

MEMORANDUM

TO: Board of Aldermen

FROM: Alexis Baker

SUBJECT: Text Amendment
ZTA-2026-02
Definitions (Section 401); Sections 601-602;
Recreational Vehicles or Travel Trailers as Temporary
Dwellings (Section 702); Special Events (Section 703);
Additional Use Standards in Residential Districts (Section
704); Section 1608 (Corner Lots); and Article XXI,
Appendix B, A. Table of Permitted Uses.

DATE: August 13, 2026

Due to concerns regarding the ability of homeowners to live in an RV while awaiting funding to repair their principal dwellings after Hurricane Helene, an amendment to *Section 702. Recreational Vehicles or Travel Trailers as Temporary Dwellings* is recommended to extend the time period that these temporary dwellings are permitted. Additionally, there is currently no process in place to permit Special Events. The addition of *Section 703. Special Events* and an amendment to *XXI Appendix B, Table of Permitted Uses* would allow Special Events in all zoning districts except for the I- Industrial District.

A new Section 704 was added to include all additional use standards in residential districts; these standards were removed from R1 and R1A in Article VI. Additionally, *Section 1608. Corner Lots* was updated for clarity.

Section 401. Definitions was updated to give clarification on uses provided in the *XXI Appendix B Table of Permitted Uses*. Recreational Facilities, Outdoor was added to the table of uses as a Special Use Permit in the R1, R2, and O & I. Solar Panel Arrays were also updated to require Special Use Permits in all districts; the definition for Solar Panel Arrays was updated in Section 401 to make roof top solar exempt from zoning permit requirements. Finally, the *Table of Permitted Uses* was further updated to clarify permitted, not permitted, permitted accessory uses, and special uses. The text amendment is attached for your review and consideration.

Please note that the Town of Clyde Planning Board adopted a motion addressing consistency of the proposed text amendment with the Town of Clyde comprehensive plan, including the Land Use Plan, and other applicable plans and policies. The Consistency

Statement addresses consistency and other matters as deemed appropriate by the Town of Clyde Planning Board.

After the consistency statement was adopted, the Planning Board adopted a motion with a recommendation for the text amendment. The Planning Board's recommendation and Consistency Statement is forwarded to the Town of Clyde Board of Aldermen as the written recommendation of the Town of Clyde Planning Board to the Town of Clyde Board of Aldermen with respect to the proposed text amendment in Case #ZTA-2026-02.

AN ORDINANCE AMENDING THE CLYDE ZONING ORDINANCE

Whereas, the Town of Clyde Planning Board has reviewed the associated text amendments and recommends approval, and

Whereas, the purpose of the proposed amendments is to provide guidance and clarity to the associated Zoning provisions,

Whereas the Board of Aldermen of the Town of Clyde has considered a proposed amendments to the Clyde Zoning Ordinance; and

Whereas the Board of Aldermen has received and considered the recommendation of the Clyde Planning Board concerning the proposed amendment; and

Whereas the Board of Aldermen finds the proposed amendments are reasonable and would advance the public health, safety, and welfare of the Town; and

Whereas, after the necessary Public Hearing, and review and consideration of the proposed amendment, it is the desire of the Board of Aldermen of the Town of Clyde to approve the amendments as recommended.

Now, therefore be it ordained by the Board of Aldermen of the Town of Clyde as follows:

That Article IV INTERPRETATIONS AND DEFINITIONS, Section 401. Definitions, be amended to include additional definitions and clarifications.

A. Section 401. Definitions.

1. Accessory Building, Customary: A building or structure which is subordinate to the main or principal structure on the same lot and is used for purposes customarily incidental to the main structure.
2. Accessory Dwelling Unit (ADU): A residential dwelling that is a self-contained housing unit, clearly subordinate to the single-family dwelling, and located on the same lot, either within the same building or as a detached building, which includes a kitchen,

a separate bathroom, and a separate entrance/exit.

3. Accessory Use: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.
4. Adult Establishment: Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as listed and defined in NC General Statutes, Chapter 14, Article 26A (or any successor thereto).
5. Alcoholic Beverage Sales Store: The retail sales of beer, wine, and/or other alcoholic beverages for off-premise consumption as a primary use.
6. Alley: A public way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.
7. Amusement Center: Any building or other structure, or portion thereof, which is used for commercial games and/or entertainment which include but are not limited to coin or token operated game machines, billiard tables, and other activities and facilities designed for commercial amusement or recreation.
8. Animal Production: Industries in the Animal Production subsector raise or fatten animals for the sale of animals or animal products. The subsector comprises establishments, such as ranches, farms, and feedlots primarily engaged in keeping, grazing, breeding, or feeding animals. These animals are kept for the products they produce or for eventual sale. The animals are generally raised in various environments, from total confinement or captivity to feeding on an open range pasture. Establishments primarily engaged in the farm raising and production of aquatic animals or plants in controlled or selected aquatic environments are included in this subsector.
9. Animal Services: Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; boarding services for pets; and grooming.
10. Apartment: A part of a building consisting of a room or rooms intended, designed or used as a residence by an individual or a single family.
11. Apartment/Garage: A part of a garage consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.
12. ATM: Computerized, self-service machines used by banking customers for financial institutions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.
13. Auto Parts Sales: Establishments selling new, used, or rebuilt automotive parts and

accessories. Examples include auto supply stores, automobile parts dealers, automotive audio equipment stores, tire dealers, parts & accessories dealers, and used automotive parts and tire dealers.

14. Automobile Repair Services: An establishment primarily engaged in one or more of the following activities: (1) general automotive repair or service, (2) automotive engine repair, (3) installation or repair of automotive transmissions, (4) installation or repair of automotive glass, (5) installation or repair of automotive exhaust systems, (6) repair of automotive tops, bodies and interiors, and (7) automotive painting and refinishing.

15. Banks, Credit Unions, Financial Services: Establishments that engage in financial transactions that create, liquidate, or change ownership of financial services. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include credit agencies, trust companies, holding companies, savings and loan institutions, check cashing services, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

16. Barber Shop/Beauty Shop: An establishment that provides services involving the cutting and styling of hair, manicure work, facial treatment, the sales of fitting of wigs, sales of hair treatment product, and tanning.

17. Bed and Breakfast Establishment: A private home or residence offering bed and breakfast accommodation to eight or less persons per night for a period of less than a week.

18. Bedroom: A fully enclosed interior room as shown on the building plan for the structure having, at minimum, a doorway, window, and closet.

19. Boarding House: Short or long-term accommodations that serve a specific group or membership such as a dormitory, fraternity or sorority house, youth or adult hostel or similar tourist accommodations, or single room occupancy units that provide a number of related services including, but not limited to housekeeping, meals, and laundry services.

20. Boat: A vessel used for travel on water by paddle, motor, or other form.

21. Bona Fide Farm: A tract of land devoted to agricultural purposes including activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products having a domestic or foreign market, but not including animal feeder/breeder operations. In addition, the tract must also be at least ten acres in size and meet the 'present use value' definition of NCGS 105-277.4 for farms.

22. Buffer Strip: A buffer strip is a strip of land containing vegetation consisting of

evergreen trees or shrubs and/or fencing located along the side and rear lot lines but said buffer along streets shall be set back sufficiently to avoid interference with street right-of-way. If consisting only of vegetation, such buffer strip shall not be less than 15 feet in width and shall be composed of trees and shrubs of a type which at inception shall be not less than five feet in height, unless otherwise specified. If a fence is used, said fence shall be opaque and at least eight feet in height. The board of adjustment may vary these requirements when it deems appropriate.

23. Building: Any structure used or intended for supporting or sheltering any use or occupancy.

~~24. Building, Accessory: A detached building subordinate to the main building on a lot and used for purposes customarily incidental to the main or principal building and located on the same lot.~~

25. Building Height: The distance measured from the highest ground level at the structure's foundation to the highest point of the roof.

26. Building/Principal: A building used for the same purpose as the principal use of the lot.

27. Building Setback Line: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided. Whenever the front, side or rear portion of a lot abuts a street right-of-way or other publicly dedicated area, setback lines shall be measured from said right-of-way or publicly dedicated area.

~~28. Business Support Services: These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site computer rental, and office product sales.~~

~~29. Campgrounds: A designated area in which tents or recreational vehicles may be set up for temporary occupancy. Accessory facilities and uses may include, but are not limited to, bathing facilities, swimming pools, the retail sale of camping-related merchandise, maintenance buildings, and picnic shelters.~~

~~30. Carport: A structure with a roof supported by posts, opened on at least two sides.~~

~~31. Cemetery: A parcel of land used for internment of the dead in the ground or in mausoleums.~~

~~32. Child/Adult Day Care Center (More than 8 persons): An individual, agency, or organization providing supervision or care on a regular basis for children or adults who~~

are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; and who are not residents in the center; designed and approved to accommodate more than eight children or adults at a time based on State regulations; not an accessory to residential use.

33. Child/Adult Day Care Home (8 or less persons): Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for no more than eight children (no more than five of which may be of pre-school age).
34. Child Care Center: The use of land and buildings to provide group care for children.
35. ~~Special Use: A use which is permitted in specified zoning districts only after review by the board of adjustment and found to meet specific conditions and procedures as set forth in this ordinance to maintain the safety and general welfare and orderly development of the community.~~
36. Civic/Social/Fraternal Organization: Non-for-profit membership organizations such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations primarily engaged in promoting the civic and social interests of their members. The uses often include meeting and storage facilities.
37. College/University: Junior colleges, colleges, universities, and professional schools with physical structures (excluding online programs). These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels.
38. Construction and Maintenance Services: Office use and associated enclosed storage (limited to one outbuilding or garage) where some short-term parking (not overnight) or small construction equipment, maintenance vehicles, or construction trucks is expected.
39. Correctional Institution: Government establishments generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.
40. Crop Production and Nurseries: This use includes establishments, such as farms, orchards, groves, greenhouses, and nurseries, primarily engaged in growing crops, plants, vines, or trees and their seeds. This use also includes soil preparation, planting, and cultivating and postharvest crop activities (except cotton ginning)
41. Cultural or Community Facility: Facilities designed to promote cultural advancement and serve the community such as live theater, dance, or music establishments; art galleries, studios and museums; non-profit civic or fraternal organizations; museums, exhibition, or similar facility; libraries; and community centers, such as the YMCA and YWCA.

42. Convenience Store: A retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a 'supermarket'). ~~It is designed to attract and depends upon a large volume of 'stop and go' traffic. The Building in which such an establishment is housed is generally smaller and typically designed for easy vehicular access with an emphasis on serving the customer as quickly as possible. Illustrative examples of convenience stores are those operated by the 'Fast Fare', '7-11', and 'Pantry' chains~~
43. Cryptocurrency Mining Facility*: A facility that exists for the purpose of operating computer equipment in order to mine or store crypto currencies or the data associated with mining or storing of crypto currencies. The individual use of personal computers for the mining of cryptocurrencies is not included in this definition. This definition does not limit the use of computer equipment for personal or commercial purposes of a permitted land use.
- *Moratorium in place until April 17, 2027.
44. ~~Customary Incidental Home Occupation. Any profession or occupation conducted entirely within a dwelling by a family member or occupant permanently residing on the premises. No merchandise shall be sold or displayed on the premises, and no mechanical equipment shall be installed which is not normally used for domestic or professional purposes. No more than 25% of the total floor space of the dwelling may be used for a home occupation, and only one home occupation shall be permitted in one dwelling unit. No exterior evidence of the presence of a home occupation shall be allowed other than a sign as permitted in this ordinance. Only members of the immediate family residing in the same dwelling unit and not more than one other employee may be employed in the operation of a home occupation. One off-street parking space shall be required in addition to the parking requirements for the dwelling unit.~~
45. Data Center Facility*: Facilities that exist for the sole purpose of storing, processing, or sharing data or applications. Such facilities may include computers, servers, routers, storage systems, firewall, and other similar components. These establishments may provide complete processing and preparation of reports from data, cloud services, automated data entry services, data storage, file sharing, virtual communication services, artificial intelligence, or make data processing resources available to clients on an hourly or timesharing basis. This definition does not include data centers that are necessary or incidental to the function of permitted land uses within the same property.
- *Moratorium in place until April 17, 2027.
46. District: A section of the Town of Clyde in which zoning regulations are uniform.
47. Drive Thru Commercial: A facility where products may be purchased by motorists without leaving their vehicles. Examples include fast-food restaurants, drive-through coffee, dairy products, photo stores, pharmacies, etc.

- 48.Drive Thru Service: A facility where services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, etc. This does not include Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.
- 49.Dry Cleaning and Laundry Services: Coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry-cleaning stores that do not provide cleaning services to other collection stations or stores.
- 50.Dwelling: A building that contains one or two dwelling units used, intended, or designed to be used, leased, let, or hired out to be occupied for living purposes.
- 51.Dwelling, Multi-Family: A building, or portion thereof, that is used or designed as a residence for two or more families living independently.
- 52.Dwelling, Single Family: A building arranged or designed to be occupied by one family.
- 53.Dwelling, Townhome: A multi-story, attached single family dwelling unit sharing at least one common wall with neighboring units, where the owner of a dwelling unit has ownership over their structure and land directly beneath it.
- 54.Dwelling, Two Family: A building, or portion thereof, that is used or designed as a residence for two families living independently.
- 55.Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- 56.Easement: A grant by a property owner of a strip of land for specified purposes and use by the public, a corporation, or persons.
- 57.Event Space: An establishment that is available to the general public for hosting weddings, receptions, conferences, parties, business meetings, banquets, social gatherings, or similar indoor or outdoor events.
- 58.Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage or adoption, no such family shall contain over five persons, but further provided that domestic servants employed or living on the premises may be housed on the premises without being counted as a family or families.
- 59.Family Care Home: A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident handicapped persons and is certified by the State of North Carolina.

- 60.Feed Lots: A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and either specifically designed as a confinement area in which animal waste may accumulate or where the concentration of animals is such that an established vegetative cover cannot be maintained. A building or lot is not a feedlot unless animals are confined for forty-five (45) or more days, which may or may not be consecutive in a 12-month period. Pastures shall not be considered feedlots for the purposes of this ordinance.
- 61.Fish Hatcheries: Fish hatcheries are used to cultivate and breed a large number of fish in an enclosed environment until they are ready to be eaten, released into the wild or sold to aquarium stores.
- 62.Flag Lot: A lot with access provided to the bulk of the lot by means of a narrow corridor having a minimum width of 20 feet and a maximum length of 200 feet.
- 63.Forestry and Logging: This use grows and harvests timber on a long production cycle (i.e., of 10 years or more). Long production cycles use different production processes than short production cycles, which require more horticultural interventions prior to harvest, resulting in processes more similar to the Crop Production and Nurseries use Christmas tree production and other production involving production cycles of less than 10 years, are also included in the Crop Production and Nurseries use.
- 64.Forestry Support Services: This industry comprises establishments primarily engaged in performing particular support activities related to timber production, wood technology, forestry economics and marketing, and forest protection. These establishments may provide support activities for forestry, such as estimating timber, forest firefighting, forest pest control, and consulting on wood attributes and reforestation.
- 65.Freight Hauling/Truck Terminals: Establishments in the truck and freight transportation category that provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. These establishments may handle a variety of commodities, involve local or long distance trucking, and require specialized equipment due to the size, weight, shape, or other inherent characteristics of the cargo.
- 66.Funeral Homes/Crematorium: Establishments for preparing the dead for burial, internment, or cremation and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise).
- 67.Gas/Fueling Station: Establishment that primarily retails automotive fuels. These establishments may further provide services such as automotive repair, automotive oils, and/or replacement parts and accessories. Gas stations include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. The sale of food and other items as well as car washes shall be incidental to the gas station.
- 68.General Commercial: A place of business providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase

and removal from the premises by the purchaser.

69. Golf Course/Country Club: A clearly defined area designed for playing golf, consisting of a course of at least 9 holes, each with a tee, fairway, and green. Accessory facilities and uses may include, but are not limited to, clubhouses (with or without food and beverage service), locker and shower facilities, event facilities (ballrooms, pavilions, conference rooms, etc.), lodging facilities, driving ranges, the retail sale of golf-related merchandise, maintenance buildings, and golf cart storage, rental, and sale facilities. This definition does not include miniature golf courses or stand-alone driving ranges.
70. Government Services: Includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.
71. Group Care Facility: An establishment qualified for a license by the State of North Carolina which provides resident services to individuals of whom one or more are unrelated. The individuals are handicapped, aged or disabled, are undergoing rehabilitation or extended care, and are provided services to meet their needs. This category includes group homes for all ages, half-way houses, and foster ~~and boarding~~ homes.
72. Handicapped Person: A person with a temporary or permanent physical, emotional, or mental disability including, but not limited to, intellectual disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments, but not including mentally ill persons who are dangerous to others as defined in G.S 122C-3(11)(b).
73. Home Occupation: Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is incidental and secondary to the use of the dwelling for residential purposes and does not change the character of the dwelling or the neighborhood. A home occupation is to include personal services provided by individuals requiring special knowledge or expertise in their profession.
74. Hospital: A health care facility and related facilities the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes.
75. Hotel/Motel/Inn: A building providing rooms for short-term lodging. Food, beverages, recreational services, conference rooms, laundry service, parking, and other services and amenities may be offered.
76. Human Crematory/ Human Crematorium: The building or buildings or portion of a building on a single site that houses the cremation equipment, the holding and processing facilities, the business office, and other parts of the crematory business. A crematory must comply with all applicable public health and environmental laws and

rules and must contain the equipment and meet all the standards established by the standards set by the North Carolina Board of Funeral Service and the North Carolina Cremation Authority.

- 77.Individual Sewer System: Any septic tank, ground absorption system, privy or other facility serving a single source or connection and approved by the county sanitarian.
- 78.Individual Water System: Any well, spring, or other source used to supply a single connection.
- 79.Inflatable Sign: Objects enlarged, inflated, or activated by wind, air, or compressed gas, used to display visually communicative images to public view. Inflatable signs are permitted only in the following districts, are considered temporary signs, and shall follow the regulations herein: R-2, C-2, I-1, O&I.
- 80.Landfill: A disposal facility for hazardous or nonhazardous solid waste. These establishments also manage recycling and resource recovery facilities that operate in conjunction with landfills.
- 81.Laundry, Dry cleaning Plant: A service establishment engaged primarily in high volume laundry and garment services, including carpet and upholstery cleaners; diaper services; dry-cleaning and garment pressing; commercial laundries; and linen supply. These facilities may include customer pick-up but do not include coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry cleaning stores that do not provide cleaning services to other collection stations or stores.
- 82.Lot: A parcel of lands occupied or capable of being occupied by a building or group of buildings devoted to common use, together with the customary accessories and open spaces belonging to the same. For the purposes of this ordinance, the word lot shall mean any number of contiguous lots or portions thereof, upon which one or more principal structures is to be erected for a single use.
- 83.Lot Depth: The average horizontal distance between front and rear lot lines as measured along the side lot lines.
- 84.Lot of Record: Any lot for which a plat has been recorded in the Register of Deeds Office of Haywood County, or described by metes and bounds, the description of which has been so recorded.
- 85.Lot Width: The distance between side lot lines measured at the front building line.
- 86.Manufactured Home: A factory assembled portable housing unit, or a portion thereof, built on a chassis and intended for use as a dwelling unit, and is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for one and two-family dwellings. A manufactured home is designed to be transported on its own chassis and has a measurement of 40 feet or more in length and

eight feet or more in width. A manufactured home shall be construed to remain a manufactured home whether or not wheels, axles, hitches, or other appurtenances of mobility are removed, regardless of the nature of the foundation provided. All vehicles that are designated mobile homes by the Uniform Standards Code for Mobile Homes Act shall be considered manufactured homes. A manufactured home shall not be construed to be a travel trailer or other form of recreational vehicle.

87. Manufactured Home Park: Any lot where two or more manufactured homes are parked for living and sleeping purposes, or any premises used or set apart for the purpose of supplying to the public parking space for two or more manufactured homes for living and sleeping purposes, and which include any buildings, structures, vehicles, or enclosures used or intended for use as part of such manufactured home park.

88. Manufacturing, Heavy. A non-residential use that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial or stormwater discharge or involves the use or storage of any hazardous materials or substances or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. Typically the largest facilities in a community, these structures house complex operations, some of which might be continuous (operated 24 hours a day, seven days a week).

89. Medical Outpatient Care: Facilities that provide ambulatory or outpatient health care such as emergency medical clinics; ambulatory surgical centers dialysis centers outpatient family planning services; community health centers and clinics; and blood and organ banks.

90. Metal Products Fabrication, Machine or Welding Shop: An establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these include:

- Blacksmith and welding shops
- Plating, stripping, and coating shops
- Sheet metal shops
- Machine shops and boiler shops

91. Micro-brewery: An establishment primarily engaged in the brewing ale, beer, malt liquors, and nonalcoholic beer that is licensed to do so in accordance with N.C.G.S. 18B-1104 and regulations of the Alcoholic Beverage Control Commission, with a capacity less than 15,000 barrels per year, and with 75 percent or more of its ale, beer, and malt liquors sold off-site.

92. Mini-Warehouses: A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.

93. Mobile Food Units: A vehicle mounted food service establishment to be readily moved.
94. Mobile Retail and Service Vendor Unit: A vehicle mounted retail and service vendor to be readily moved.
95. Modular Housing: A form of manufactured housing that meets the construction standards of the North Carolina Uniform Residential Building Codes for one and two-family dwellings regardless of how the unit or its components are transported to the site.
96. Modular Housing, On-Frame: A form of modular housing that is built on a permanent chassis with built-on axles and which is licensed and regulated by the North Carolina Department of Transportation.
97. Nightclub: An establishment dispensing alcoholic beverages and meals and in which music, dancing, or entertainment is conducted, but excluding adult entertainment.
98. Nonconforming Use: Any parcel of land, use of land, building or structure existing at the time of adoption of this ordinance, or any amendment thereto, that does not conform to the use or dimensional requirements of the district in which it is located.
99. Nursing Home: A nursing home is defined as an institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing nursing or convalescent care for three or more persons unrelated to the licensee. A nursing home is a home for chronic or convalescent who do not usually require special facilities, such an operating room, x-ray facilities, laboratory facilities, and obstetrical facilities. A nursing home provides care for persons who have remedial ailments or other ailments, for which medical and nursing care is indicated.
100. Outside Storage: The storage of any material for a period greater than forty-eight (48) hours, including items for sale, lease, processing and repair (excluding vehicles for sale) outside the principal or accessory buildings on a property.
101. Parking Lot/Structure—Principal use: A stand-alone parking lot or structure (deck/garage) that is available for public or private use, but that is not accessory to another use.
102. Parking Space: An area for parking a vehicle plus the necessary access space. Parking space(s) shall always be located outside the dedicated street right-of- way, shall be provided with vehicular access to a street or alley and shall be not less than nine feet wide and eighteen feet long.
103. Parks: ~~The term "park" shall include those areas developed either for passive or active recreational activities. The development may include, but shall not be limited to, walkways, benches, open fields, multi-use courts, swimming and wading pools, amphitheaters, etc. The term "park" shall not include zoos, travel trailer parks, amusement parks, or vehicle, equestrian or dog racing facilities. Any public or private~~

land managed primarily as vegetated open space for passive recreation, aesthetic, or educational use. This use may include walking and hiking trails, fishing, canoeing, greenways, and small playgrounds for children, which are not to be used as athletic playing fields, ballfields, tennis courts, or for similar uses.

104. Pawnshops: Premises operated by a pawnbroker who is engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders.
105. Personal Services - Means a use that provides a personal service that is nonmedical as a primary use and may include accessory retail sales of products related to the services. A personal service is provided for gain and the sale of retail goods, wares, merchandise, articles or things is typically an accessory to the provisions of such services, such as barber shops, beauty shops, florists, dry-cleaning, and other similar establishments.
106. Planned Unit Development: In this ordinance, a planned unit development means a development where more than one principal building is proposed to be constructed on a single tract, or any multi-family residential complex containing nine or more dwelling units, or any building with a gross floor area of 25,000 square feet or more.
107. Post Office: Establishments conducting operations of the United States Postal Service including permanent, contract, and lease stations.
108. Produce Stands in Conjunction with Crop Production: A temporary open air stand or place for the seasonal selling of agricultural produce, located on the same development parcel upon which the produce is grown.
109. Professional Services: Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services; and, medical services such as physician's and dentist's offices
110. Public Property: Property that is dedicated to public use and owned by the Government or one of its agencies.
111. Public Transportation Facilities: Terminals, stations or major passenger transportation facilities for community or regional public transportation such as bus or rail.
112. Pushcart: A mobile piece of equipment or vehicle which serves hot dogs or foods which have been prepared, pre-portioned, and individually pre-wrapped at a restaurant or commissary.

113. Private Road: A road not intended for public use or public dedication which serves a limited number of lots, and therefore, is typically not built to N.C. DOT standards. Private Roads conform to the standards outlined in Section 801 and/or 802 of the Subdivision Standards.
114. ~~Public Building: Public buildings are structures principally of an institutional nature and serving a public need such as park buildings, schools, libraries, museums, U.S. Post Offices, public utility offices, and transportation stations; does not include the operation of any commercial enterprise. Public buildings include maintenance structures and/or facilities related to the public institution granted that all service and maintenance areas are housed by a covered structure and are fenced and buffered by vegetation and/or walls from public view.~~
115. Public Land: Public land principally of an institutional nature and serving a public need such as parks, school yards, museums, or other services. Public land may contain structures or buildings.
116. ~~Public Utility Building/Facility: Any structure or facility providing a service offered by a government or public utility, including, without limitation to fire stations, emergency medical service centers, telephone and repeater stations, pumping stations and substations, and/or water towers, but not including telecommunication towers, antennas, and other telecommunication devices.~~
117. Radio and Television Broadcasting Facilities (Except Towers): Satellite dishes and other similar facilities greater than 12 feet in height or diameter for the broadcast of signals.
118. Recreational Facilities, Indoor: Uses or structures for active recreation including gymnasiums, indoor swimming pools, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations.
119. Recreational Facilities, Outdoor: Open space used for active recreation such as ball fields, batting cages, skateboard parks, driving ranges, tennis courts, multi-use courts, dog parks, outdoor pools, amphitheaters, and their customary accessory uses including, but not limited to, maintenance sheds, food concessions, restrooms, and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.
120. Recreational Vehicle (RV): A motorized or towable vehicle that combines transportation and temporary living accommodations for travel, recreation and/or camping.
121. Recreational Vehicle Park: Any site of land designated specifically for two or more recreational vehicles, campers, and/or travel trailers with individual parking spaces and hook ups as temporary living or sleeping quarters for less than 180 days out of a

365-day year.

122. Recycling Collection Stations: A center for the acceptance of donation, redemption, or purchase, of recyclable materials from the problem.
123. Religious Institution: Any facility such as a church, temple, monastery, synagogue, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as cemeteries, mausoleums, offices, soup kitchens, and bookstores.
124. Restaurant: A retail business selling ready-to-eat food and/or beverages for on or off-premises consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars).
125. Restaurant with Drive Thru: See “Restaurant” and “Drive Thru Commercial.”
126. Retail Business: Establishments selling commodities directly to the consumer.
127. Riding Stables: An establishment where horses are boarded and cared for, and where instruction in riding, jumping and showing and/or the hiring of horses for riding is offered.
128. RV: A recreational vehicle is a motorized or towable vehicle that combines transportation and temporary living accommodations for travel, recreation and/or camping.
129. Schools - Elementary and Secondary: A public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. This institution includes any school licensed by the state and that meets the state requirements for elementary and secondary education.
130. Schools—Vocational/Technical: A public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.
131. Solar Panel Array: A connected group of multiple photovoltaic solar panels that work together as a single system to capture sunlight and convert it into direct current.

Roof-Mounted Solar System: Photovoltaic panels installed directly to the roof of a residential or commercial building. Zoning Compliance is not required provided the system does not exceed the height allowance

of the Zoning Ordinance.

132. Special Event: A planned, outdoor event which involves the gathering of a group of persons for a common purpose, design or goal, including, but not limited to, outdoor activities conducted on private or public property or public rights-of-way, sporting events not associated with an educational facility or municipal government, public meetings or assemblies, outdoor organized entertainment or festivals, organized celebrations, or parades, and the playing of music by musicians (musical events, where tickets are sold).
133. Special Use: A use which is permitted in specified zoning districts only after review by the Board of Zoning Adjustment and found to meet specific conditions and procedures as set forth in this ordinance to maintain the safety and general welfare and orderly development of the community.
134. Storage - Outdoor Storage Yard: The storage of various materials outside of a structure, as a principal use.
135. Storage - Warehouse, Indoor Storage: Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.
136. Storage Unit: A commercial accessory building, subordinate to a principal building, used for the purpose of storing materials, equipment, and other supplies associated with a principal commercial building or use.
137. Street (Road): A right-of-way for vehicular traffic which affords the principal means of access to abutting properties.
138. Street Line: The public right-of-way line for a street.
139. Structure: Anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land.
140. Studio - Art, dance, martial arts, music: Small facilities, typically accommodating one group of students at a time, in no more than one instructional space. These establishments may include individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.
141. Swine Farms: A tract of land devoted to raising two hundred and fifty (250) or more

animals of the porcine species.

142. Temporary Structure: Any structure of an impermanent nature or one that is designed for use for a limited time, including any tent or canopy. Temporary Structures are to be used for up to 6 (six) months. Exceptions for emergencies will be looked at on an individual basis.
143. Theater, Indoor: A specialized theater for showing movies or motion pictures on a projection screen or a stage for live performances. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance.
144. Travel Trailer: Any vehicle, self-propelled or otherwise, which is designed for transient, nonpermanent living.
145. Underpinned: To cover the outside area between the ground and the floor of the mobile home with a skirting which is constructed of a substantial material. The term “substantial material” shall mean material of a rigid or semi-rigid nature.
146. Use. Any activity, occupation, business, or operation carried on or intended to be carried on, in a building or structure or on a tract of land.
147. Utilities: Publicly or privately owned facilities or systems for the distribution of gas, electricity, steam, or water, the collection, treatment and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services. Radio transmission facilities less than 180 feet in height for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities. Utilities are divided into 3 classes:
- Class 1 Transmission and collection lines (above and below ground) including electrical, natural, gas, wastewater collection, and water distribution lines; pumping stations, lift stations, and telephone switching facilities (up to 200 sq. ft).
- Class 2 Elevated water storage tanks, package treatment plants, telephone switching facilities (over 200 sq. ft.), substations, utility scale solar systems or other similar facilities in connection with telephone, electric, steam, and water facilities.
- Class 3 Generation, production, or treatment facilities such as power plants, water and sewage plants, and landfills.
148. Variance: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to special conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

149. Vehicle and Heavy Equipment Sales/Rental: Establishments which may have showrooms or open lots for selling, renting or leasing vehicles or heavy equipment and base operations for taxis, limousines, and courier services. Such vehicles may include automobiles and light trucks, bus, commercial truck, mobile homes, motorcycle, ATV, or boat and marine craft dealers.
150. Vehicle Services—Major Repair/Body Work: The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, large appliances, commercial and industrial equipment and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes major repair and body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.
151. Vehicle Services—Minor Maintenance/Repair/Wash: The repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Minor facilities providing limited repair and maintenance services. Examples include car washes, attended and self-service; car stereo and alarm system installers; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).
152. Wholesale Business: The sale of goods in large quantities usually for resale.
153. Wholesaling and Distribution: Establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. This does not include selling to the public. Examples of these establishments include:
- Agents, merchandise or commodity brokers, and commission merchants;
 - Assemblers, buyers and associations engaged in the cooperative marketing of farm products;
 - Merchant wholesalers;
 - Stores primarily selling electrical plumbing, heating, and air conditioning supplies and equipment.
154. Wireless Communications Facility, Macro: An attached wireless communication facility which consists of antennas equal or less than sixteen (16) feet in height or a parabolic antenna up to one (1) meter (39.37 inches) in diameter and with an area not more than one hundred (100) square feet as viewed from any one point.
155. Wireless Communications Facility, Micro: An attached wireless communication facility which consists of antennas equal to or less than six (6) feet in height and with

an area of not more than five hundred eighty (580) square inches (e.g. one (1) foot diameter parabola or two (2) feet x one and one-half (1.5) feet panel) as viewed from any one point. A micro facility is also known as a microcell.

156. Wireless Communications Facility, Mini: An attached wireless communication facility which consists of antennas equal to or less than ten (10) feet in height or a parabolic antenna up to one (1) meter (39.37) inches in diameter and with an area not more than fifty (50) square feet as viewed from any one point.
157. Wireless Communications Tower: A freestanding wireless communication support structure erected to support wireless communication antennas and connecting appurtenances. This term shall not include any antenna that is under thirty-five (35) feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.
158. Yard: A space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.
159. Yard, Front: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot, and situated between the street right-of-way line and the front line of the building, projected to the side lot lines of the lot.
160. Yard, Rear: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.
161. Yard, Side: An open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line and extending from the rear line of the front yard to the front line of the rear yard.
162. Zoning Administrator: An official or designated person of the Town of Clyde charged with enforcing and administering the zoning ordinance.

That Article VI USE AND DIMENSIONAL REQUIREMENTS BY DISTRICT, Section 601-602, be amended to remove additional standards. These standards will be moved, with amendments, to the new Section 704. Additional Use Standards in Residential Districts, under Article VII SPECIAL REQUIREMENTS FOR CERTAIN USES.

B. Section 601. R-1 Medium Density Residential District.

1. Intent. The R-1 Medium Density Residential District is established as a district in which the principal use of land is for medium-density single- and two-family dwellings. This district is further intended to protect existing family neighborhoods in Clyde from incompatible land uses. It is also the intent of this district to allow for certain types of non-residential community facilities that would not be detrimental to the residential character of the district.

2. Permitted Uses. See Table of Permitted Uses

3. ~~Additional standards:~~

~~a. Mobile Food Units and Push Carts (In accordance with the special requirements for such uses in Article VII)~~

~~b. Customary accessory buildings, including private garages, non-commercial workshops, and greenhouses. Such buildings shall be located in the rear yard, shall be no closer than five feet from any property line, and shall be no more than 600 square feet in size if located less than 15 feet from the property line.~~

4. The following standards apply to accessory dwelling units:

~~a. An accessory dwelling unit shall be located only on a residential lot containing one single-family detached structure. The residential lot may contain other accessory structures as provided in this ordinance.~~

~~b. Only one accessory dwelling unit shall be permitted per single-family detached dwelling.~~

~~c. Accessory dwelling units shall not be considered as additional dwelling units for the purpose of determining minimum lot size or maximum density.~~

~~d. Accessory dwelling units may occupy conforming existing accessory structures or lawfully created non-conforming primary residential structures. The maximum size of the accessory dwelling unit shall be~~

~~determined based on the following:~~

~~• A detached accessory dwelling unit:~~

~~• Area May not exceed the lesser of:~~

~~• 70% percent of the gross floor area of the primary dwelling unit, or~~

~~• 800 square feet.~~

~~• Height The height of a detached accessory dwelling unit may not exceed 25 feet.~~

~~e. An attached accessory dwelling unit (located within the same structure as the primary dwelling unit with shared foundation, exterior walls and roof):~~

~~• Area May not exceed the lesser of:~~

~~• 70% percent of the gross floor area of the primary dwelling unit, or~~

~~• 1,000 square feet.~~

~~• Height The height of an attached accessory dwelling unit will be governed by the height requirements for the residential structure.~~

~~f. Parking for the primary dwelling unit must be maintained or replaced on site. Parking for the accessory dwelling unit shall be provided at a rate of one parking space per accessory dwelling unit if off-street parking is required for the primary residential unit. This parking space(s) shall be located to the side or rear of the primary residential unit, outside of the front setback area.~~

~~g. A detached accessory dwelling shall be sited to the rear of the principal building. If the lot exceeds two (2) acres in size the accessory dwelling may be sited to the side of the principal building.~~

~~h. Manufactured housing, campers, travel trailers and recreational vehicles are not permitted for use as an accessory dwelling unit.~~

C. Section 602. R-1A Medium Density Residential District (Restricted)

5. Intent. The R-1A district is established in which the principal use of land is for medium density one and two-family dwelling units. The R-1A zone is established in order to protect the present residential development, promote a suitable environment for family

life, and discourage any use that would create excessive requirements and costs for public services in excess of that of the surrounding area.

6. Permitted Uses. See Table of Permitted Uses.

7. ~~Additional Standards:~~

- ~~a. Home occupations provided the operation is conducted within the dwelling and by not more than one person other than the persons who reside therein.~~
- ~~b. Customary accessory buildings, including private garages and non-commercial greenhouses and workshops, such buildings shall be located in the rear yard, shall be no closer than five feet from any property line, and shall be no more than 600 square feet in size if located less than 15 feet from the property line.~~
- ~~c. Elementary and high schools are to be enclosed by a woven wire fence at least four feet in height.~~
- ~~d. Mobile Food Units and Push Carts (In accordance with the special requirements for such uses in Article VII)~~
- ~~e. Nursery schools and kindergartens provided there are at least 150 square feet of outdoor play area for each child and the play area is enclosed by a woven wire fence at least four (4) feet in height.~~
- ~~f. Public and semi-public parks and playgrounds.~~

That Article VII SPECIAL REQUIREMENTS FOR CERTAIN USES, Section 702. Recreational Vehicles or Travel Trailers as Temporary Dwellings, be amended to include special consideration for properties affected by natural disasters.

B. Section 702. Recreational Vehicles or Travel Trailers as Temporary Dwellings

1. For the purposes of this ordinance, a recreational vehicle shall not be deemed a dwelling unit and the usage of a recreational vehicle for living, sleeping, or housekeeping purposes and the connection of such vehicle to utility services (other than for periodic maintenance and/or repair purposes) shall be prohibited, unless as outlined as follows;

2. A recreational vehicle or travel trailer may be permitted as a temporary dwelling only in situations in which all of the following conditions are met:
 - a. The recreational vehicle or travel trailer being used as a dwelling is located on a parcel where the primary principal residence is under repair requiring renovations that makes the primary principal residence uninhabitable, and the recreational vehicle is occupied by the owner of the primary principal residence.
 - b. The recreational vehicle or travel trailer is fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions).
 - c. The recreational vehicle complies with all Haywood County Environmental Health regulations pertaining to sewage disposal.
 - d. The recreational vehicle or travel trailer being used as a dwelling shall comply with all setback requirements for permanent structures for the zoning district where it is located.
3. If all of the above conditions are met, the zoning administrator may issue a temporary permit authorizing use of the recreational vehicle as a dwelling for up to 180 days. The zoning administrator may renew the permit at the end of 180 days for another 90 days if a good faith effort is under way to complete construction or renovation of the primary principal residence in a timely manner.
4. For properties located within a disaster area with specifically defined boundaries and under specific conditions as determined by a federal Disaster Declaration where public individual assistance is made available, or as determined by the Town Administrator, a temporary permit, free of charge, may be issued, provided all other conditions are met, by the Zoning Administrator/Town Planner as follows:
 - a. The recreational vehicle or travel trailer shall not be set up for more than 12 months from the date of the declaration or determination, except as authorized by the Town Administrator.
 - b. The recreational vehicle or travel trailer shall not be used as a dwelling upon completion of the repair, rehabilitation, or reconstruction which may include, but not be limited to, issuance of a Certificate of Occupancy, Certificate of Completion, or final inspection if this occurs prior to the 12-month expiration or Town Administrator's authorization term.

That Article VII SPECIAL REQUIREMENTS FOR CERTAIN USES, Section 703. Special Events, be added to allow for special events.

C. Section 703. Special Events

1. The Town may issue temporary permits for Special Events, which include parades, demonstrations, and other temporary outdoor events, in order to ensure public health, safety and welfare by keeping local officials informed of activities that may impact the larger community or require assistance from any of the Town's departments.
2. Special Events on Town property and on any street or right-of-way, not related to a Town initiated or supported event, must be approved by the Board of Aldermen.
3. This Section shall not apply to:
 - a. Funeral processions;
 - b. Any governmental agency acting within the scope of its functions;
 - c. Special Events which will not require traffic control, obstruct a street and/or Town facility, require fire inspections or other actions by Town or County staff or departments. The Zoning Administrator/Town Planner shall require proof in writing that this event is exempt from Special Event requirements; or
 - d. Students going to and from school classes or participating in educational activities, provided such activities are authorized by appropriate school authorities and are under the immediate direction and supervision of school authorities authorized to approve and supervise such special event activities.
4. Hours of operation for Special Events are limited to 6 a.m until 11 p.m. on both private and public property, including setup and breakdown time.
5. All signage used to advertise the Special Event must comply with this Ordinance.
6. All Mobile Food Units, Push Carts, and Mobile Retail and Service Vendor Units must comply with Section 701.
7. Permit fees are based on the Town of Clyde's adopted fee schedule. Permit types include:
 - a. One-day permits (permit requested for a one-day use within a one-year

time period of July 1st – June 30th).

- b. Multiple-day permits. A multiple-day permit cannot exceed more than seven (7) consecutive days, including vendor set-up and breakdown. Multiple events conducted on the same property for a total of 180-days or more within a one-year time period of July 1st – June 30th shall be considered a permanent use and may require a Special Use Permit and/or a Zoning Compliance Permit as an Event Space (See Table of Permitted Uses).

8. Permit applications shall require the following information:

- Description of Special Event.
- Date and time of the Special Event.
- Admission or event fees.
- If generators, electrical hookups, and/or water access are required.
- Site plans with the location of booths, tents, and structures, any street closures, traffic circulation, parking, number of vendors, location of medical/emergency booths and tents, areas where alcohol will be served, and restroom facilities.
- Written documentation indicating anticipated traffic generation, number of visitors, type of entertainment, and if food or alcohol will be offered.
- Date of fire inspections.
- Number of staff and police or security personnel on-site to ensure public safety and to direct traffic and visitors.
- Any required local, state, and federal government documentation.
- Special Events on Town property and on any street or right-of-way, not related to a Town initiated or supported event, may require proof of liability insurance.
- The Zoning Administrator/Town Planner or Town Administrator may request additional documentation to ensure the public health, safety and welfare of the Special Event participants and visitors.

That Article VII SPECIAL REQUIREMENTS FOR CERTAIN USES, Section 704. Additional Use Standards in Residential Districts, be added to clarify additional standards and uses in residential districts.

D. Section 704. Additional Use Standards in Residential Districts

1. Accessory uses permitted in residential zoning districts, as outlined in the Table of Permitted Uses, shall meet the following standards:
 - a. Customary Accessory Buildings. These buildings include private garages, carports, non-commercial workshops and greenhouses. A customary accessory building may be permitted on the property and shall be located in the rear yard, with the exception of a carport which may be located to the side of the principal dwelling unit and shall meet the minimum side yard setback requirements for the District. Customary Accessory Buildings shall be no closer than five feet from any property line and shall be no more than 600 square feet in size.
 - The following customary accessory buildings shall not be in front of the principal dwelling unit and shall meet all minimum yard setback requirements for the zoning district:
 - Additional customary accessory buildings.
 - Buildings located to the side(s) of the principal dwelling unit.
 - Buildings up to 800 square feet in size.
 - b. Accessory Dwelling Units (ADUs). Such buildings shall meet the following standards:
 - An accessory dwelling unit shall be located only on a residential lot containing one single-family detached structure. The residential lot may contain other accessory structures as provided in this ordinance.
 - Only one accessory dwelling unit shall be permitted per single-family detached dwelling.
 - Accessory dwelling units shall not be considered as additional dwelling units for the purpose of determining

minimum lot size or maximum density.

- Accessory dwelling units may occupy conforming existing accessory structures or lawfully created non-conforming principal residential structures. The maximum size of the accessory dwelling unit shall be determined based on the following:
 - A detached accessory dwelling unit:
 - Area—May not exceed the lesser of: 70% percent of the gross floor area of the principal dwelling unit, or 800 square feet.
 - Height—The height of a detached accessory dwelling unit may not exceed 25 feet.
 - An attached accessory dwelling unit (located within the same structure as the principal dwelling unit with shared foundation, exterior walls and roof):
 - Area—May not exceed the lesser of: 70% percent of the gross floor area of the principal dwelling unit, or 1,000 square feet.
 - Height—The height of an attached accessory dwelling unit will be governed by the height requirements for the residential structure.
- Parking for the principal dwelling unit must be maintained or replaced on site. Parking for the accessory dwelling unit shall be provided at a rate of one parking space per accessory dwelling unit if off-street parking is required for the principal residential unit.
- A detached accessory dwelling shall be sited to the rear of the principal building. If the lot exceeds two (2) acres in size the accessory dwelling may be sited to the side of the principal building.
- A manufactured home may be permitted as an accessory dwelling unit, provided the principal dwelling unit does not

fall under the definition for a manufactured home. Campers, travel trailers and recreational vehicles are not permitted for use as an accessory dwelling unit.

- c. Home Occupations. The operation of this use is conducted within the principal dwelling unit and shall meet the following requirements:
- No merchandise shall be sold or displayed on the premises, and no mechanical equipment shall be installed which is not normally used for domestic or professional purposes.
 - No more than 25% of the total floor space of the dwelling may be used for a home occupation, and only one home occupation shall be permitted in one dwelling unit.
 - No exterior evidence of the presence of a home occupation shall be allowed other than a sign as permitted in this Ordinance.
 - Only members of the immediate family residing in the same dwelling unit and not more than one other employee may be employed in the operation of a home occupation.
 - One off-street parking space shall be required in addition to the parking requirements for the dwelling unit.

2. Schools permitted in residential zoning districts, as outlined in the Table of Permitted Uses, shall meet the following standards:

- a. Nursery schools and kindergartens must provide at least 150 square feet of outdoor play area for each child and the play area shall be enclosed by a woven wire fence at least four (4) feet in height.
- b. Elementary, middle, and high schools are to be enclosed by a woven wire fence at least four (4) feet in height.

That Article XVI GENERAL PROVISIONS, Section 1608. Corner Lots, be amended for clarity.

I. Section 1608. Corner Lots.

- 1. ~~On corner lots, the side yard on that side of the lot abutting the side street shall not be less than one-half (1/2) the required front yard setback. Accessory buildings on the~~

~~side of the lot abutting the side street shall not be closer to the line abutting on that side street than fifteen (15) feet. Any Structure on any corner Lot abutting two Streets shall comply with the minimum Front Yard setback requirement for the lot frontage abutting the Street which the front of the Structure faces. Such Structure shall comply with fifty percent (50%) of the minimum Front Yard setback requirement for the lot frontage abutting the other Street. The Yard opposite the Yard for which the minimum front yard setback requirement is applicable shall meet the minimum Rear Yard setback requirement, and the remaining Yard shall meet the minimum Side Yard setback requirement. In case of doubt as to which Street the front of a Structure faces, or if a Structure is built so as not to face any Street, the Town Planner/Zoning Administrator shall determine the sides of the Structure for which the minimum Front Yard, minimum Rear Yard and minimum Side Yard setback requirements apply.~~

That Article XXI, Appendix B, A. Table of Permitted Uses be amended to add Special Event and Recreational Facilities, Outdoor, and to update and clarify uses in the table.

XXI. Appendix B

A. Table of Permitted Uses

P= Permitted

PA= Permitted Accessory Use

SUP = Special Use Permit

 = Not Permitted

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Use Types							
RESIDENTIAL							
<u>Accessory Building, Customary</u>	<u>PA (With Requirements)</u>	<u>PA (With Requirements)</u>	<u>PA (With Requirements)</u>				
Dwelling - Single Family	P	P	P	P (With Requirements)	P (With Requirements)		
Dwelling- Two Family	P	P	P	P (With Requirements)	P (With Requirements)		
Dwelling- Townhome			P	P	P		

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Dwelling- Multi-Family			P	P (With Requirements)	P (With Requirements)		
Dwelling Unit - Accessory	PA (With Requirements)	PA (With Requirements)	PA (With Requirements)				
Dwelling - Temporary RV Use	P (With Requirements)	P (With Requirements)	P (With Requirements)				
Family care home (6 or fewer residents)	P	P	P				
Group Care Facilities	P		P	P			P
Home Occupation	PA (With Requirements)	PA (With Requirements)	PA (With Requirements)				
Manufactured Home Park			SUP				
Manufactured Housing	P		P				
Group Care Facilities	P		P	P			P
Customary Accessory Building	P	P	P				
Planned Unit Development (PUD)			SUP	SUP	SUP		

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Use Types							
LODGING							
Bed and Breakfast Homes	SUP		SUP				
Boarding House			SUP				
<u>Campground</u>							
Hotel/Motel/Inn				P	P		
<u>Campgrounds</u>							
Recreational Vehicle Park							
OFFICE/SERVICE							
Animal Services				P	P		P
ATM				P	P		P
Banks, Credit Unions, Financial Services				P	P		P
Business Support Services				P	P		P
Child/Adult Day Care Home (8 or less persons)	P	P	P	P	P		
Child/Adult Day Care Center (More than 8 persons)	P	P	P	P	P		P
Civic/Social/Fraternal Organization				P	P		P
Construction & Maintenance Services				P	P		P

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Use Types							
Drive thru Service				P	P		
Dry Cleaning and Laundry Services				P	P		
Funeral Homes/Crematoriums				P	P		
Government Services				P	P		P
OFFICE/SERVICE							
Medical Outpatient Care				P	P		P
Personal Services				P	P		P
Police/Fire Station	P		P	P	P		P
Post Office				P	P		P
Professional Services				P	P		P
Studio - Art, dance, martial arts, music				P	P		P
COMMERCIAL							
Adult Establishment					P (See Title X Chapter 114 Town Code)		
Alcoholic Beverage Sales Store				P	P		
Auto Parts Sales				P	P		
Micro-Brewery				P	P		

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Use Types							
Cryptocurrency Mining*							
Data Center Facility*							
Drive-Thru Commercial					P		
Event Space	SUP		SUP	P	P		P
Gas/Fueling Station					P		
General Commercial-Less than 100,000 sf				P	P		
General Commercial-Greater than 100,000 sf					P		
Micro-Brewery				P	P		
Mobile Food Carts Units and Push Carts	P (with Requirements)			P (with Requirements)	P (with Requirements)		P (with Requirements)
Mobile Retail and Service Vendor Unit				P (with Requirements)	P (with Requirements)		P (with Requirements)
COMMERCIAL							
Outside Storage					PA		
Pawnshops					P		
*Moratorium until April 17, 2027							

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Use Types							
Restaurant				P	P		
Restaurant with Drive-Thru					P		
Storage Units				PA	PA		
Vehicle & Heavy Equipment Sales/Rental					P		
Vehicle Services-Minor Maintenance/Repair/Wash					P		
Vehicle Services-Major Repair/Body Work					P		
ENTERTAINMENT/ RECREATION							
Amusement Center, Indoor				P	P		
Cultural or Community Facility	P			P	P		P
Golf Course/Country Club	P		P				
Parks & Playgrounds	P		P				P
Recreation Facilities, Indoor				SUP			
<u>Recreation Facilities, Outdoor</u>	SUP		SUP				SUP

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Type Use							
ENTERTAINMENT/ RECREATIONAL							
Riding Stables	P						
<u>Special Event</u>	<u>P (With Requirements)</u>	<u>P (With Requirements)</u>	<u>P (With Requirements)</u>	<u>P (With Requirements)</u>	<u>P (With Requirements)</u>		<u>P (With Requirements)</u>
Theaters, Indoor				P	P		
CIVIC/ INSTITUTIONAL							
Cemetery	P		P				P
College/University				P	P		P
Correctional Institution							P
Hospital							P
Nursing Homes	P		P				P
Religious Institution	P	P	P		P		P
Schools - Elementary & Secondary	P	P	P				P
Schools - Vocational/Technical	P	P	P				P

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Type Use							
MANUFACTURING/ WHOLESALE/ STORAGE							
Freight Hauling/Truck Terminals						P	
Landfill						SUP	
Laundry, Dry Cleaning Plant						P	
Manufacturing, Heavy						P	
MANUFACTURING/ WHOLESALE/ STORAGE							
Metal Products Fabrication, Machine or Welding Shop				SUP	SUP	P	
Mini-Warehouses					<u>P</u>	P	
Recycling Collection Stations				P	P	P	
Storage - Outdoor Storage Yard						P	

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Type Use							
Storage - Warehouse, Indoor Storage						P	
Wholesaling and Distribution						P	
AGRICULTURAL							
Animal Production	P						
Crop Production & Nurseries	P						
Feed Lots							
Fish Hatcheries							
Forestry & Logging	P						
Forestry Support Services	P						
Produce Stands in Conjunction with Crop Production	P			P	P		
Swine Farms							

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Type Use							
INFRASTRUCTURE							
Wireless Communications Facility, Micro	P (With Requirements)			P (With Requirements)	P (With Requirements)	P (With Requirements)	
Wireless Communications Facility, Mini	P (With Requirements)			P (With Requirements)	P (With Requirements)	P (With Requirements)	
Wireless Communications Facility, Macro	P (With Requirements)					P (With Requirements)	
Monopole Wireless Communications Tower	P (With Requirements)					P (With Requirements)	
Parking Lot/ Structure-Principal Use			P	P	P	P	P
Public Transportation Facilities				P	P		P
Radio and Television Broadcasting Facilities	P	P					P
Wireless Communications Facility, Micro	P (With Requirements)			P (With Requirements)	P (With Requirements)	P (With Requirements)	
Wireless Communications Facility, Mini	P (With Requirements)			P (With Requirements)	P (With Requirements)	P (With Requirements)	
Wireless Communications Facility, Macro	P (With Requirements)					P (With Requirements)	
Wireless Communications Tower	P (With Requirements)					P (With Requirements)	

Town of Clyde	R1 Medium Density Residential District	R1A Medium Density Residential District (Restricted)	R2 High Density Residential District	C1 Central Business District	C2 General Business District	I Industrial District	O&I Office & Institutional District
Type Use							
INFRASTRUCTURE							
Solar Panel Array	<u>P SUP</u>	<u>P SUP</u>	<u>P SUP</u>	<u>P SUP</u>	<u>P SUP</u>	<u>P SUP</u>	<u>P SUP</u>
Utilities - Class 1	SUP		SUP				
Utilities - Class 2	SUP		SUP				
Utilities - Class 3	SUP		SUP				

That Article
Adopted this --th day of -----, 2026.

TOWN OF CLYDE

By: _____
Mayor

Attest: _____
Town Administrator

WRITTEN RECOMMENDATION OF THE TOWN OF CLYDE PLANNING BOARD
TO

THE TOWN OF CLYDE BOARD OF ALDERMEN

AS TO CLYDE ZONING CASE #ZTA-2026-02

(Section 401. Definitions; Section 601 – 602; Section 702. Recreational Vehicles or Travel Trailers as Temporary Dwellings; Section 703. Special Events; Section 704. Additional Use Standards in Residential Districts, and Article XXI, Appendix B, A. Table of Permitted Uses)

Having reviewed the Zoning Text Amendment Request to amend the Zoning Ordinance of the Town of Clyde in Town of Clyde Case #ZTA-2026-02 (the "proposed text amendment") and accompanying documents, and having considered information from the planning staff of the Town of Clyde and comments from the applicant and other persons, pursuant to Section 160D-604 of the North Carolina General Statutes and the Town of Clyde Zoning Ordinance, the Town of Clyde Planning Board, at its regularly scheduled meeting on May 5, 2026:

A. Hereby adopts one of the following motions (as marked), effective May 5, 2026:

(A) ☒ RESOLVED, that the Town of Clyde Planning Board recommends approval of the proposed text amendment. The proposed text amendment is reasonable considering the potential benefits to the development of the Town of Clyde; and the proposed text amendment advances the public health, safety or welfare of the Town of Clyde.

(B) ☐ RESOLVED, that the Town of Clyde Planning Board recommends disapproval of the proposed text amendment.

This foregoing motion (as marked) was adopted by a vote of 5 (for) to 0 (against).

Town of Clyde Planning Board

Signature: Katherine Ramey

Name: Katherine Ramey

Title: Chair

WRITTEN CONSISTENCY STATEMENT OF THE TOWN OF CLYDE PLANNING
BOARD

TO

THE TOWN OF CLYDE BOARD OF ALDERMEN
AS TO CLYDE ZONING CASE #ZTA-2026-02

(Section 401. Definitions; Section 601 – 602; Section 702. Recreational Vehicles or Travel Trailers as Temporary Dwellings; Section 703. Special Events; Section 704. Additional Use Standards in Residential Districts, and Article XXI, Appendix B, A. Table of Permitted Uses)

Having reviewed the Zoning Text Amendment Request to amend the Zoning Ordinance of the Town of Clyde in Town of Clyde Case #ZTA-2026-02 (the “proposed text amendment”) and accompanying documents, and having considered information from the planning staff of the Town of Clyde and public comments, pursuant to Section 160D-604 of the North Carolina General Statutes and the Town of Clyde Zoning Ordinance, the Town of Clyde Planning Board, at its scheduled meeting on May 5, 2026:

A. Hereby adopts one of the following motions (as marked), effective May 5, 2026:

(A) ☒ RESOLVED, that the Town of Clyde Planning Board hereby advises and comments to the Town of Clyde Board of Aldermen that the proposed text amendment is consistent with the Town of Clyde comprehensive plan, including the Land Use Plan, and other applicable plans and policies adopted by the Town of Clyde.

(B) ☐ RESOLVED, that the Town of Clyde Planning Board hereby advises and comments to the Board of Commissioners that the proposed text amendment is not consistent with the Town of Clyde comprehensive plan, including the Land Use Plan, and other applicable plans, policies, and documents adopted by the Town of Clyde.

Town of Clyde Planning Board

Signature: _____

Name: _____

Title: _____

Katherine Ramey
Chair