

**ORDINANCE AMENDING THE ZONING CODE OF THE TOWN OF THE  
TOWN OF BOILING SPRINGS, NORTH CAROLINA  
ORDINANCE #151103.01**

**BE IT ORDAINED AND ESTABLISHED** by the Town of Boiling Springs, North Carolina Board of Commissioners, assembled in regular session this 3<sup>rd</sup> day of November, 2015 that Chapter 151 of the Town Zoning Code read:

**§ 151.045 SIDEWALKS REQUIRED**

(A) The dedication of public right-of-way or easement and construction of sidewalks, and curbing, at the developer's expense shall be required along all public street frontages for all new construction and for renovations and expansions to existing structures which fall into the following categories:

- (1) All new multi-family residential developments with more than 4 units, subdivisions, and all non-residential development;
- (2) All renovations, additions, or expansions to existing multi-family residential structures with more than 4 units and all non-residential structures of which the total cost, not including the addition of sidewalks, exceeds 50% of the structure's tax value or the gross floor area is increased by more than 50%;
- (3) All changes in use in which a parcel is changed from a residential use with 4 or less tenants to a more intense use.

(B) The Town may waive the requirements in Section 151.045(A) if:

1. The development is not located inside the Town limits, in which case right of way or easements must be dedicated for a future sidewalk;
2. The Zoning Administrator determines that the construction of a sidewalk is not feasible or would be difficult because of features unique to a particular development;
3. The developer dedicates public right-of-way or easements for a future sidewalk and pays a fee in lieu determined by the Board of Commissioners;
4. The developer dedicates public right-of-way or easements and the State or Town has existing, actionable, and funded plans to construct sidewalks at the proposed location in the next 12 months.

(C) New multi-family residential developments with more than 4 units and non-residential developments shall have private pedestrian amenities which connect building entrances with the public sidewalk system and adjacent parcels as required by the Zoning Administrator.

(D) All sidewalks and pedestrian amenities shall be constructed in accordance with NCDOT standards and/or the Town's Standard Specifications and Construction Details.

**§ 151.04546 MINIMUM REGULATIONS.**

Regulations set forth by this chapter shall be minimum regulations. If the requirements set forth in this chapter are at variance with the requirements of any other lawfully adopted rules or regulations, the more restrictive or higher standards shall govern.

(Ord. 011106.1, passed 11-6-01).

**§ 151.04647 FEES.**

Applicants for permits and other procedures as provided for by this chapter may be required to pay such fees as may be established by the Board of Commissioners in the Schedule of Fees and Charges.

Ordinance 151103.01 passed and adopted this 3<sup>rd</sup> day of November, 2015.



Max I. Hamrick, Mayor

Attest:



Kim Greene, Town Clerk

(SEAL)