



# Town of Fairview

## PLANNING AND ZONING BOARD

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### Agenda

September 19, 2023

**Meeting will be at Fairview Town Hall Meeting Room**

1. Roll Call and Determination of Quorum --- Chairman Buchanan
2. Business:
  - a. Add "Animal Boarding---Horses" To "Table of Uses" as a permitted use by right in RA-40 and RA-80 See sections 175,168 and 180A

Horse Boarding is a service offered by established horse farms. For a monthly fee, the boarding facility will maintain the daily care of a client's horse. These services may include feeding, turnout, stall cleaning, grooming, training, and even medical care. There is a minimum of 10 Acres with a limit of horses to one horse per pasture acre.

- b. The new 'FEMA Flood Hazard Maps' and how to read them.  
The Flood Development Ordinance and required permit.

<https://flood.nc.gov/ncflood/>

<https://fris.nc.gov/fris/Home.aspx?ST=NC>

- c. Approve Previous Minutes: August 15, 2023 --- Regular meeting
3. Public Comments
4. Adjourn

# Discuss Horse Boarding Regulations

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USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 291(e)	RS80	RA40	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Animal Grooming Facility/Services (No outdoor runs)		12				Z	Z	Z	Z	S		
Animal Boarding Services - HORSES	180A, 175		Z	Z								
Animal Hospital, Animal Kennel, Animal Boarding Services		12							S	S		
Animal Hospital, Animal Kennel, Animal Boarding Services		12				Z	Z		Z	Ss		
Animal Obedience School (Principal use)		2.12				Z	Z		Z	S		
Animal Supply Store		2.12				Z	Z		Z	S		
Antique Store		2.12				Z	Z		Z	S		
Apparel Store		2.12				Z	Z		Z	S		
Appliances (Household) Store and/or Repairs					Z	Z	Z	Z	Z	S		
Architect Service	179	5.3			Z	Z	Z	Z	Z	S	Zs	
Art Gallery/Center	179	2.12				Z	Z		Z	S	Zs	
Art Supply Store		2.12				Z	Z		Z	S		
Auction House (excluding animals, without outside storage)		2.21							S	S		
Auction House (excluding animals, with outside storage)	179	6.11				Z			Z	S	Zs	
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (under 1000 seats) etc.												
	179	6.13								S	Ss	

Z - Permitted By Right

S - Special Use Permit Required

D - Major Development Permit Required

s - Supplemental Regulations Apply

/ - or, (example Z/D)

## **ARTICLE II: Basic Definitions & Interpretations**

### Section 15:

Horse boarding is a service offered by established horse farms across the country. For a monthly fee, the horse boarding facility will maintain the daily care of a client's horse. This may include things like daily feeding, turnout, stall cleaning, grooming training, day camps, and even medical care. A minimum of 10 acres with the limit of horses to one horse per pasture acre.



(2) Generally, riding trails shall be located within the interior of the development and should not extend along adjoining property lines. Where a proposed trail is to be located along the exterior property line of the project, such trail shall be a minimum of thirty (30) feet wide with adequate fencing provided to maintain all equestrian traffic within the project.

(3) Private stables for horses on residential lots shall comply in accordance with Section 150(c)(6), being accessory to the residential structure.

(4) No minimum shall be placed on the number of horses boarded by the community stable. However, the site shall be of adequate size to handle the horses housed on-site and properly maintained to protect adjacent uses from adverse effects.

### **Section 175 Special Setbacks for Livestock, Horse Stables, and Poultry.**

(a) Except where livestock or poultry are kept on a bona fide farm that is exempt from regulations under this ordinance, no person may keep livestock or poultry within 150 feet from any lot line of property owned by another. Nothing in this subsection shall be construed as authorizing poultry or livestock to be kept except where such uses are authorized as an Agricultural Use, Class II.

(b) Horseback riding stables are subject to the following requirements:

(1) The tract must contain at least one acre for every horse kept thereon, provided that, if this density figure is exceeded as a result of a mare giving birth, the colt or filly may remain for weaning purposes for a period not to exceed six months.

(2) The structure that houses a horse must meet the following minimum setback requirements: (1) 50 feet from adjacent property lines; (2) 100 feet from pre-existing adjacent residences; and (3) 30 feet from the principal structure when the structure that houses a horse is accessory to a residential structure. In addition, the structure that houses a horse must be located in the rear yard when accessory to a residential structure and the tract is less than four (4) acres.

(3) The number of horse stalls permitted shall not exceed the number of horses permitted by this Ordinance.

(1) Any outdoor lighting shall not shine directly into a public right-of-way or into residential structures.

## **Section 168 Agribusiness Uses.**

Agribusiness uses are permissible within the RA-40 district pursuant to a special use permit only if the proposed use satisfies the following requirements:

- (a) The lot where the agribusiness use is located must have sufficient frontage along an arterial street or major arterial access street so that the principal means of ingress and egress for the use lies along such street.
- (b) No building or structure that houses any part of the agribusiness use may be located within 500 feet of any pre-existing residence (other than a residence owned by the applicant) that is occupied, held ready for occupancy, or under construction on the date the permit is issued.
- (c) An opaque (Type A) screen shall be installed on all sides of the property containing the agribusiness use (except a side that borders a public street) to the extent necessary to protect adjacent properties from the agribusiness use.
- (d) The proposed use shall comply with the standards applicable to uses in commercial districts as set forth in Section 173.
- (e) The proposed use will not substantially injure the value of adjoining or neighboring properties, and the burden of proof on this issue lies with the applicant. However, if the applicant presents a petition, signed by the owners of all properties entitled to receive notice of the hearing on the application pursuant to Section 102(b), and stating that such property owners believe their property values will not be adversely affected by the proposed use, this shall be sufficient evidence from which the board may make the required finding.
- (f) The maximum square footage of sign surface area advertising the proposed use shall be thirty-two (32) square feet, and not more than one free standing sign may be erected.

## **Section 180A Equestrian Oriented Subdivisions**

- (a) Equestrian Oriented Subdivisions are developments which are of a residential nature, are designed with particular emphasis placed on equestrian activities and provide such facilities as community stables, riding rings, pastures, game fields, and riding trails. In addition, private stables may be located on individual residential lots. Equestrian oriented subdivisions are permitted as a major development in the RC-80 and RA-40 Districts, subject to the following conditions:
  - (1) All buildings and structures related to the care of horses and to the operation of the riding facilities shall be located no nearer than one hundred (100) feet to any property line outside the development.

# Discuss FEMA Flood Maps





# FAIRVIEW NORTH CAROLINA

August 29, 2023

**RE: Updated Floodplain Maps**

Dear Property Owner:

You are receiving this letter because the latest floodplain maps released by the State of North Carolina indicate that your property has new or changed floodplain delineations. Having mapped floodplain on your property is important to note for several reasons, including the potential need for flood insurance, the type of construction activity that can be permitted on a property, and heightened flood risks.

As the Town of Fairview is the governing body that would issue permits for construction on your property, we wanted to make you aware of these planned changes to the state's maps before they become final.

There are two primary ways to learn more about these proposed changes:

1. Visit the website at <http://fris.nc.gov/fris/>

At the above link, you can read more about these changes, review FAQs, and access a link to the state's Flood Risk Information System map. We have enclosed a graphic that can help you understand the different colors shown on the map.

2. Attend the public information and comment meeting on Sept. 13.

A representative of the N.C. Department of Public Safety will share more information about how their floodplain maps are created and how you can appeal their decision.

Wednesday, September 13, 2023  
5 - 8 PM  
Union County Government Center  
500 North Main Street  
Monroe, NC

For more information, please contact me at 704-564-3412.

Sincerely,

Ed Humphries  
Land Use Administrator

Enclosure

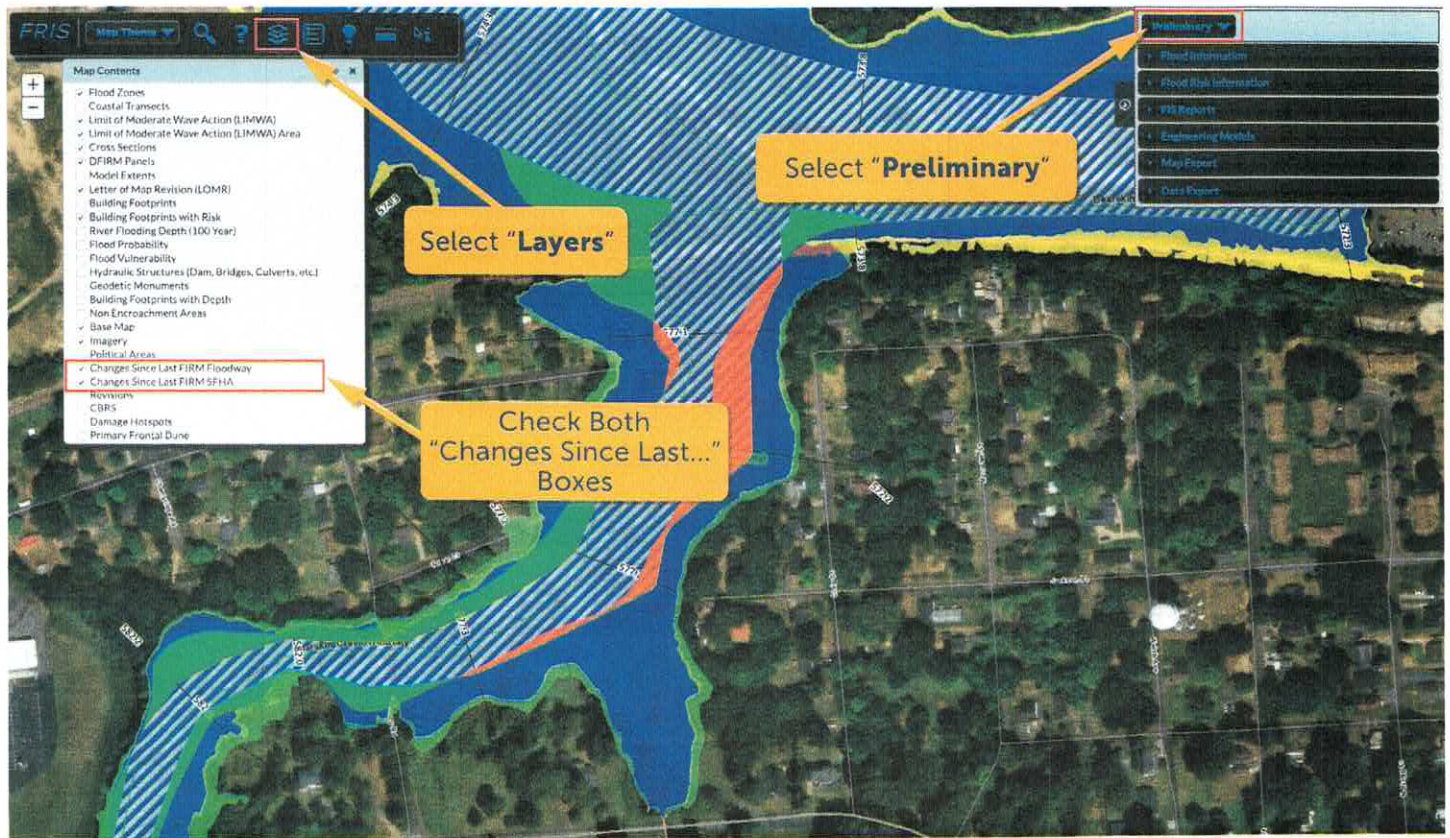
7516 Concord Hwy.  
Monroe, NC 28110

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# How to View the State's FRIS Map

FRIS = Flood Risk Information System



1. Go to the State's FRIS (*Flood Risk Information System*) map online: <https://fris.nc.gov/>
2. Enter your address in the search bar, and a map will appear.
3. To view the map properly: First: in the dropdown menu at top right, choose "**Preliminary**", not "Effective". Second, click on the **Layers** list at top left and select both "**Changes Since Last FIRM Floodway**" and "**Changes Since Last FIRM SFHA**".

## LEGEND

-  **Red** - proposed area of new floodplain or floodway
-  **Green** - previously mapped floodplain or floodway area that has been proposed to change; a decrease in the floodway may not decrease floodplain
-  **Blue & Blue Striped** floodplain or floodway area that has been mapped previously and is not proposed to change.
-  **Yellow & Unshaded Areas** - not in the regulated floodplain, but an area of low flood risk

### What's the difference between floodplain & floodway?

Floodplain is the broader of the two terms; the floodplain includes the floodway, which is the primary area of stormwater flow within the floodplain.

For more information, visit [ucgov.info/FloodMaps](http://ucgov.info/FloodMaps)



# Town of Fairview

## FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

Date: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Received by: \_\_\_\_\_

Property P.I.N.: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Type of Development:

Excavation: \_\_\_\_\_ Fill: \_\_\_\_\_ Grading: \_\_\_\_\_ Utility Construction: \_\_\_\_\_  
Road Construction: \_\_\_\_\_ Residential Construction: \_\_\_\_\_ Nonresidential Construction: \_\_\_\_\_  
Addition: \_\_\_\_\_ Renovation: \_\_\_\_\_ Other (specify): \_\_\_\_\_

Size of Development: \_\_\_\_\_

FIRM Data: Map Panel No.: \_\_\_\_\_ Suffix \_\_\_\_\_ Map Panel Date: \_\_\_\_\_ Map Index Date: \_\_\_\_\_

Flood Zone: \_\_\_\_\_ COBRA zone: \_\_\_\_\_

Regulatory Floodway Info: (Check correct option below)

Inside Regulatory Floodway \_\_\_\_\_ Outside Regulatory Floodway \_\_\_\_\_ No Regulatory Floodway \_\_\_\_\_

Development Standards Data:

1. If Inside Regulatory Floodway is checked above, attach engineering certification and supporting data as required.
2. Base flood elevation (BFE) per FIRM at development site \_\_\_\_\_ (NGVD).
3. Regulatory flood elevation at development site (BFE + locally adopted freeboard): \_\_\_\_\_(NGVD).
4. Elevation in relation to mean sea level (MSL) at or above which the lowest floor (including basement) must be constructed \_\_\_\_\_ (@ or above BFE + Freeboard)
5. Elevation in relation to mean sea level (MSL) at or above which all attendant utilities to include, but not limited to, all heating, air conditioning and electrical equipment must be installed \_\_\_\_\_ @ or above BFE + Freeboard (NGVD).
6. Will garage (if applicable) be used for any purpose other than parking vehicles, building access, or storage? \_\_\_\_\_  
If yes, then the garage must be used in determining the lowest floor elevation.
7. Proposed method of elevating the structure: \_\_\_\_\_  
(a) If foundation wall is used - provide minimum of 2 openings  
(b) Total area of openings required: \_\_\_\_\_ (1 sq. inch per sq. foot of enclosed footprint area below BFE)
7. Will any watercourse be altered or relocated as a result of the proposed development? \_\_\_\_\_  
If yes, attach a description of the extent of the alteration or relocation.
8. Floodproofing information (if applicable):  
Elevation in relation to mean sea level (MSL) to which structure shall be floodproofed \_\_\_\_\_ (NGVD).

**Applicant acknowledgment:** I the undersigned understand that the issuance of a floodplain development permit is contingent upon the above information being correct and that the plans and supporting data have been or shall be provided as required. I also understand that prior to occupancy of the structure being permitted, an elevation and/or floodproofing certificate signed by a professional engineer or registered land surveyor must be on file with the Town of Fairview Planning Department indicating the "as built" elevations in relation to mean sea level (MSL).

Print or Type Name of Applicant

Print or Type Name of Land Use Administrator (LUA)

Signature of Applicant & Date

Signature of Land Use Administrator & Date

Address & Telephone Number

Address & Telephone Number

Foundation Inspection Date: \_\_\_\_\_

Inspector: \_\_\_\_\_

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**The Town of Fairview**  
**FLOODPLAIN DEVELOPMENT PERMIT**

Permit Number \_\_\_\_\_ Issuance Date \_\_\_\_\_ PIN \_\_\_\_\_

In accordance with the Town of Fairview Flood Damage Prevention Ordinance, a Floodplain Development Permit is hereby granted to:

to conduct development activities within the area of special flood hazard on property located at:

recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Registry of Union County.

This Permit is issued to the individual, firm, partnership, etc. for the purpose noted above and in accordance with the Town of Fairview Flood Damage Prevention Ordinance, Floodplain Development Permit No. \_\_\_\_\_ and attachments thereto; and is subject to the following modifications and/or performance reservations:

1. Permit issued for the following development only.  
Excavation: \_\_\_\_\_ Fill: \_\_\_\_\_ Grading: \_\_\_\_\_ Utility Construction: \_\_\_\_\_  
Road Construction: \_\_\_\_\_ Residential Construction: \_\_\_\_\_ Nonresidential Construction: \_\_\_\_\_  
Addition: \_\_\_\_\_ Renovation: \_\_\_\_\_ Other (specify): \_\_\_\_\_  
The lowest floor and all attendant utilities shall be at or above \_\_\_\_\_ feet Mean Sea Level (MSL).

Pursuant to Section 6.5-52e of The Town of Fairview Flood Damage Prevention Ordinance, it shall be the duty of the permit holder to submit to the Floodplain Administrator the Elevation/Floodproofing Certification within 21 calendar days after establishment of the lowest floor.

2. All buildings or structures shall be located landward of the first line of stable natural vegetation and comply with all applicable CAMA setback requirements.
3. Fill material shall not encroach into the floodway of \_\_\_\_\_ (Name of Watercourse).
4. Proper Erosion and Sediment control measures shall be installed and maintained in accordance with North Carolina State Standards during fill operations.

Provide a minimum of two (2) openings in the foundation wall having a total area of **not less than** \_\_\_\_\_ square inches. The bottom of the openings shall not be greater than one (1) foot above the ground elevation at the perimeter of the foundation wall. The access area to the crawl space may be utilized to meet these criteria provided a mesh or screen door is used.

Mobile/Manufactured home shall be installed in accordance with Town of Fairview Flood Damage Prevention Ordinance

5. Upon completion of foundation construction, contact Floodplain Administrator's office for foundation inspection.

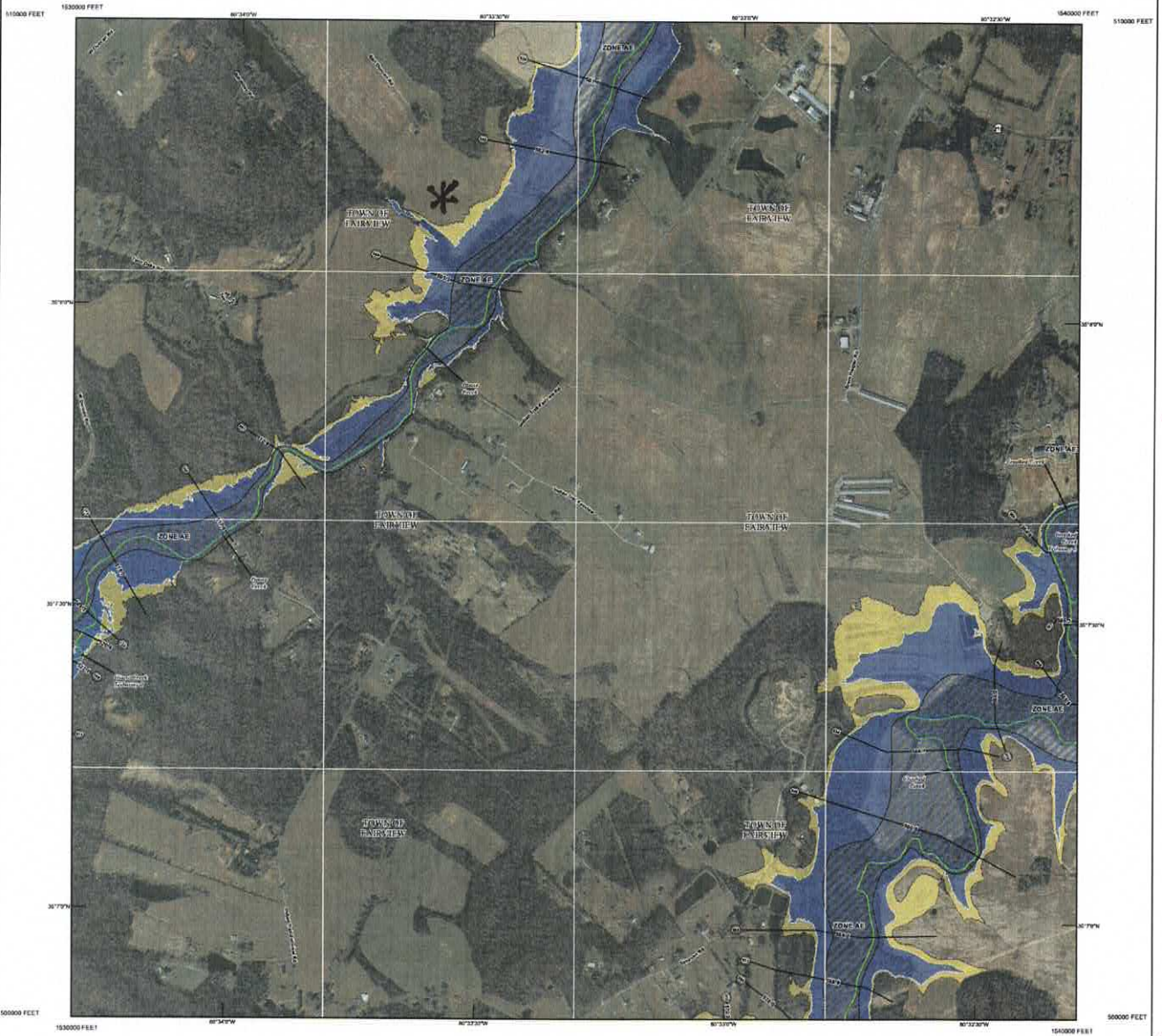
Failure to comply with The Town of Fairview Flood Damage Prevention Ordinance including any modifications and/or performance reservations could result in assessment of civil penalties or initiation of civil or criminal court actions.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Floodplain Administrator for The Town of Fairview  
Land Use Administrator

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The digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of North Carolina and the Federal Emergency Management Agency (FEMA). The State of North Carolina has provided a long term commitment to floodplain management to determine the actual flood hazard areas of the area. As a part of this effort, the State of North Carolina has entered into a Cooperative Technical State Agreement with FEMA to produce and maintain the digital FIRM.

Panel

### FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP  
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://FRIS.NC.GOV/FRIS](http://FRIS.NC.GOV/FRIS)

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone 1, X, Y, Z
  - With BFE or Depth (Zone A, AE, AH, AO, AR)
  - Regulatory Floodway
  - 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with Average Depth Less Than One Foot or with Drainage Areas of Less Than One Square Mile (Zone 1)
  - Future Conditions 1% Annual Chance Flood Hazard (Zone 2)
  - Area with Reduced Flood Risk due to Levee (Zone 3)
  - See Notes (Zone 4)
- OTHER AREAS OF FLOOD HAZARD**
  - Areas Determined to be Outside the 0.2% Annual Chance Floodplain (Zone 5)
  - Channel, Culvert, or Storm Sewer
  - Accredited or Provisionally Accredited Levee, Dike, or Floodwall
  - Non-accredited Levee, Dike, or Floodwall
  - North Carolina Geodetic Survey bench mark
  - National Geodetic Survey bench mark
  - Contractor Est. NCFMP Survey bench mark
  - Water Surface Elevation (BFE)
  - Coastal Transsect
  - Coastal Transsect Baseline
  - Profile Baseline
  - Hydrographic Feature
  - Limit of Study
  - Jurisdiction Boundary
- GENERAL STRUCTURES**
  - BM5510
  - BM5510
  - BM5510
  - BM5510
- OTHER FEATURES**
  - Limit of Moderate Wave Action (LIMWA)
  - Coastal Barrier Resources System (CBRS) (NOTE: CBRS areas are shown on this map for informational purposes only. Flood insurance is not available within CBRS areas for structures that are not, but are automatically discontinued under the Act.)
  - CBRS Area
  - Otherwise Protected Area

### NOTES TO USERS

For information and details about this map, available products associated with this FIRM including future versions of the FIRM, visit our website at [www.fema.gov](http://www.fema.gov). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm).

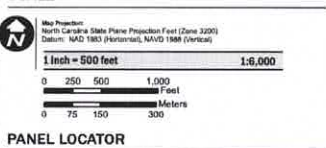
For information and details about this map, available products associated with this FIRM including future versions of the FIRM, visit our website at [www.fema.gov](http://www.fema.gov). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm).

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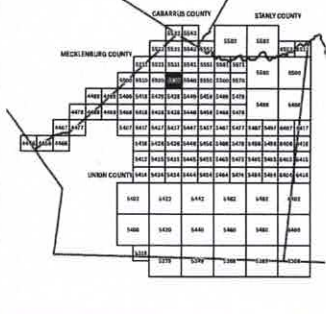
For information and details about this map, available products associated with this FIRM including future versions of the FIRM, visit our website at [www.fema.gov](http://www.fema.gov). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm). For more information, visit the FIRM website at [www.fema.gov/firm](http://www.fema.gov/firm).

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### SCALE



### PANEL LOCATOR



**National Flood Insurance Program**

**NORTH CAROLINA FLOODPLAIN MAPPING PROGRAM**

**NATIONAL FLOOD INSURANCE PROGRAM**

**FLOOD INSURANCE RATE MAP**

**NORTH CAROLINA**

PANEL 5530

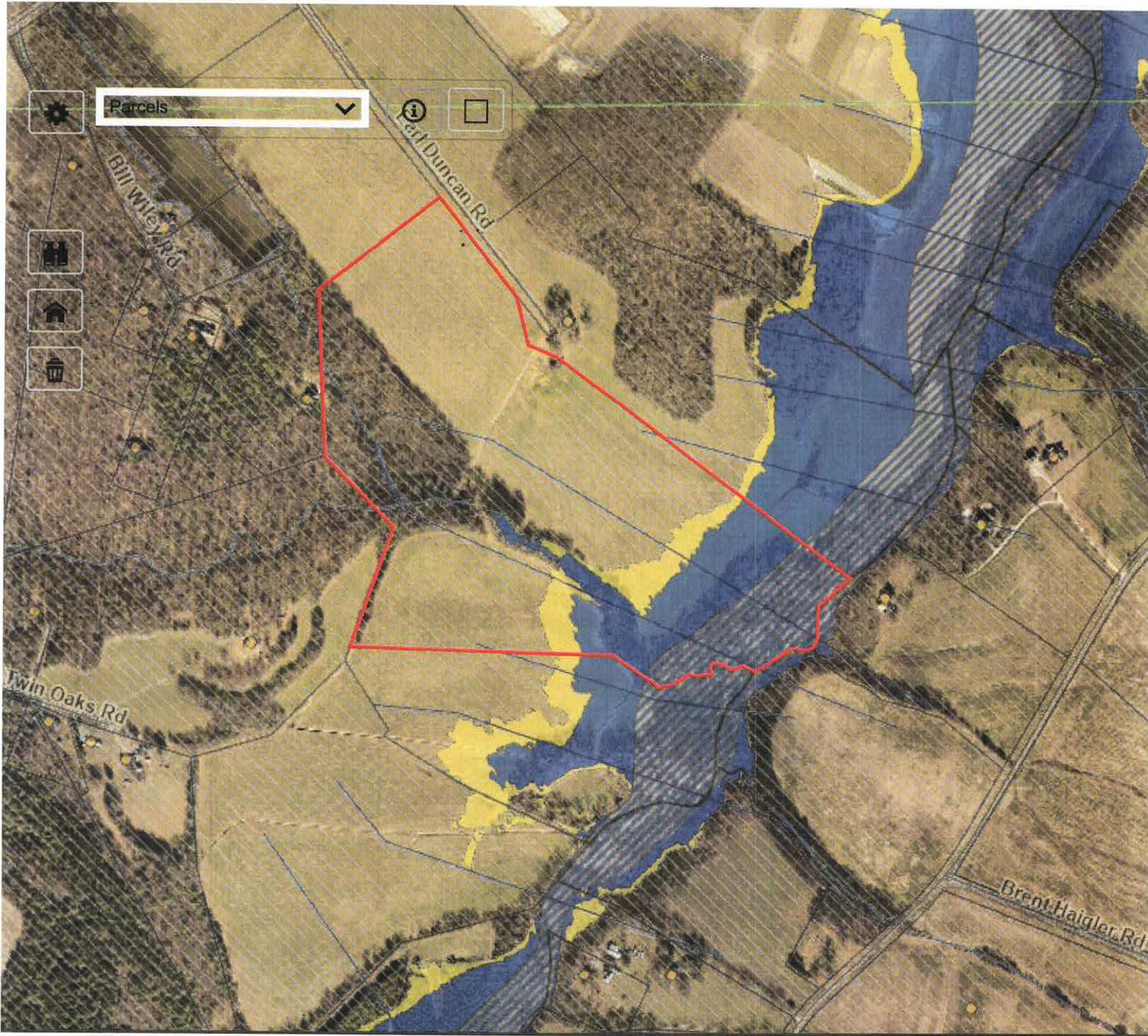
Panel Contact: COMMUNITY FAIRVIEW, TOWN OF

CD PANEL SURVEY 37024 030 J

MAP NUMBER 3710553000J

MAP REVISION 10/16/2008





EXAMPLE 60AC

12

1 Results 200m 600ft



# Approve Minutes





**Town of Fairview  
Planning Board Meeting  
August 15, 2023**

The following Planning Board members were present: Chrisie Black, Doug Buchanan, Mike Medlin, Josh Presley, Bill Thomas, Rodney Stephens (Alt.) Absent: Sharon Clontz, Greg Morgan, Fred Rogers (Alt.)

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk; Teresa Gregorius, Town Clerk and Spencer Thomas, Administrative Assistant

**Public Comments**

None

**Items of Business**

A. Add “Animal Boarding---Horses” To “Table of Uses”

Ed Humphries presented information regarding adding “Animal Boarding---Horses” to the Table of Uses as a permitted use by right in RA-40 and RA-80 See sections 175,168 and 180A

*“Horse Boarding is a service offered by established horse farms. For a monthly fee, the boarding facility will maintain the daily care of a client’s horse. These services may include feeding, turnout, stall cleaning, grooming, training, and even medical care.”*

The Board discussed and made some modifications. They asked Mr. Humphries to make the modification and bring it back to the Board at the September meeting.

B. Projects updates

Ed Humphries updated the Board on several potential projects:

- Convenience store at the intersection of Hwy. 218 and Hwy. 601
- Mini Mart at the intersection of Hwy. 601 and Brief Road beside Hot Mess
- Acre lot at the intersection of Hwy. 601 and Brief Road across from Hot Mess for use as an auto repair business

C. Minutes

Rodney Stephens made a motion to approve the March 21, 2023, minutes. Josh Presley seconded the motion. Board members Black, Buchanan, Medlin, Presley, Thomas, Stephens voted yes (6-0).

Mike Medlin made a motion to adjourn. Chrisie Black seconded the motion. Board members Black, Buchanan, Medlin, Presley, Thomas, Stephens voted yes (6-0).

Respectfully submitted,

\_\_\_\_\_  
Teresa Gregorius  
Town Clerk

\_\_\_\_\_  
Doug Buchanan  
Chairman

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023

DRAFT