

CHAPTER 1:

PURPOSE AND APPLICABILITY

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CHAPTER 1: PURPOSE AND APPLICABILITY

Section 1.1 Title

This ordinance shall be known and may be cited as the *Unified Development Ordinance of Granite Quarry, North Carolina* and shall be known as the *Unified Development Ordinance (UDO)*. The official map designating the various zoning districts shall be titled, *Town of Granite Quarry Zoning Map*, and shall be known as the *Zoning Map*.

Section 1.2 Authority

The Board of Aldermen of the Town of Granite Quarry, in pursuance of the authority granted by NCGS 160A-381 & 160A-371 and the authority vested in the Town of Granite Quarry by its charter, does hereby ordain and enact into law this Ordinance.

For the purpose of promoting health, safety, morals, or the general welfare of the community, any city may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance. A zoning ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land.

A city may by ordinance regulate the subdivision of land within its territorial jurisdiction. In addition to final plat approval, the ordinance may include provisions for review and approval of sketch plans and preliminary plats. The ordinance may provide for different review procedures for differing classes of subdivisions. The ordinance may be adopted as part of a unified development ordinance or as a separate subdivision ordinance. Decisions on approval or denial of preliminary or final plats may be made only on the basis of standards explicitly set forth in the subdivision or unified development ordinance. Whenever the ordinance includes criteria for decision that require application of judgment, those criteria must provide adequate guiding standards for the entity charged with plat approval.

Section 1.3 Applicability

1.3.1 Jurisdiction

The provisions of this ordinance shall apply within the corporate limits of the Town of Granite Quarry and the town's extraterritorial jurisdiction (ETJ) as shown on the official Zoning Map of the Town of Granite Quarry.

1.3.2 Exemptions

- A. These regulations shall not apply to any land or structure for which, prior to the effective date hereof, there is a properly approved site specific plan as required by the requirements previously adopted. Any preliminary or final subdivision plat approvals required for such approved and exempted site specific plans shall be conducted in accordance with the requirements of the previous Zoning Ordinance or Subdivision Ordinance.

- B. In accordance with NCGS 160A-360, bona fide farms located within the extra-territorial jurisdiction, except swine farms as defined herein, are not affected by these regulations but any use of farm property for non-farm purposes is subject to these regulations. Swine farms are not permitted within the jurisdiction of these regulations.

Section 1.4 Relationship to Other Ordinances

It is not intended that this ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, vested rights or building permits previously adopted or issued pursuant to law and currently effective.

Section 1.5 Conformance with Adopted Plans

In accordance with the requirement of NCGS 160A-383, the regulations adopted pursuant to this Ordinance shall be consistent with the Comprehensive Plan and any specific plans adopted by the Board of Aldermen. All new developments shall be designed in conformance with adopted plans including but not limited to the Comprehensive Plan, small area plans, land use plans, parks and recreation plans, the Comprehensive Transportation Plan, and school plans.

Section 1.6 Severability

If any Section or specific provision or standard of this Ordinance or any regulating district boundary arising from it is found by a court to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision, standard, or district boundary of these regulations except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect. Should any section or provision of this Ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 1.7 Effective Date

These regulations shall become effective on March 2, 2009 and any subsequent amendments on the date adopted. Upon such date, these regulations shall supersede, repeal, and replace the Town of Granite Quarry Zoning Ordinance and the Town of Granite Quarry Subdivision Ordinance.