

## CHAPTER 16 - LAND USE ORDINANCE

### Article X - Permissible Uses

#### ***Section 16-146 Table of Permissible Uses. [ Amended June 13, 2006]***

The *Table of Permissible Uses* (see pages 68-78) should be read in close conjunction with the definitions of terms set forth in Section 16-15 and the other interpretative provisions set forth in this article.

#### ***Section 16-147 Use of the Designations Z, S, C in Table of Permissible Uses.***

(A) Subject to Section 16-148, when used in connection with a particular use in the Table of Permissible Uses (Section 16-146), the letter "Z" means that the use is permissible in the indicated zone with a zoning permit issued by the administrator. The letter "S" means a special use permit must be obtained from the board of adjustment, and the letter "C" means a conditional use permit must be obtained from the board of commissioners.

(B) When used in connection with multi-family residences (use classification 1.300), the designation "SC" means that such developments of less than five dwelling units must be pursuant to a special use permit, and developments of five or more dwelling units require a conditional use permit.

(C) Subject to Section 16-148, use of the designation "ZC" or "ZS" means that a zoning permit must be obtained if the development is located on a lot of one acre or less while a conditional or special use permit, respectively, must be obtained for all developments on lots in excess of one acre.

(D) Use of the designation Z,S,C for combination uses is explained in Section 16-154.

#### ***Section 16-148 Board of Adjustment Jurisdiction Over Uses Otherwise Permissible With a Zoning Permit and Zoning Administrator Jurisdiction Over Uses Otherwise Permissible with SUP or CUP***

(A) Notwithstanding any other provisions of this article, whenever the *Table of Permissible Uses* (interpreted in the light of Section 16-147 and the other provisions of this article) provides that a use in a non-residential zone is permissible with a zoning permit, a conditional use permit shall be required if the administrator finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the administrator shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question. *(Amended 11/15/88 - Requires a Conditional Use Permit in all situations where a Special Use Permit was previously required)*

(B) Notwithstanding any other provisions of this article, whenever the *Table of Permissible Uses* (interpreted in the light of Section 16-147 and other provisions of this article) provides that a use in the CB, GB, or OI zoning district is permissible with a special use permit or conditional use permit, only a zoning permit shall be required instead if the administrator determines that the new use involves no more than a change from one business to another, that no new substantial construction is involved, and that the change in use would have a negligible adverse impact on neighboring property and the public health and safety. *[Amended July 14, 1998]*

***Section 16-149 Permissible Uses and Specific Exclusions.***

(A) The presumption established by this chapter is that most legitimate uses of land are permissible within at least one zoning district in the town's planning jurisdiction. Therefore, because the list of permissible uses set forth in Section 16-146 (*Table of Permissible Uses*) cannot be all-inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(B) Section 16-146 (*Table of Permissible Uses*) shall not be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible only in other zoning districts.

(C) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

(1) Use of travel trailer as a residence.

(2) The use of any motor vehicle (as defined in Section 6-1 of the town code), parked on a lot, as a structure in which, out of which or from which any goods are sold or stored, any service is performed, or other business (as defined in Section 8-1 of the town code) is conducted, except that retail sales of food products and goods manufactured, created or produced by the seller shall not be prohibited by this subdivision. Notwithstanding any other provision of this chapter, situations that exist on the effective date of this chapter that are in violation of this section shall not be regarded as lawful nonconforming situations thirty days after the effective date of this chapter.

(3) The installation, erection, or use of a wind energy system, wind turbines, and/or associated towers for wind energy conversion.

***Section 16-150 Accessory Uses.***

(A) The *Table of Permissible Uses* (Section 16-146) classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use. For example, a swimming pool/tennis court complex is customarily associated with and integrally related to a residential subdivision or multifamily development and would be regarded as accessory to such principal uses, even though such facilities, if developed apart from a residential development, would require a special use permit (use classification 6.210).

(B) For purposes of interpreting subsection (A):

(1) A use may be regarded as incidental or insubstantial if it is incidental or insubstantial in and of itself or in relation to the principal use;

(2) To be "commonly associated" with a principal use it is not necessary for an accessory use to be connected with such principal use more times than not, but only that the association of such accessory use with such principal use takes place with sufficient frequency that there is common acceptance of their relatedness.

(C) Without limiting the generality of subsections (A) and (B), the following activities are specifically regarded as accessory to residential principal uses so long as they satisfy the general criteria set forth above:

- (1) Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such building to carry on administrative or artistic activities of a commercial nature, so long as such activities do not fall within the definition of a home occupation.
- (2) Hobbies or recreational activities of a non-commercial nature.
- (3) The renting out of one or two rooms within a single family residence (use classification 1.110 or 1.120) (which one or two rooms do not themselves constitute a separate dwelling unit) to not more than two persons who are not part of the family that resides in the single family dwelling.
- (4) Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three days (whether consecutive or not) during any 365 day period. Sales conducted in excess of these limitations shall be regarded as commercial activity that is unlawful in residential zones.

(D) Without limiting the generality of subsections (A) and (B), the following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts:

- (1) Storage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational.
- (2) Parking outside a substantially enclosed structure of more than four motor vehicles between the front building line of the principal building and the street on any lot used for purposes that fall within the following principal use classifications: 1.100, 1.200, 1.420, or 1.430.

***Section 16-151 Permissible Uses Not Requiring Permits.***

(A) Notwithstanding any other provisions of this chapter, no zoning, special use, or conditional use permit is necessary for the following uses:

- (1) Streets.
- (2) Electric power, telephone, telegraph, cable television, gas, water, and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right of way.
- (3) Neighborhood utility facilities located within a public right of way with the permission of the owner (state or town) of the right of way.

***Section 16-152 Change in Use.***

(A) A substantial change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:

- (1) The change involves a change from one principal use category to another.
- (2) If the original use is a combination use (29.000) or planned unit development (30.000), the relative proportion of space devoted to the individual principal uses that comprise the combination

use or planned unit development use changes to such an extent that the parking requirements for the overall use are altered.

(3) If the original use is a combination use or planned unit development use, the mixture of types of individual principal uses that comprise the combination use or planned unit development use changes.

(4) If there is only one business or enterprise conducted on the lot (regardless of whether that business or enterprise consists of one individual principal use or a combination use), that business or enterprise moves out and a different type of enterprise moves in (even though the new business or enterprise may be classified under the same principal use or combination use category as the previous type of business). For example, if there is only one building on a lot and a florist shop that is the sole tenant of that building moves out and is replaced by a clothing store, that constitutes a change in use even though both tenants fall within principal use classification 2.110. However, if the florist shop were replaced by another florist shop, that would not constitute change in use since the type of business or enterprise would not have changed. Moreover, if the florist shop moved out of a rented space in a shopping center and was replaced by a clothing store, that would not constitute a change in use since there is more than one business on the lot and the essential character of the activity conducted on that lot (shopping center - combination use) has not changed.

(B) A mere change in the status of property from unoccupied to occupied or vice-versa does not constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied, unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.

(C) A mere change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.

### ***Section 16-153 Manufacturing/Processing, Etc. Uses.***

The Board finds that the residential/resort character of the area within Blowing Rock's planning jurisdiction is incompatible with the development of such area for uses within the 4.000 classification of the Table of Permissible Uses (manufacturing, processing, etc.) except to the extent that such uses create none of the negative impacts often associated with such manufacturing/processing uses. Therefore, no 4.000 classification use within any zoning district may:

(1) Emit from a vent, stock, chimney, or combustion process any smoke that is visible to the naked eye.

(2) Generate noise that tends to have an annoying or disruptive effect upon (i) uses located outside the immediate space occupied by the 4.000 use if that use is one of several on the lot, or (ii) uses located on adjacent lots.

(3) Generate any ground transmitted vibration that is perceptible to the human sense of touch measured at (i) the outside boundary of the immediate space occupied by the enterprise generating the vibration if the enterprise is one of several located on a lot, or (ii) the lot line if the enterprise generating the vibration is the only enterprise located on a lot.

(4) Generate any odor that reaches the "odor threshold" measured at (i) the outside boundary of the immediate space occupied by the enterprise generating the odor, or (ii) the lot line if the enterprise generating the odor is the only enterprise located on a lot. For purposes of this subdivision, the "odor

threshold" is defined as the minimum concentration in air of a gas, vapor, or particulate matter that can be detected by the olfactory systems of a panel of healthy observers.

(5) Require for its operations a daily average of more than 200 gallons of water per employee.

(6) Create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance, or otherwise causes, creates, or contributes to the interference with electronic signals (including television and radio broadcasting transmissions) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

### ***Section 16-154 Combination Uses.***

(A) When a combination use comprises two or more principal uses that require different types of permits (zoning, special use, or conditional use), then the permit authorizing the combination use shall be:

(1) A conditional use permit if any of the principal uses combined requires a conditional use permit.

(2) A special use permit if any of the principal uses combined requires a special use permit but none requires a conditional use permit.

(3) A zoning permit in all other cases.

This is indicated in the Table of Permissible Uses by the designation "Z,S,C" in each of the columns adjacent to the 29.000 classification.

(B) Subject to subsection (C), when a combination use in an R-6 or R-10 zoning district consists of a residential subdivision and a multi-family development, the total density permissible on the lot shall be determined by having the developer indicate on the plans the portion of the total lot that will be developed for each purpose and calculating the density for each portion as if it were a separate lot. *[Amended October 13, 1998]*

(C) Notwithstanding Subsection 16-182(C), whenever (i) a combination use consists of a standard residential subdivision and a multi-family development, and (ii) the subdivided portion of the tract contains lots that exceed the minimum lot size requirements set forth in Section 16-181, but that do not exceed an average of 30,000 square feet, then the density of the portion of the tract developed for multi-family purposes may be increased beyond the permissible density calculated in accordance with subsection (B). The increase in density shall be determined as follows:

(1) The minimum lot size requirement for the applicable zoning district shall be subtracted from each lot that exceeds the minimum lot size, and the remainders totaled.

(2) The sum derived from the calculation in subdivision (1) shall be divided by the minimum lot size requirement. Fractions shall be rounded to the nearest whole number.

(3) The product of the calculation in subdivision (2) shall yield the number of additional multi-family dwelling units that may be located within the portion of tract developed for multi-family purposes.

(D) When a residential use is combined with a non-residential use in a business district, the lot must have at least the minimum square footage required for the residential use alone.

(E) When two principal uses are combined, the total amount of parking required for the combination use shall be determined by cumulating the amount of parking required for each individual principal use according to the relative amount of space occupied by that use.

***Section 16-155 Planned Unit Developments.***

(A) In a planned unit development, the developer may make use of the land for any purpose authorized in a particular P.U.D. zoning district in which the land is located, subject to the provisions of this chapter. Section 16-137 describes the various types of P.U.D. zoning districts.

(B) The portions of any planned unit development that are developed for purposes otherwise permissible only in a CB, GB, or OI zoning district ("nonresidential portions") may be occupied only in accordance with the schedule approved by the Board that relates occupancy of such nonresidential portions of the P.U.D to the completion of a specified percentage or specified number of phases or sections of the residential portions of the development. The purpose and intent of this provision is to ensure that the planned unit development procedure is not used, intentionally or unintentionally, to create nonresidential uses in areas generally zoned for residential uses except as part of an integrated and well-planned, primarily residential development. In approving a proposed schedule, the Board may consider, among other factors, the number of dwelling units proposed for the residential portions of the P.U.D, the physical relationship of the nonresidential components of the P.U.D to neighboring properties not within the P.U.D, and whether the nonresidential uses are to be located within pre-existing buildings or new construction. *[Amended July 14, 1998]*

(C) The plans for the proposed planned unit development shall indicate the particular portions of the lot that the developer intends to develop for higher density residential purposes, lower density residential purposes, and purposes permissible in a commercial district (as applicable). For purposes of determining the substantive regulations that apply to the planned unit development, each portion of the lot so designated shall then be treated as if it were a separate district, zoned to permit, respectively, higher density residential, lower density residential, and commercial uses. However, only one permit - a planned unit development permit - shall be issued for the entire development.

(D) The nonresidential portions of any planned unit development may not be occupied until all of the residential portions of the development are completed or their completion is assured by any of the mechanisms provided in Article IV to guarantee completion. The purpose and intent of this provision is to ensure that the planned unit development procedure is not used, intentionally or unintentionally, to create nonresidential uses in areas generally zoned for residential uses except as part of an integrated and well-planned, primarily residential development.

***Section 16-156 More Specific Use Controls.***

Whenever a development could fall within more than one use classification in the *Table of Permissible Uses* (Section 16-146), the classification that most closely and most specifically describes the development controls. For example, a small doctor's office or clinic clearly falls within the 3.110 classification (Office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130, "Physicians and dentists offices and clinics occupying not more than 10,000 square feet of gross floor area" more specifically covers this use and therefore is controlling.

***Section 16-157 Uses Within the ETA District.***

*Sections 16-158 through 16-160 Reserved*

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*Table of Permissible Uses*

Uses Description	R-A	R-15	R-10S	R-10D	R-10M	R-6S	R-6M	R-MH	CB	GB	OI	HMC	HSG	PGS
<b>1.000 Residential</b>														
<b>1.100 Single-family residences</b>														
<b>1.110</b> Other than mobile homes	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		
<b>1.120</b> Mobile homes								Z						
<b>1.130</b> Single family residence with accessory apartment	Z		Z	Z	Z	Z	Z		C	C	C			
<b>1.200 Two-family residences</b>														
<b>1.210</b> Duplex <i>[Amended December 8, 1998]</i>				C	C		C		C	C	C	Z		
<b>1.220</b> Two- family conversion <i>[Amended December 8, 1998]</i>				C	C		C		C	C	C	Z		
<b>1.230</b> Townhouses <i>[Amended October 12, 2004]</i>				<u>C</u>	<u>C</u>		<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		
<b>1.300 Multi-family residences</b>														
<b>1.310</b> Other than mobile home parks					C		C	C	C	C	C			
<b>1.320</b> Mobile home parks								C						
<b>1.330</b> Multi-family conversion					C		C		C	C	C	Z		
<b>1.400 Homes emphasizing special services, treatment or supervision</b>														
<b>1.410</b> Homes for handicapped or infirm	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		
<b>1.420</b> Nursing care, intermediate					C		C					C		
<b>1.430</b> Child care homes					C		C					C		
<b>1.440</b> Halfway houses												C		

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<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>1.450</b> Facilities that are designed to provide a continuum of care, including independent living, assisted living/CCRC, home health care, adult day care, intermediate care, skilled nursing care, and acute care; provided, however, that residential living units shall be limited to no more than seven units per acre. <i>[Amended August 14, 2001]</i>												C		
<b>1.500 Miscellaneous long-term rooms for rent situations</b>														
<b>1.510</b> Rooming houses, boarding houses	Z		Z	Z	Z	Z	Z		C	C	C	Z		
<b>1.520</b> Fraternities, sororities, and similar housing with ten beds or less														
<b>1.530</b> Dormitories, fraternities and sororities with more than ten beds, and similar housing														
<b>1.600 Temporary Residences</b>														
<b>1.610</b> Temporary emergency construction and repair residences	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z		
<b>1.620</b> Tourist homes and other temporary residences renting by the day or week									C	C	C			
<b>1.630</b> Hotels, motels, and similar businesses or institutions providing overnight accommodations									C	C				
<b>1.640</b> Bed and Breakfast establishments									C	C	C			
<b>1.700 Home Occupations</b>	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		

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Uses Description	R-A	R-15	R-10S	R-10D	R-10M	R-6S	R-6M	R-MH	CB	GB	OI	HMC	HSG	PGS
<b>2.000 Sales and Rental of Goods, Merchandise and Equipment</b>														
<b>2.100</b> Commercial activities to be located within a building. The display of goods outside that building is allowed. <i>[Amended December 9, 1997; June 12, 2001]</i>														
<b>2.110</b> High-volume traffic generation														
<b>2.111</b> Miscellaneous									C	C				
<b>2.112</b> ABC Stores									C	C				
<b>2.113</b> Convenience Stores									C	C				
<b>2.120</b> Low-volume traffic generation									ZC	C				
<b>2.130</b> Wholesale Sales										ZC				
<b>2.200</b> Commercial activities to be located within a building. The display of goods outside that building is allowed. <i>[Amended December 9, 1997; June 12, 2001]</i>														
<b>2.210</b> High-volume traffic generation <i>[Amended December 9, 1997]</i>										C				
<b>2.211</b> Miscellaneous <i>[Amended December 9, 1997]</i>										C				
<b>2.213</b> Convenience Stores <i>[Amended December 9, 1997]</i>										C				
<b>2.220</b> Low-volume traffic generation <i>[Amended December 9, 1997]</i>										C				
<b>2.230</b> Wholesale Sales <i>[Amended June 13, 1995]</i>										C				

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Uses Description	R-A	R-15	R-10S	R-10D	R-10M	R-6S	R-6M	R-MH	CB	GB	OI	HMC	HSG	PGS
<b>3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise</b>														
<b>3.100 All operations conducted entirely within fully enclosed building</b>														
<b>3.110</b> Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.									ZC	ZC	C	ZC		
<b>3.120</b> Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use									ZC	ZC	C	ZC		
<b>3.130</b> Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area									ZC	ZC	C	ZC		
<b>3.200 Operations conducted within or outside fully enclosed building</b>														
<b>3.210</b> Operations designed to attract and serve customers or clients on the premises									ZC	ZC	C			
<b>3.220</b> Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use									ZC	ZC	C			
<b>3.230</b> Banks with drive-in windows									ZC	ZC				

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<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>4.000</b> <i>Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment</i>														
<b>4.100</b> All operations conducted entirely within fully enclosed building														
<b>4.110</b> Majority of dollar volume of business done with walk-in trade									ZC	ZC				
<b>4.120</b> Majority of dollar volume of business not done with walk-in trade										ZC				
<b>4.200</b> Operations conducted within or outside fully enclosed building										ZC				
<b>5.000</b> <i>Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses</i>														
<b>5.100</b> Schools														
<b>5.110</b> Elementary and secondary (including associated grounds and athletic and other facilities) <i>[Amended April 9, 1991]</i>	C	C	C	C	C	C	C	C	C		C			
<b>5.120</b> Trade or vocational schools										C				
<b>5.130</b> Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)														

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<b>5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)</b> <i>[Amended October 13, 1998]</i>	C	C	C	C	C	C	C	C	ZC	ZC	C	ZC		
<b>5.300 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities)</b>														
<b>5.310</b> Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 feet								C	C	C	C	C		
<b>5.320</b> Located within any permissible structure									C	C	C			
<b>5.400 Social, fraternal clubs and lodges, union halls, and similar uses</b>														
<b>5.410</b> Featuring live entertainment or dancing at least four days per month										C				
<b>5.420</b> Not featuring live entertainment or dancing at least four days per month									C	C	C			
<b>6.000 Recreation, Amusement, Entertainment</b>														
<b>6.100 Activity conducted entirely within building or substantial structure</b>														

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<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>6.110</b> Bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, indoor athletic and exercise facilities and similar uses										ZC				
<b>6.120</b> Movie theaters														
<b>6.121</b> Seating capacity of not more than 300									ZC	ZC				
<b>6.122</b> Unlimited seating capacity										ZC				
<b>6.130</b> Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people										C				
<b>6.140</b> Any establishment where three or more video games are available for the use of the public										C				
<b>6.200 Activity conducted primarily outside enclosed buildings or structures</b>														
<b>6.210</b> Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development	C	C	C	C	C	C	C	C						C
<b>6.220</b> Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school	C	C	C	C	C	C	C	C	C	C	C	C		C
<b>6.230</b> Golf driving ranges not accessory to golf courses, miniature golf courses, skateboard parks, water slides, and similar uses										ZC				

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<b>6.240</b> Horseback riding, stables (not constructed pursuant to permit authorizing residential development)	C												Z	
<b>6.250</b> Automobile and motorcycle racing tracks														
<b>6.260</b> Drive-in movie theaters														
<b>6.300</b> Adult business establishments, subject to the specific regulations and standards contained in Article XVII(C) [Amended, June 13, 2000]										C				
<b>7.000</b> Institutional Residence or Confinement Facilities														
<b>7.100</b> Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area												C		
<b>7.200</b> Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions												C		
<b>7.250</b> Facilities that are designed to provide a continuum of care, including independent living, assisted living/CCRC, home health care, adult day care, intermediate care, skilled nursing care, and acute care; provided, however, that residential living units shall be limited to no more than seven units per acre. [Amended August 14, 2001]												C		

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>7.300</b> Institutions (other than halfway houses) where mentally ill persons are confined														
<b>7.400</b> Penal and Correctional Facilities														
<b>8.000 Restaurants, Bars, Night Clubs</b>														
<b>8.100</b> No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure									ZC	ZC				
<b>8.200</b> No substantial carry-out or delivery service, no drive-in service. Service or consumption outside fully enclosed structure not allowed after 10:00 p.m. local time. <i>[Amended October 24, 1988 and June 13, 2006]</i>									ZC	ZC				
<b>8.300</b> Carry-out and delivery service, consumption outside fully enclosed structure allowed. Service or consumption outside fully enclosed structure not allowed after 10:00 p.m. local time. <i>[Amended June 13, 2006]</i>									<u>ZC</u>	ZC				
<b>8.400</b> Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed										ZC				
<b>8.500</b> <i>[Deleted in its entirety June 8, 1993]</i>														

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>8.600</b> Any of the above where the gross proceeds from the sale of food and non-alcoholic beverages are less than the gross proceeds from the sale of alcoholic beverages										C				
<b>9.000 Motor Vehicle-Related Sales and Service Operations</b>														
<b>9.100</b> Motor vehicle sales or rental; mobile home sales										ZC				
<b>9.200</b> Sales with installation of motor vehicle parts or accessories (e.g., tires, mufflers, etc.)										ZC				
<b>9.300</b> Motor vehicle repair and maintenance, not including substantial body work										C				
<b>9.400</b> Motor vehicle painting and body work										C				
<b>9.500</b> Gas Sales									C	C				
<b>9.600</b> Car wash										Z				
<b>10.000 Storage and Parking</b>														

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>10.100</b> Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related									Z	Z		Z		
<b>10.200</b> Storage of goods not related to sale or use of those goods on the same lot where they are stored														
<b>10.210</b> All storage within completely enclosed structures <i>[Amended October 13, 1998]</i>								C	Z	Z		C		
<b>10.220</b> Storage inside or outside completely enclosed structures									C	C				
<b>10.300</b> Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of lot; and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot									ZC	ZC				
<b>11.000</b> <i>Scrap Materials, Salvage Yards, Junkyards, Automobile Graveyards</i>														
<b>12.000</b> <i>Services and Enterprises Related to Animals</i>														

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>12.100</b> Veterinarian										Z				
<b>12.200</b> Kennel														
<b>13.000</b> <i>Emergency Services</i>														
<b>13.100</b> Police Station									C	C	C			
<b>13.200</b> Fire Station									C	C	C			
<b>13.300</b> Rescue Squad, Ambulance Service									C	C	C			
<b>13.400</b> Civil Defense operation									C	C	C			
<b>14.000</b> <i>Agricultural, Silvicultural, Mining, Quarrying Operations</i>														
<b>14.100</b> Agricultural operations, farming														
<b>14.110</b> Agricultural operations excluding livestock. Includes beekeeping; plant nurseries; orchards; fruit, grain, leaf, vegetable, and seed crops [Amended March 14, 2000]	Z							Z	Z					

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>14.120</b> Agricultural operations including livestock, but excluding commercial feed lots and commercial egg production. The number of livestock, in any combination, shall be limited to the equivalent of the following: no more than two cows or cattle per acre; no more than two horses per acre; no more than five hogs per acre; no more than eight sheep or goats per acre; and no more than 20 chickens per acre. The preceding figures are intended to be proportional and not cumulative; therefore, only one cow and one horse would be permitted on a single acre; or one cow and three hogs; or one cow and four sheep; or one cow and ten chickens, etc. <i>[Amended March 14, 2000]</i>	Z													
<b>14.130</b> Sod farming <i>[Amended March 14, 2000]</i>	C													
<b>14.200</b> Silvicultural operations	Z	Z	Z	Z	Z	Z	Z	Z						
<b>14.300</b> Mining or quarrying operations, including on-site sales of products														
<b>14.400</b> Reclamation landfill	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z		Z
<b>15.000</b> <i>Miscellaneous Public and Semi-Public Facilities</i>														
<b>15.100</b> Post Office									C	C	C			

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

Uses Description	R-A	R-15	R-10S	R-10D	R-10M	R-6S	R-6M	R-MH	CB	GB	OI	HMC	HSG	PGS
<b>15.200</b> Airport														
<b>15.300</b> Sanitary landfill														
<b>15.400</b> Military Reserve, National Guard Centers														
<b>16.000</b> <i>Dry Cleaner, Laundromat</i>									C	C				
<b>17.000</b> <i>Utility Facilities</i>														
<b>17.100</b> Neighborhood	C	C	C	C	C	C	C	C	C	C	C	C		
<b>17.200</b> Community or Regional									C	C				
<b>18.000</b> <i>Towers and Related Structures</i>														
<b>18.100</b> Antennas that are not part of the distribution network of a commercial telecommunications system. [Amended May 13, 1997; July 9, 2002]	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

**CHAPTER 16 - LAND USE ORDINANCE**

*Table of Permissible Uses*

<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>18.200</b> Towers for non-commercial, individual use; 20 feet in height or less <i>[Amended May 13, 1997]</i>	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
<b>18.300</b> Towers for non-commercial, individual use; over 20 feet in height <i>[Amended May 13, 1997]</i>	C	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>18.400</b> Telecommunication Towers <i>[Amended May 13, 1997; July 9, 2002]</i>									C	C	C			
<b>18.500</b> Alternative Tower Structures. Antennas that are part of the distribution network of a commercial telecommunications system. <i>[Amended July 9, 2002]</i>									C	C	C	C	C	
<b>19.000</b> <i>Open Air Markets and Horticultural Sales</i>														
<b>19.100</b> Open air markets (farm and craft markets, produce markets) <i>[Amended March 14, 2000]</i>	Z								C	C				
<b>19.200</b> Horticultural sales with outdoor display to the extent authorized by the applicable conditional use permit. <i>[Amended December 9, 1997]</i>	Z								C	C				

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<b>Uses Description</b>	<b>R-A</b>	<b>R-15</b>	<b>R-10S</b>	<b>R-10D</b>	<b>R-10M</b>	<b>R-6S</b>	<b>R-6M</b>	<b>R-MH</b>	<b>CB</b>	<b>GB</b>	<b>OI</b>	<b>HMC</b>	<b>HSG</b>	<b>PGS</b>
<b>19.300</b> Temporary sale of goods, wares, or merchandise by religious, educational, civic, patriotic, charitable, or fraternal organizations within the right-of-way of any of the streets or portions of streets or any sidewalk adjacent thereto as described in Section 8-49 of the Town of Blowing Rock Code of Ordinances. The use as described herein shall be subject to obtaining a zoning permit from the Zoning Administrator.	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
<b>19.400</b> Temporary sale of farm products (fruits, vegetables, eggs, or similar products) or nursery products by an itinerant merchant. Permit not valid for more than ninety calendar days. Not more than one such permit per property or development. No display of products within thirty (30) feet of edge of pavement or right-of-way. <i>[Adopted December 9, 1997; Amended August 13, 2002]</i>														
<b>20.000 Funeral Home</b>									Z	Z	Z			
<b>21.000 Cemetery and Crematorium</b>														
<b>21.100</b> Cemetery	C	C	C	C	C	C	C	C						

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<b>21.200</b> Crematorium														
<b>22.000</b> <i>Nursery Schools; Day Care Centers</i>	C	C	C	C	C	C	C	C	C	C	C	C		
<b>23.000</b> <i>Temporary Structures Used in Connection With the Construction of a Permanent Building or for Some Non-Recurring Purpose</i>	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z
<b>24.000</b> <i>Bus Station</i>									C	C				
<b>25.000</b> <i>Commercial Greenhouse Operations</i>														
<b>25.100</b> No on-premises sales	C	C							C	C				
<b>25.200</b> On-premises sales permitted	C								C	C				
<b>26.000</b> <i>Special Events</i>	C	C	C	C	C	C	C	C	C	C	C	C	C	C

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<b>27.000 Off Premises Signs</b> <i>[Repealed March 11, 1997]</i>														
<b>28.000 Subdivisions</b>														
<b>28.100 Major</b>	C	C	C	C	C	C	C	C	C	C	C	C		
<b>28.200 Minor</b>	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		
<b>29.000 Combination Uses</b> <i>[Amended October 13, 1998]</i>	C	C	C	C	C	C	C	C	ZC	ZC	C	ZC		
<b>30.000 Planned Unit Developments</b> <i>[Repealed March 11, 1997]</i>														

*Note: The Office/Institutional District and related uses were enacted on July 14, 1998.  
 The Parks and Green Space District and related uses were enacted on July 14, 1998.  
 The R-10S District and related uses were enacted on October 13, 1998.  
 The R-10D District and related uses were enacted on December 8, 1998.  
 The R-10M District and related uses were enacted on October 13, 1998.  
 The R-6S District and related uses were enacted on October 13, 1998.  
 The R-6M District and related uses were enacted on October 13, 1998.  
 The R-A District and related uses were enacted on March 14, 2000.*