

1 ADDITIONS

2 **Chapter 2: DEFINITIONS**

3 **Art/Craft Studio-** A place of work for an artist, artisan, or craftsperson including persons engaged in the
4 application, teaching, or performance of fine arts such as, but not limited to, drawing vocal or instrumental music,
5 painting, sculpture, wood working, and writing. Limited on site retail will be allowed in such studio for pieces that
6 were made on site by the occupant of the property.
7

8 **Backyard Workshops-** Area for building tradesmen, welding shops, small appliance repair shops, small engine
9 repair shops, mechanic, and auto and farm-equipment repair shops, are permitted as an accessory use to the owner's
10 residence. Some exclusions apply, the storing of and/or repair of commercial or fleet vehicles shall be approved by
11 the board. No more than nine hundred (900) square feet can be devoted to said activity. However, the square feet
12 limitation shall not apply if the accessory building is being used solely for the personal, non-commercial use, of the
13 owner. No outside storage is permitted.
14

15 **Buffer Strip-** Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically
16 separate or screen one use or property from another so as to visually shield or block noise, lights, or other
17 nuisances.
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19 **Event Venue-** A public place where meals, food or refreshments are prepared and/or furnished upon premises. An
20 Event Venue is only available for events on no more than 2 to 3 consecutive days by contract, (e.g., weddings,
21 showers, receptions, birthday parties, corporate meetings, and fund raisers or other similar events) with a designated
22 onsite manager or the owner present during the event. Event Venues shall not be used for any other purpose or use.
23 An Event Venue must meet all Building Code and Fire Code requirements along with all ABC (Alcoholic Beverage
24 Control Board) requirements
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27 **Fence/Wall-** In all residential districts, fences or walls may be erected in any yard adjacent to a lot line. Wall height
28 may not exceed four (4) feet in height without being engineered. Fences may be erected provided such fence does
29 not exceed ten (10) feet in height. The height of the fence shall be measured from grade. Fences shall not cross any
30 easements or right of way without notarized permission from all effected parties. Fences and walls shall not
31 interfere with visibility at intersections or cause any safety issues. *(TO BE ADDED TO END OF EACH DISTRICT)*

32 **Kennel-** An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or
33 sold, all for a fee or compensation.
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35 **Home Occupation-** Customary home occupations, including dressmaking, cooking and baking, hairdressing, music
36 instruction, the renting of not more than one room, and the practice of such professions as insurance and accounting
37 shall be permitted as accessory uses in a residence. Approved home occupations shall not have any employees that
38 do not live in the house. The Board of Adjustment shall decide whether other home occupations not listed here are
39 within the spirit of this category of accessory uses.
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41 **Retreat-** A facility with permanent structures for meeting, lodging, dining and sanitation in a predominantly natural
42 environment. The primary use of retreats is for religious, educational or charitable purposes, such as meetings and
43 programs in religion, spirituality, personal growth or environmental studies.
44

45 **Wedding Facility-** “a privately-owned facility or site in certain rural and resource zones where weddings and
46 associated events are conducted in exchange for compensation.”
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- 1 **Setback requirements:** *(for all districts)*
 2 **40' front**
 3 **20' rear**
 4 **15' sides**

5 **Measurements taken from the property line or edge of right of way, whichever is closer to structure.**
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9 **Chapter 3: Districts and Use Requirements**

10 **3.5 Zoning Map Amendments**

11 Whenever there is a zoning map amendment request, the owner of that parcel of land as shown on the
 12 County tax listing, and the owners of all parcels of land abutting that parcel of land as shown on the County tax
 13 listing, shall be notified of the public hearing as required by NCGS 153A-323 and in accordance with the provisions
 14 of chapter 13 of this ordinance.
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18 **Section 3.6.1 AO Agriculture-Open Space District**

19 **1. Permitted Uses**

20 **[Add Accessory DU]**

21 **2. Conditional Uses**

22 **[Add Kennel as a conditional use]**

23 **[Add Wedding Facility as a conditional use]**

24 **[Add Retreat as a conditional use]**

25 **[Add Event Venue as a conditional use]**

26 **[Add Art/Craft Studio as a conditional use]**
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29 **Section 3.6.2 RA Residential Agriculture District**

30 **1. Permitted Uses**

31 **[Add Accessory DU]**

32 **[Add Mobile Home]**

33 **2. Conditional Uses**

34 **[Add Kennel as a conditional use]**

35 **[Add Wedding Facility as a conditional use]**

36 **[Add Retreat as a conditional use]**

37 **[Add Event Venue as a conditional use]**

38 **[Add Art/Craft Studio as a conditional use]**
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41 **Section 3.6.3 R1 Residential District**

42 **1. Permitted Uses**

43 **[Add Accessory DU]**

44 **[Add Mobile Home]**

45 **2. Conditional Uses**

46 **[Add Kennel as a conditional use]**

47 **[Add Wedding Facility as a conditional use]**

48 **[Add Retreat as a conditional use]**

49 **[Add Event Venue as a conditional use]**

50 **[Add Art/Craft Studio as a conditional use]**
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1 **Section 3.6.4 R2 Residential Resort District**

2 **2. Conditional Uses**

3 [Add Kennel as a conditional use]

4 [Add Wedding Facility as a conditional use]

5 [Add Retreat as a conditional use]

6 [Add Event Venue as a conditional use]

7 [Add Art/Craft Studio as a conditional use]

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10 **Section 3.6.5 NC Neighborhood Commercial District**

11 **1. Permitted Uses**

12 [Add Art/Craft Studio]

13 **2. Conditional Uses**

14 [Add Kennel as a conditional use]

15 [Add Wedding Facility as a conditional use]

16 [Add Retreat as a conditional use]

17 [Add Event Venue as a conditional use]

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20 **Section 3.6.6 CMU Commercial Mixed Use District**

21 **1. Permitted Uses**

22 [Add Art/Craft Studio]

23 **2. Conditional Uses**

24 [Add Kennel as a conditional use]

25 [Add Wedding Facility as a conditional use]

26 [Add Retreat as a conditional use]

27 [Add Event Venue as a conditional use]

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30 **Section 3.6.7 CD Commercial District**

31 **1. Permitted Uses**

32 [Add Art/Craft Studio]

33 **2. Conditional Uses**

34 [Add Kennel as a conditional use]

35 [Add Event Venue as a conditional use]

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38 **Section 3.6.8 ID Industrial District**

39 **1. Permitted Uses**

40 [Add Kennel]

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1 **USE TABLE**

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3 ***Add these new uses***

Use Type	Zoning District								Restrictions
	NC	CMU	AO	RA	R1	R2	C	ID	
Accessory Dwelling			P	P	P				<u>See 8.1.7</u>
Kennel	C	C	C	C	C	C	C	P	
Retreat	C	C	C	C	C	C			
Wedding Facility	C	C	C	C	C	C			
Mobile Home				P	P				<u>See 8.1.8</u>
Event Venue	C	C	C	C	C	C	C		
Art/Craft Studio	P	P	C	C	C	C	P		

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7 **Chapter 8: Special Restrictions**

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9 **8.1.7 Accessory Dwelling Units and Family Exemptions for Additional Dwelling Units on One Lot**

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11 1. Accessory dwelling permitted only in districts R-A, R-1, and AO

12
13 2. Accessory dwelling units shall be located only on lots with single-family detached structures and
14 conforming accessory structures. For the purposes of this ordinance, a recreational vehicle/camper is not considered
15 an accessory dwelling unit.

16
17 3. Exclusive of a family waiver, only one accessory dwelling unit per lot shall be permitted in all except
18 R-A, R-1, and AO.

19
20 4. A family waiver or exemption for up to a maximum of three accessory dwelling units may be permitted.
21 Any additional dwelling units above three require a Conditional Use Permit.

22
23 5. All accessory dwelling units shall comply with the dimensional requirements and setbacks of the
24 underlying zoning district.

25
26 6. Each accessory dwelling unit not connected to public water and/or sanitary sewer systems must
27 have a suitable water supply and sewage disposal system which complies with all Madison County
28 Environmental Health Department requirements.

1 7. A family waiver or exemption would also permit a reduction in the lot size for one lot provided that
2 items 5 and 6 above are met, and that adequate information is provided to the Madison County Planning and Zoning
3 office showing that no other options exist. . This lot size reduction shall be a minimum of 6/10 of an acre. Any
4 additional reduction or lots needing a reduction shall require approval of the Madison County Board of Adjustment.
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8 **8.1.8 Provisions for Manufactured Homes in Hardship Cases**

9 One (1) manufactured home on the same single lot as another site built or manufactured home may be permitted as a
10 conditional use in all zoning districts after the Board of Adjustment holds a public hearing on the matter. In
11 reviewing the conditional use, the following requirements must be met:
12

13 1. Dimensional Requirements: The additional unit shall be located to the rear of the principal residence ,
14 except where the topography of the lot where the home is to be located prevents such placement. The
15 unit shall be located no closer than forty (40) feet from the principal residence and meet all additional
16 setback requirements. The lot shall have twenty thousand (20,000) square feet of area for the second
17 unit in addition to twenty thousand (20,000) square feet for the principal dwelling unit. If the homes are
18 located in the Watershed District, the lot size and lot coverage requirements for the appropriate
19 Watershed district shall apply.
20

21 2. A permit shall only be granted to the owner of the principal structure.
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23 3. The permit shall only be issued in the following cases:
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25 (a) When evidence is submitted that indicates that the inhabitants of the manufactured home or
26 primary structure will be either temporarily or permanently disabled, elderly, or afflicted with a
27 temporary or long-term medical condition that requires close supervision.
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29 (b) For temporary purposes incidental to construction or development of property within Madison
30 County for a period not to exceed 180 days. Extensions may be granted for a period as may be
31 determined by the Board of Adjustment, but no longer than construction shall continue.
32 Furthermore, no manufactured home shall be placed on any lot when there is any existing structure
33 or facility on the property which may be suitable or designed for the purpose for which the
34 manufactured home is sought to be used;
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36 (c) To be used as temporary living quarters in the event of a natural disaster such as fire, flooding,
37 etc., that would render the former residence uninhabitable
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39 4. For the purposes of this Section, temporary shall be determined to be a period of time that is longer
40 than two months but less than one year.
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1 5. A sketch plan of the property must be submitted to the Board of Adjustment along with the conditional
2 use permit application. At a minimum, the sketch plan must include the following information:

- 3
- 4 (a) The size of the property and location of property lines,
- 5
- 6 (b) The location of existing and proposed structures,
- 7
- 8 (c) Existing driveways, roads, right-of-ways and approximate widths,
- 9
- 10 (d) The zoning classification and uses of all surrounding property.
- 11

12 6. Any adverse effect this hardship case may pose to its neighbors or the public health, safety and general
13 welfare shall be a valid reason for denial of this permit. Additionally, the absence or inadequacy of
14 vehicular access, and/or development suitability of the property, or the lack of a suitable water supply and
15 sewage disposal system which complies with all Madison County Environmental Health Department
16 requirements shall also be a valid reason to deny the permit.

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18 7. The permit will be valid for one year from the date it is issued. The Board of Adjustment may
19 renew the permit when substantial evidence is presented that indicates that the hardship still exists.
20 If none is presented, the home must be removed from the site within 90 days.

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22 **DELETIONS**

23 **Section 5.7**

24 Removal of Section 5.7 and associated table sections.

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26

27 **Clerical**

28 **Section 3.5**

29 Remove wording "Article XII Section 124" from this section to eliminate confusion.

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