

CHAPTER 92: ZONING REGULATIONS

Zoning Ordinance of the  
Town of Cleveland, North Carolina

Table of Contents

ARTICLE I  
LEGAL PROVISIONS

Section 1. Authority and Enactment Clause ..... Page 1  
Section 2. Short Title ..... Page 1  
Section 3. Jurisdiction..... Page 1  
Section 4. Purpose..... Page 1  
Section 5. Purpose of Zoning..... Page 1  
Section 6. Bona Fide Farms Exempt..... Page 2  
Section 7. Forestry Exemption (*added as amended 04-09-07*) ..... Page 2

ARTICLE II  
DEFINITION OF TERMS USED  
IN THIS ORDINANCE

Section 1. Interpretation of Certain Words and Terms ..... Page 3  
Section 2. Definitions..... Page 4

ARTICLE III  
ZONING DISTRICTS AND BOUNDARIES

Section 1. Establishment of Districts..... Page 22  
Section 2. Description of Use Districts..... Page 23  
Section 3. Zoning Map..... Page 25  
Section 4. District Boundaries ..... Page 25

ARTICLE IV  
APPLICATION OF REGULATIONS

Section 1. Use ..... Page 27  
Section 2. Height and Density..... Page 27  
Section 3. Lot Size ..... Page 27  
Section 4. Yard Use Limitations ..... Page 27  
Section 5. Principal Building on Any Lot..... Page 27  
Section 6. Parcels With No Road Frontage..... Page 27

ARTICLE V  
PARKING AND LOADING REQUIREMENTS

Section 1. Off-Street Automobile Parking and Storage..... Page 28  
Section 2. Off-Street Loading and Unloading Space..... Page 31

ARTICLE VI  
USE REQUIREMENTS BY DISTRICT

Section 1. Single Family Residential Districts.....	Page 32
Section 2. General Residential District (R-15) .....	Page 34
Section 3. Central Business District (CBD).....	Page 34
Section 4. General Business District (GBD).....	Page 36
Section 5. Light Industrial District (M-1) .....	Page 38
Section 6. Heavy Industrial District (M-2) .....	Page 41
Section 7. Agricultural District (A-1) .....	Page 46
Section 8. Certain Uses Not Allowed .....	Page 50
Section 9. Area, Yard and Height Requirements .....	Page 51
Section 10. Thoroughfare Corridor Overlay District Plan .....	Page 52
Section 11. Parallel Conditional Use Districts.....	Page 53

ARTICLE VII  
SCREENING AND LANDSCAPING

Section 1. Purpose of Screening .....	Page 57
Section 2. Screening Required .....	Page 57
Section 3. Screen and Buffer Strip Standards .....	Page 58
Section 4. Standards for the Use of Walls, Fences or Berms.....	Page 59
Section 5. Fences and Walls in Commercial Districts .....	Page 60
Section 6. Plant Installation Standards.....	Page 61
Section 7. Screen and Buffer Maintenance.....	Page 62
Section 8. Relief to Screening and Buffer Requirements.....	Page 62
Section 9. Existing Screened Areas.....	Page 63
Section 10. Nonconforming Screening.....	Page 63
Section 11. Implementation of Screening.....	Page 63
Section 12. Specifications and Examples .....	Page 64
Section 13. Tree and Shrub Plantings, Care and Maintenance ( <i>added 05-03-10</i> ) .....	Page 68

ARTICLE VIII  
EXCEPTIONS AND MODIFICATIONS

Section 1. Lot of Record .....	Page 75
Section 2. Front Yard Setback Requirements .....	Page 75
Section 3. Height Limitations .....	Page 75
Section 4. Visibility at Intersections .....	Page 75
Section 5. Corner Lots .....	Page 76
Section 6. Group Projects .....	Page 76
Section 7. Public Utility Facilities in Certain Districts.....	Page 77
Section 8. Manufactured Homes.....	Page 77
Section 9. Fairs and Carnivals .....	Page 79
Section 10. Multi-Family Dwellings in the R-15 General Residential District .....	Page 79

Section 11. Non-Residential Uses in Residential Districts.....	Page 80
Section 12. Utility Buildings Used for Storage.....	Page 80
Section 13. Repair of Automobiles or Motor Vehicles in Residential Districts.....	Page 80
Section 14. Construction Trailers .....	Page 81
Section 15. Temporary Uses .....	Page 81
Section 16. Adult Business ( <i>added as amended 07-11-01</i> ) .....	Page 82
Section 17. Telecommunication Towers ( <i>added as amended 06-11-01</i> ) .....	Page 83

ARTICLE IX  
SIGN REGULATIONS

Section 1. Business Signs .....	Page 86
Section 2. Home Occupation Sign.....	Page 86
Section 3. Real Estate Signs.....	Page 86
Section 4. Church Signs.....	Page 86
Section 5. Temporary Signs.....	Page 86
Section 6. Freestanding Business Signs.....	Page 87
Section 7. Lighting.....	Page 87
Section 8. Exceptions.....	Page 88
Section 9. Signs Not Requiring Permit.....	Page 89
Section 10. Off-Premises Signs .....	Page 89
Section 11. Flags ( <i>added as amended 04-09-07</i> ) .....	Page 90

ARTICLE X  
NON-CONFORMING USES

Section 1. Requirements for Continuation of Non-conforming Uses.....	Page 91
--	---------

ARTICLE XI  
ZONING BOARD OF ADJUSTMENT

Section 1. Authority .....	Page 92
Section 2. Establishment.....	Page 92
Section 3. Jurisdiction and Decisions .....	Page 92
Section 4. Rules of Procedure.....	Page 93
Section 5. Conflicts of Interest ( <i>added as amended 04-09-07</i> ) .....	Page 93
Section 6. Application Procedure.....	Page 93
Section 7. Appeals, Hearings and Notices .....	Page 94
Section 8. Stay of Proceedings.....	Page 95
Section 9. Powers and Duties.....	Page 95
Section 10. Conditional Uses.....	Page 97
Section 11. Appeals of Decisions .....	Page 103

ARTICLE XII  
ADMINISTRATION AND ENFORCEMENT

Section 1. Zoning Administrator.....	Page 104
Section 2. Duties of Zoning Administrator.....	Page 104
Section 3. Zoning Permit Required.....	Page 105
Section 4. Application for Zoning Permit.....	Page 105
Section 5. Certificate of Occupancy Required.....	Page 106
Section 6. Penalties for Violation.....	Page 106
Section 7. Remedies and Enforcement Procedure.....	Page 108

ARTICLE XIII  
STATUTORY IMPLEMENTATION  
OF VESTED RIGHTS

Section 1. Purpose and Authority.....	Page 109
Section 2. Definitions.....	Page 109
Section 3. Establishment of a Statutory Vested Right.....	Page 110
Section 4. Duration of Vested Right.....	Page 110
Section 5. Exceptions.....	Page 111
Section 6. Applicability of Additional Requirements.....	Page 111

ARTICLE XIV  
AMENDMENTS

Section 1. Requirements to Amend Ordinance.....	Page 113
Section 2. Application Requirement.....	Page 113
Section 3. Consistency with other Plans and Policies ( <i>added as amended 04-09-07</i> )...	Page 113
Section 4. Public Hearing Notification ( <i>added as amended 04-09-07</i> ).....	Page 113
Section 5. Mailing of Notices.....	Page 114
Section 6. Notice of the Property ( <i>added as amended 04-09-07</i> ).....	Page 114
Section 7. Conflicts of Interest ( <i>added as amended 04-09-07</i> ).....	Page 114
Section 8. Protest Petitions ( <i>added as amended 04-09-07</i> ).....	Page 115

ARTICLE XV  
LEGAL STATUS PROVISIONS

Section 1. Conflict with Other Regulations.....	Page 117
Section 2. Validity.....	Page 117
Section 3. Effective Date.....	Page 117