

CHAPTER 154: ZONING

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ZONING REGULATIONS
TOWN OF GRANITE FALLS, NORTH CAROLINA

The zoning regulations contained in this Chapter are in accordance with a duly adopted Land Use Plan and are designed to promote health and the general welfare of the community; to secure safety from fire, panic and other dangers; to lessen traffic congestion; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

ARTICLE I

AUTHORITY AND ENACTMENT CLAUSE

The Town Council of the Town of Granite Falls, in pursuance of the authority granted by the General Statutes, particularly Chapter 160D, hereby ordains and enacts into law the following Articles and Sections.

ARTICLE II

SHORT TITLE

This Chapter shall be known and may be cited as the “Town of Granite Falls Zoning Regulations” and the map referred to is identified by the title “Town of Granite Falls Zoning Map”.

ARTICLE III

APPLICATION

Section 301. Planning and Development Regulation Jurisdiction. This development regulation shall apply within the corporate limits of the Town of Granite Falls and that land as designated by the Zoning Map and as authorized by North Carolina G.S. §160D-202, to be known as extraterritorial jurisdiction (ETJ).

Section 302. Incorporation of Zoning Map. The Town of Granite Falls Zoning Map, and all notations, references and other information shown on the map, as amended from time to time, are hereby incorporated by reference and made part of this Chapter the same as if such information set forth on the map were all fully described and set out herein. The most current and updated version of the Zoning Map properly attested is maintained by the Zoning Administrator and is on file at the Town Administrative Offices and is available for inspection by the public.

Section 303. Incorporation of Future Land Use Map. Certain Future Land Use Designations are established and incorporated by reference on the Town of Granite Falls Future Land Use Map (as part of the most current, adopted Land Use Plan) which is hereby made a portion of this Chapter. The Future Land Use Map shall guide and govern changes to the Town of Granite Falls Zoning Map and the

districts therein. The most current and updated version of the Future Land Use Map properly attested is maintained by the Zoning Administrator and is on file at the Town Administrative Offices and is available for inspection by the public.

Section 304. Bona Fide Farms Exempt in ETJ. Bona fide farm uses are exempt from zoning regulation in the Town's extraterritorial planning and development regulation jurisdiction (ETJ) as mandated by North Carolina General Statute §160D-903.

Section 305. Transitional Provisions.

A. Conforming Uses and Structures

- 1) Any use or structure existing prior to the effective date of this Chapter that conforms to the regulations of this Chapter 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 use, structural or other changes shall comply with the provisions of this Chapter.
- 2) Any use or structure existing prior to the effective date of this Chapter that would be permitted by this Chapter as a Special Use (or previously as a Conditional Use) in the district in which it is located, may be continued as if a Special Use Permit had been issued, provided that any use, structural or other changes shall comply with the provisions of this Chapter.

B. Effect of Amendment

If subsequent amendments to this Chapter or the Zoning Map result in the creation of additional nonconformities or conformities, such nonconformities or conformities shall be governed by the provisions of this Chapter, unless otherwise stated in the amendment.

C. Applications and Prior Approvals

- 1) Projects Under Construction Prior to Effective Date
 - a. Any building or development for which a permit was issued before the effective date of this Chapter may be completed in conformance with the issued permit and other applicable permits and conditions, even if such building or development does not fully comply with provisions of this Chapter.
 - b. Nothing in this Chapter shall require a change to a phasing plan approved prior to the adoption of this Chapter, provided construction is consistent with the terms and conditions of the phasing plan and proceeds to completion in a timely manner. The applicant shall ensure that a period of no more than two (2) years without an active building permit occurs in order to continue a project under a previous phasing plan.
 - c. If construction is not completed according to the applicable permit terms, the Town Council may, for good cause shown, grant an extension of up to one (1) year for such construction. If the building is not completed within the time allowed under the original

permit or any extension granted, then the building may be constructed, completed or occupied only in compliance with this Chapter.

2) Applications Submitted Prior to Effective Date

- a. Pursuant to G.S. §160D-108, any complete application submitted before the effective date of this Chapter or sections herein may be completed in conformance with applicable permits and conditions of the regulations in effect at the time of submission of the application, even if such application does not fully comply with provisions of this Chapter.
- b. If construction is not commenced or completed according to the applicable terms of the application, the Town Council may, for good cause shown, grant an extension of up to one (1) year for such construction. If the building or improvements are not completed within the time allowed under the original application or any extension granted, then the building or improvements may be constructed, completed or occupied only in compliance with this Chapter.

3) Prior Approvals

- a. Where a Conditional Use Permit, Special Use District, Planned Development or Planned Development District was approved prior to the effective date of this Chapter, the provisions of this Chapter shall apply to the extent that they do not conflict with the original conditions of approval.
- b. Pursuant to G.S. Chapter 160D, any Conditional Use Permit approved prior to the adoption of this subsection that is valid and legal as of the effective date of this Chapter is hereby transformed into an identical Special Use Permit immediately, subject to all established conditions and applicable standards of this Chapter.
- c. Pursuant to G.S. Chapter 160D, any Conditional Use District, Special Use District or Planned Development District that is valid and legal as of the effective date of this Chapter is hereby transformed into an identical Conditional Zoning District immediately, subject to all established conditions and applicable standards of this Chapter.