means a sign attached to and extending upward from a roof of a structure.

"Structure" means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, fences, signs and swimming pools.

"Townhouse" means a single-family dwelling unit constructed in a series or group of attached units with property lines separating such units.

"Variance" means a relaxation of the terms of this ordinance under the specific conditions set forth in Section 707.4.2.

"Yard" means an open space on the same lot with a principal structure or use unobstructed and unoccupied by any structure or portion thereof or parking or loading area, except as provided in this ordinance.

"Yard, front" means a yard extending the full width of the lot and situated between the right-of-way line and the front line of the principal structure or use projected to the side lines of the lot. Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot lines in the case of rounded property corners at street intersections shall be assumed to be the point at which the side and front lines would have met without such rounding. The foremost points of the side lot lines in the case of lots having an access strip extending from the front of the main portion of the lot in order to comply with the requirements of Section 210 of this ordinance shall be measured at the place where the access strip joins the main portion of the lot. However, nothing may be placed in the access strip that is not permitted by this ordinance to be placed in a front yard. Front and rear yard lines shall be parallel.

"Yard, rear" means a yard extending the full width of the lot and situated between the rear line of the lot and the principal structure or use projected to the side lines of the lot.

"Yard, side" means a yard extending along either side of a lot measured from front yard line to rear yard line and lying between the side lot line and the principal structure or use on the lot.

"Zoning administrator" means the official charged with the enforcement of this ordinance.

ORDINANCE TO REZONE
BY THE BOARD OF COMMISSIONERS
OF THE TOWN OF LITTLETON

(ZO-08-001)

WHEREAS, following due advertisement announcing a public hearing as provided by law, the Board of Commissioners of the Town of Littleton, North Carolina held said public hearing on May 5, 2008, to consider a request by Larry Robinson to rezone parcel 07-00473 located at 304 E. Hwy 158; and

WHEREAS, the Planning Board assembled at a called meeting May 28, 2008, and polled members not attending the meeting to make a recommendation regarding the rezoning request from Commercial (C) to Residential Subdivision (RS); and

WHEREAS, the Planning Board made recommendation to the Board of Commissioners to approve the rezoning request; and

WHEREAS, the Board of Commissioners heard and read all evidence and arguments presented pertaining to said application and does approve the rezoning from Commercial (C) to Residential Subdivision (RS);

NOW THEREFORE, the Town of Littleton Zoning Map is hereby amended by rezoning the parcel 07-00473 located at 304 E. Hwy 158 from Commercial (C) to Residential Subdivision (RS).

Adopted the 2 day of June, 2008.

B. Mason Hawfield, Mayor

ATTEST:

Sheila R. Taylor, Clerk

ORDINANCE TO REZONE
BY THE BOARD OF COMMISSIONERS
OF THE TOWN OF LITTLETON

(ZO-07-001)

WHEREAS, following due advertisement announcing a public hearing as provided by law, the Board of Commissioners of the Town of Littleton, North Carolina held said public hearing on March 5, 2007, to consider a request by Charles Bennett to rezone the property in the Warren County section of the Town of Littleton's ETJ on Hwy 903(Pin nos. 3918-92-5643 and 3918-82-8110); and

WHEREAS, the Planning Board assembled a quorum at the called March 19, 2007 meeting to make a recommendation regarding the rezoning request from RA (Residential Agriculture) to C (Commercial); and

WHEREAS, the Planning Board made recommendation to the Board of Commissioners to approve the rezoning request; and

WHEREAS, the Board of Commissioners heard and read all evidence and arguments presented pertaining to said application and does approve the rezoning from RA (Residential Agriculture) to C (Commercial);

NOW THEREFORE, the Town of Littleton Zoning Map is hereby amended by rezoning the property in the Warren County section of the Town of Littleton's ETJ on Hwy 903(Pin nos. 3918-92-5643 and 3918-82-8110) from RA (Residential Agriculture) to C (Commercial).

Adopted the 30th day of April, 2007

B. Mason Hawfield, Mayor

ATTEST:

Sheila R. Taylor, Clerk

AN ORDINANCE DEFINING THE BOUNDARIES OF THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF LITTLETON, NORTH CAROLINA, ACCORDING TO AND AS AUTHORIZED BY ARTICLE 19, CHAPTER 160A OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, the Board of Commissioners of the Town of Littleton, after due notice, conducted a public hearing on the 14th day of November, 1984, concerning the adoption of an ordinance defining the boundaries of the town's extraterritorial jurisdiction pursuant to G.S. 160A-360; and,

WHEREAS, the Board of Commissioners deems it to be in the best interest of the town to enact such a boundary ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the of the Town of Littleton that:

Section 1. The boundaries of the extraterritorial jurisdiction of the Town of Littleton, according to and as authorized by Article 19, Chapter 160A of the North Carolina General Statutes, extend to distances not exceeding one mile from the corporate limits of the Town of Littleton as shown on a map titled "Official Extraterritorial Boundary Map of the Town of Littleton, North Carolina", such map being made an integral part of this ordinance.

See Plat Cabinet 3, Slide 43

Section 2. This ordinance shall take effect the 1st day of April, 1985. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Duly adopted by the Board of Commissioners of the Town of Littleton, this the 1st day of April, 1985.

B. Mason Hawfield
Mayor

FILED FOR REGISTRATION AND RECORDED
9:00 O'CLOCK A.M.
Aug. 1, 1985 IN BOOK
1294 PAGE 320
J. S. Byrd
Register of Deeds, Halifax County



Francis B. Davis

My Commission Expires April 29, 1989

Nancy P. Maycock
Clerk

RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF
HALIFAX COUNTY TO APPOINT EXTRATERRITORIAL MEMBERS TO THE
LITTLETON BOARD OF ADJUSTMENT

WHEREAS Section 707.1 of the Zoning Ordinance of the Town of Littleton, North Carolina specifies that one (1) regular member and one (1) alternate member of the Board of Adjustment shall reside within the county portion of the extraterritorial jurisdiction of the town; and

WHEREAS the ordinance specifies that the HALIFAX County Board of Commissioners shall make these appointments: and

WHEREAS the ordinance specifies that the regular member and the alternate member shall be appointed for terms of three (3) years;

NOW THEREFORE BE IT RESOLVED:

That the Board of Commissioners of the Town of Littleton respectfully requests the Board of County Commissioners of HALIFAX County to appoint one (1) regular and one (1) alternate member from the extraterritorial area of the Town of Littleton, to the Board of Adjustment of the Town of Littleton.

A. Mason Hawfield
Mayor

ATTEST:

Nancy P. Myrick
Clerk

April 1, 1985
Date

A RESOLUTION DESIGNATING A SUBDIVISION ADMINISTRATOR

WHEREAS Section 212 of The Subdivision Regulations of the Town of Littleton, North Carolina provide that the Board of Commissioners of the Town of Littleton shall appoint the subdivision administrator or administrators; and

WHEREAS the Board of Commissioners of the Town of Littleton adopted the subdivision regulations on April 1, 1985;

NOW THEREFORE BE IT RESOLVED:

That _____

B. Mason Haggins
Mayor

ATTEST:

Nancy P. Myrick
Clerk

April 1, 1985
Date

A RESOLUTION APPOINTING THE MEMBERS OF THE
BOARD OF ADJUSTMENT

WHEREAS the Board of Commissioners of the Town of Littleton,
North Carolina adopted a zoning ordinance for the town
on April 1, 1985, and

WHEREAS Section 707 of the zoning ordinance established a
Board of Adjustment and gives the duty of appointing
the in-town members of the Board of Adjustment to the
Board of Commissioners,

NOW THEREFORE BE IT RESOLVED:

That _____ is appointed as a regular
member of the Board of Adjustment for a term of three
(3) years;
that _____ is appointed as a regular
member for a term of two (2) years;
that _____ is appointed as a regular
member for a term of one (1) year;
that _____ is appointed as an alternate
member for a term of three (3) years.

This the _____ day of _____, 19____.

B. Mason Hawfield

Mayor

Attest:

Nancy P. Mayrick
Clerk

A RESOLUTION DESIGNATING ZONING ADMIMISTRATORS

WHEREAS the Board of Commissioners of the Town of Littleton,
North Carolina adopted a new zoning ordinance for the
town and its extraterritorial jurisdiction on

April 1, 1985; and

WHEREAS Section 701 of the zoning ordinance requires that zoning
administrators designated by the Board of Commissioners
of the Town of Littleton shall administer and enforce the
zoning ordinance;

NOW THEREFORE BE IT RESOLVED:

That _____

B. Mason Hawgood
Mayor

ATTEST:

Nancy P. Mapick
Clerk

April 1, 1985
Date

RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS
OF WARREN COUNTY TO CONTINUE TO EXERCISE THE POWER TO
REGULATE SUBDIVISIONS WITHIN THE WARREN COUNTY PORTION OF
THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF LITTLETON

WHEREAS G.S. 160A-360(d) provides, in part, that a county may exercise any or all of the powers granted by G.S. Chapter 160A, Article 19 within any or all areas lying within a town's extraterritorial jurisdiction at the request of the town; and

WHEREAS one of the powers granted by G.S. Chapter 160A, Article 19 is the power to regulate subdivisions; and

WHEREAS it is the desire of the Board of Commissioners of the Town of Littleton that Warren County continue to regulate subdivisions within the Warren County portion of the town's extraterritorial jurisdiction;

NOW THEREFORE BE IT RESOLVED:

That the Board of Commissioners of the Town of Littleton respectfully requests that Warren County continue to exercise the power to regulate subdivisions within the Warren County portion of the extraterritorial jurisdiction of the Town of Littleton.

A. Mason Hawgood
Mayor

ATTEST:

Nancy P. Mypick
Clerk

April 1, 1985
Date

(8)

AN ORDINANCE AMENDING AN ORDINANCE TO ESTABLISH
A PLANNING BOARD FOR THE TOWN OF LITTLETON, N.C.

In pursuance of the authority granted by the General Statutes of North Carolina, Chapter 160A, Article 19,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF LITTLETON:

Section 1. That the ORDINANCE ESTABLISHING A PLANNING BOARD FOR THE TOWN OF LITTLETON AND PROVIDING FOR THE GOVERNANCE THEREOF, adopted on September 8, 1980, is hereby amended as follows:

The first sentence of Section 2 shall be changed to read:

The Planning Board shall consist of seven (7) members, five (5) of whom shall be citizens living within the corporate limits of the Town of Littleton, one (1) of whom shall be a citizen living within the Warren County portion of the town's extraterritorial jurisdiction and one (1) of whom shall be a citizen living within the Halifax County portion of the town's extraterritorial jurisdiction.

The second sentence of Section 2 shall be changed to read:

The in-town members shall be appointed by the Board of Commissioners of the Town of Littleton.

Add to Section 2 after the sentence: "Their successors shall be appointed for terms of three years.":

The extraterritorial members shall be appointed in accordance with G.S. 160A-362, for terms of three (3) years except that initial terms shall expire on September 1, 1987. Members shall serve until the expiration of their terms or until their successors have been appointed.

Change the last sentence of Section 2 to read:

Unexcused absence from three (3) consecutive meetings shall be deemed adequate reason for termination of membership on the Planning Board of in-town members by the Littleton Board of Commissioners.

Change Section 3, sentence 6, to read:

A quorum shall consist of four (4) members for the purpose of taking any official action required by this ordinance.

Add to the end of Section 3:

The extraterritorial members may serve as officers.

Section 2. This ordinance shall take effect the 1st day of April, 1985.

Duly adopted by the Board of Commissioners of the Town of Littleton, this the 1st day of April, 1985.

ATTEST:

Nancy L. Mispick
Clerk

B. Mason Hargraves
Mayor

AN ORDINANCE DEFINING THE BOUNDARIES OF THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF LITTLETON, NORTH CAROLINA, ACCORDING TO AND AS AUTHORIZED BY ARTICLE 19, CHAPTER 160A OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, the Board of Commissioners of the Town of Littleton, after due notice, conducted a public hearing on the 14th day of NOVEMBER, 1984, concerning the adoption of an ordinance defining the boundaries of the town's extraterritorial jurisdiction pursuant to G.S. 160A-360; and,

WHEREAS, the Board of Commissioners deems it to be in the best interest of the town to enact such a boundary ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the of the Town of Littleton that:

Section 1. The boundaries of the extraterritorial jurisdiction of the Town of Littleton, according to and as authorized by Article 19, Chapter 160A of the North Carolina General Statutes, extend to distances not exceeding one mile from the corporate limits of the Town of Littleton as shown on a map titled "Official Extraterritorial Boundary Map of the Town of Littleton, North Carolina", such map being made an integral part of this ordinance.

Section 2. This ordinance shall take effect the 1st day of April, 1985. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Duly adopted by the Board of Commissioners of the Town of Littleton, this the 1st day of April, 1985.

B. Mason Hawfield
Mayor

Attest:

Nancy L. Myrick
Clerk

TOWN OF LITTLETON

LITTLETON, NORTH CAROLINA
27850

July 26, 1985

Warren County Register of Deeds

The Board of Commissioners of the Town of Littleton having complied with the procedural and substantive requirements of the General Statutes of the State of North Carolina, and more particularly with the provisions of Chapter 160A, Article 19, adopted an extraterritorial jurisdiction ordinance, said ordinance enacted into law on April 1, 1985.

G.S. 160A-360 provides in part:

"This delineation shall be maintained in the manner provided in G.S. 160A-22 for the delineation of the corporate limits, and shall be recorded the the office of the register of deeds..."

Enclosed is a copy of the extraterritorial jurisdiction ordinance and map of the Town of Littleton: certified under the hand of the town clerk for filing.

Sincerely yours,

Nancy P. Myrick

Nancy Myrick
Town Clerk

(12)

RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF
HALIFAX COUNTY TO APPOINT EXTRATERRITORIAL MEMBER
TO THE LITTLETON PLANNING BOARD

WHEREAS Section 2 of AN ORDINANCE ESTABLISHING A PLANNING BOARD FOR THE TOWN OF LITTLETON AND PROVIDING FOR THE GOVERNANCE THEREOF, as amended on APRIL 1, 1985 specifies that one (1) regular member of the Littleton Planning Board shall reside within the county portion of the extraterritorial jurisdiction of the Town of Littleton, and

WHEREAS the ordinance specifies that the HALIFAX County Board of Commissioners shall make these appointments; and

WHEREAS the ordinance specifies that the members shall be appointed for terms of three (3) years with initial terms expiring on SEPTEMBER 1, 1987;

NOW THEREFORE BE IT RESOLVED:

That the Board of Commissioners of the Town of Littleton respectfully requests the Board of Commissioners of HALIFAX County to appoint one (1) regular member from the extraterritorial area of the Town of Littleton to the Planning Board for the Town of Littleton for a term of three (3) years, with initial terms expiring on SEPTEMBER 1, 1987.

B. Mason Hawfield
Mayor

ATTEST:

Nancy P. Mapick
Clerk

April 1, 1985
Date

TOWN OF LITTLETON

LITTLETON, NORTH CAROLINA
27850

July 26, 1985

Halifax County Register of Deeds

The Board of Commissioners of the Town of Littleton having complied with the procedural and substantive requirements of the General Statutes of the State of North Carolina, and more particularly with the provisions of Chapter 160A, Article 19, adopted an extraterritorial jurisdiction ordinance, said ordinance enacted into law on April 1, 1985.

G.S. 160A-360 provides in part:

"This delineation shall be maintained in the manner provided in G.S. 160A-22 for the delineation of the corporate limits, and shall be recorded in the office of the register of deeds..."

Enclosed is a copy of the extraterritorial jurisdiction ordinance and map of the Town of Littleton: certified under the hand of the town clerk for filing.

Sincerely yours,

Nancy P. Myrick

Nancy Myrick
Town Clerk

RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF
WARREN COUNTY TO APPOINT EXTRATERRITORIAL MEMBER.
TO THE LITTLETON PLANNING BOARD

WHEREAS Section 2 of AN ORDINANCE ESTABLISHING A PLANNING BOARD FOR THE TOWN OF LITTLETON AND PROVIDING FOR THE GOVERNANCE THEREOF, as amended on APRIL 1, 1985 specifies that one (1) regular member of the Littleton Planning Board shall reside within the county portion of the extraterritorial jurisdiction of the Town of Littleton, and

WHEREAS the ordinance specifies that the WARREN County Board of Commissioners shall make these appointments; and

WHEREAS the ordinance specifies that the members shall be appointed for terms of three (3) years with initial terms expiring on SEPTEMBER 1, 1987;

NOW THEREFORE BE IT RESOLVED:

That the Board of Commissioners of the Town of Littleton respectfully requests the Board of Commissioners of WARREN County to appoint one (1) regular member from the extraterritorial area of the Town of Littleton to the Planning Board for the Town of Littleton for a term of three (3) years, with initial terms expiring on SEPTEMBER 1, 1987.

B. Mason Hargraves

Mayor

ATTEST:

Nancy P. Mynick
Clerk

April 1, 1985
Date

RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF
WARREN COUNTY TO APPOINT EXTRATERRITORIAL MEMBERS TO THE
LITTLETON BOARD OF ADJUSTMENT

WHEREAS Section 707.1 of the Zoning Ordinance of the Town of Littleton, North Carolina specifies that one (1) regular member and one (1) alternate member of the Board of Adjustment shall reside within the county portion of the extraterritorial jurisdiction of the town; and

WHEREAS the ordinance specifies that the WARREN County Board of Commissioners shall make these appointments: and

WHEREAS the ordinance specifies that the regular member and the alternate member shall be appointed for terms of three (3) years;

NOW THEREFORE BE IT RESOLVED:

That the Board of Commissioners of the Town of Littleton respectfully requests the Board of County Commissioners of WARREN County to appoint one (1) regular and one (1) alternate member from the extraterritorial area of the Town of Littleton, to the Board of Adjustment of the Town of Littleton.

B. Mason Hawgood
Mayor

ATTEST:

Nancy P. Mysick
Clerk

April 1, 1985
Date