

---

**PROPOSED AMENDMENT TO SECTION 154.006-21(B)  
OF THE SURRY COUNTY DEVELOPMENT ORDINANCE**

---

## The Amendment

**Section 154.006-21(B) is amended by adding (B) (4) and B (5) as set forth below. Note: the new sections (B)(4) and (5) are in Times New Roman Font and larger 14 point type.**

(B) *Scenic Byway Overlay (SBO)*. To protect the rural character and natural environment of the area and to provide attractive highway corridors and gateways to our communities, the Scenic Byway Overlay is created pursuant to G.S. § 160D-703(a)4. It is the goal of this district to establish physical design as an important factor in the approval of non-residential uses along the roadway to assure compatibility with neighboring properties; to provide recreational experiences; and to preserve the exceptional intrinsic qualities of the route as described in the Sauratown Mountains Scenic Byway Corridor Management Plan. In all instances, coordination with the N.C. Department of Transportation will be encouraged and policies and recommendations of NCDOT will be taken into consideration when administering this section.

(1) *Overlay designation and underlying zoning.*

(a) The Scenic Byway Overlay is hereby established as a district which overlays the zoning in every district along and on either side of the Sauratown Mountains Scenic Byway within the jurisdiction of Surry County.

(b) The Scenic Byway Overlay District extends 600 feet on both sides of the centerline of the Byway.

(c) The boundary of the district is delineated on the official zoning map of Surry County.

(2) *Land use and development.*

(a) All non-residential land uses proposed for the Overlay after the effective date of this chapter require the approval of a special use permit. In addition to the site plan requirements of §§ 154.012, applications shall include proposed building elevations, building materials, and landscaping. Site plans shall be prepared in a way to respect and protect as much as possible the intrinsic qualities of the Byway in the area of the proposed land use.

(b) Principal and accessory residential uses are exempt from the requirements of this section.

(c) When there is a conflict between the underlying zoning and the requirements of the Scenic Byway Overlay the stricter shall apply.

(3) *Design and development standards.* Design and development standards shall be consistent with the Sauratown Mountains Scenic Byway Corridor Management Plan.

**(4) Compliance with 154.010-01.** The applicant for a special use permit must comply with all of the normal procedures and requirements for a special use permit set forth in Section 154.010-01 of the Surry County Development Ordinance, including but not limited to submission of a conforming site plan, review by the Technical Review Committee, and a determination of the Board of Adjustment that:

The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and;

The use meets all required conditions and specifications, and;

The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity; and

The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted land use plans and other plans for physical development of Surry County as adopted by the Board of Commissioners.

The applicant must also meet the Additional Standards set forth in (5) below.

**(5) Additional Standards for all non-residential land uses proposed for the Overlay.** In addition to the specifications for the applicable base zoning district set forth in the Development Code, all applicants must meet the following Additional Standards. If an applicable law, regulation or ordinance conflicts with these standards, the more strict requirement shall apply. In the event that a standard is found unenforceable, the remainder of these standards shall remain in full force and effect. The Additional Standards are as follows:

**(a) Increased Minimum Yard Setbacks.** Setbacks shall be two (2) times the minimum setbacks set forth in 154.006-15.

**(b) Increased Minimum Yard Setbacks for special uses.** Setbacks for special uses shall be two (2) times the minimum setbacks set forth in 154.008.

**(c) Maximum building height.** The maximum building height shall be forty feet (40').

**(d) Signs.**

(i) Exterior wall signs shall be limited to 10% of the area of the structure's wall.

(ii) Signs that are not located on a structure's wall shall be monument style signs and limited to thirty-two square feet (32 sq. ft.) excluding the base and no more than 8 feet tall. *Monument sign* means a freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete materials compatible with the materials of the primary structure on the subject property.

(iii) The above sign requirements in subsections (i) and (ii) shall not apply to:

(a.a) Directional and other official signs and notices, which signs and notices shall include those authorized and permitted by Chapter 136 of the General Statutes, which include but are not limited to official signs and notices pertaining to natural wonders, scenic and historic attractions and signs erected and maintained by a public utility, electric or telephone membership corporation, or municipality for the purpose of giving warning of or information as to the location of an underground cable, pipeline or other installation.

(b.b) Outdoor advertising which advertises the sale or lease of property upon which it is located, provided the sign is no more than three feet long on any side and provided that any such sign not be visible more than 6 months in any given year.

(iv) No electronic signage of whatever kind is permitted.

**(e) Lighting for signs.** All lighting for signs shall be indirect and white light only. Signs may have no neon lighting and no blinking lights.

**(f) Outdoor lighting.**

(i) No neon lighting.

(ii) No blinking lights.

(iii) All outdoor lighting more than 1,125 lumens shall be directed downward with 100 percent full cut-off shielding above the horizontal plane at the lowest point of the light source.

**(g) Building size.**

(i) Businesses engaging in sales to the public, or via membership, of groceries and/or discount goods and/or gasoline and/or motor vehicle supplies and/or other household items (excluding stores primarily engaged in feed, tack, farming supplies, hardware, building supplies, landscaping materials, plants, trees) shall not be larger than 5000 square feet.

(ii) Businesses engaging in sales to the public or via membership that are not covered by 7(a) above shall not be larger than 10,000 square feet.

**(h) Building design.**

(i) Building design shall not be contemporary or modern.

(ii) A majority of the roof area shall be of an 4/12 pitch or greater.

(iii) Mechanical, electronic and communications equipment, shall be designed or shielded so that it is not visible the byway.

**(i) Property landscaping.**

(i) Except where necessary for ingress, egress, utilities and line of sight safety, preexisting trees shall not be removed.

(ii) Landscaping shall be comprised of plants native to this region.

**(j) Utilities.** All electric, communications, gas and other utilities shall be underground.

**(k) Trash receptacles.** All nonresidential uses that are open to the public shall have at least two outdoor trash receptacles for public use. All outdoor trash receptacles shall be animal resistant.

**(l) Dumpsters.** All dumpsters shall be located behind the building in a fenced or gated enclosure and not be visible from the road, and all trash, cardboard or other waste shall be stored therein.

**(6) Applicability to Conditional Rezoning/Map Amendments.** The Additional Standards set forth above shall also apply to conditional rezonings.