



**AMENDING THE BUILDINGS AND BUILDING REGULATIONS  
OF THE  
CODE OF ORDINANCES OF THE CITY OF CHERRYVILLE, NORTH CAROLINA  
TO CREATE AN ORDINANCE REGARDING:  
BUILDING MAINTENANCE AND DESIGN STANDARDS  
IN THE CENTRAL BUSINESS DISTRICT**

**WHEREAS**, the Central Business District of Cherryville is the heart of the city and its attractiveness is a key to the economic vitality of the entire city; and

**WHEREAS**, the City of Cherryville has previously adopted a Zoning Ordinance which does provide for the general regulation of construction and general design guidelines for the Central Business District; and

**WHEREAS**, a large percentage of the buildings in the Central Business District are in need of specific maintenance, and

**WHEREAS**, the Downtown Director has submitted a proposed article to the Cherryville Code of Ordinances to require a minimum standard for the maintenance of the buildings in the Central Business District; and

**WHEREAS**, the proposal will prevent blight and provide a standard to promote continued growth and investment in properties in the downtown Central Business District; and

**WHEREAS**, the City Council has conducted a public hearing on \_\_\_\_\_ at which time interested citizens, residents, property owners and agencies could be heard on whether they approved or disapproved of the proposed amendment; and

**WHEREAS**, the Director, City of Cherryville Planning and Zoning has made a recommendation to the City Council on this manner.

**NOW THEREFORE BE IT ORDAINED** and established by the City Council of Cherryville, North Carolina assembled in regular session this the \_\_\_\_ day of \_\_\_\_, 2025, as follows

That pursuant to the authority granted by NCGS 160-A-360 and 364, the Official City Code of Ordinances of the City of Cherryville, North Carolina shall be amended to add the following language to Chapter 8, Buildings and Building Regulations, as follows:

## **Article VI. Building Maintenance and Design Standards in Cherryville's Central Business District.**

### **Sec. 8-151. Intent of this ordinance.**

This ordinance ensures buildings, grounds, and structures in Cherryville's Central Business District (CBD) retain their historical character, don't exhibit blight or any sign of vacancy, maintain and/or enhance property values in the CBD, and form a pleasing, visually compatible streetscape which draws businesses and visitors.

### **Sec. 8-152. Applicability.**

This ordinance applies to all buildings, grounds, and structures in the downtown CBD, also known as B-1 zoning, as adopted by the City Council and on file with the Planning and Zoning Department.

### **Sec 8-153. Responsibilities of the Zoning Administrator and Downtown Director.**

**a) Zoning Administrator.** As the city's designated code enforcement officer, the Zoning Administrator will: 1) enforce the requirements of Sec 8-154, 2) enforce the requirements in the City of Cherryville Zoning Ordinance pertaining to the CBD, 3) upon request by other duly appointed city or county officials, help facilitate building code or fire code inspections in the CBD, 4) issue permits, and 5) upon ratification of this ordinance by the City Council, notify CBD owners in writing of existing items that must be rectified and the corresponding deadline.

**b) Downtown Director.** The Downtown Director will: 1) monitor compliance with this ordinance and report compliance issues to the Zoning Administrator 2) facilitate the activities of the Architectural Review Board in accordance with Sec 8-156 below regarding issuing Certificates of Appropriateness, 3) facilitate the activities of the Architectural Review Board in accordance with Chapter 2, Article IV, Division 4, regarding administering the Cherryville Incentive Grant Program (GIGP), and 4) facilitate applications for historic tax credits.

### **8-154. Specific standards for buildings, grounds, and structures in the CBD.**

**a) General.** All CBD buildings must meet the objectives in Sec 8-151.

**b) Compliance with fire safety and building codes.** All CBD buildings must comply with North Carolina and Gaston County fire safety and building codes and are subject to enforcement actions.

**c) Compliance with the City of Cherryville Zoning Ordinance.** All CBD buildings must comply within 180 days of the passage of this ordinance with the already standing provisions of the City of Cherryville Zoning Ordinance which include, but are not limited to, strictures regarding: 1) outdoor storage, 2) indoor storage, 3) awning clearance and depth, 4) sidewalk clearance for sales, signage, and cafes, 5) chain link fences, and 6) temporary sidewalk signage.

**d) Design standards for new or expanded<sup>1</sup> construction in the CBD.** Refer to the Cherryville Zoning Ordinance (Sec. 5.10 Non-Residential Building Design Standards) for standards regarding the following and other requirements: 1) screening of trash receptacles and mechanical equipment, 2) materials and color, 3) general design, 4) transparency, 5) roof slope and roof materials, 6) sidewalks, 7) awning clearance and depth, and 8) relationship of the building to the street.

### **e) Boarding in the Central Business District**

Type boarding	Permit timeframe	Cost of permit	Times allowed to be renewed	When installed	Notes
Short term emergency	60 days	1 <sup>st</sup> free 2 <sup>nd</sup> \$100 (per window)	once	Required within 24 hours of broken front facing doors or windows. See note.	On non-street facing broken windows, long term boarding is allowed until 1/1/28.
Construction	180 days	1 <sup>st</sup> free 2 <sup>nd</sup> \$100 (per building)	once	During active construction.	
Long term	Not required	NA	NA	Prohibited after 7/1/27	

**f) Additional maintenance and/or design standards which must be met immediately upon ratification of this ordinance.**

- 1) Graffiti. Graffiti shall be removed at the building owner's expense within 14 days.
- 2) Awnings. Fabric awnings must not appear worn or tattered or have missing areas and must be remediated within 180 days. If fabric awnings must be replaced, they must meet the color requirements in g3 below and must be approved by the ARB.
- 3) Chipped, faded, or peeling paint. Chipped, faded, or peeling paint is prohibited and must be remediated within 180 days. Paint colors must be approved by the ARB.
- 4) Visible disrepair. Exterior walls shall be clean and repaired and must be remediated within 180 days.
- 5) Opaque coverings. Opaque window or door coverings are permitted only during active construction and with a permit from the Zoning Administrator. Nonconforming windows must be remediated within 180 days.
- 6) Leaking roofs. Roofs shall be maintained in a leakproof and repaired condition and must be remediated within 180 days.
- 7) Storefront picture window displays. All storefronts, including those of vacant buildings, shall have either: a) attractive merchandise or business-related displays, b) works of art, or c) a seasonal display. Such displays will be refreshed at least twice yearly. Initial displays shall be in place within 180 days.
- 8) Signs. Abandoned signs must be removed IAW the Cherryville Zoning Ordinance and must be remediated within 180 days. All signs in the CBD must be professionally painted or applied, must not present a graffiti or hand painted look, and must not be worn, faded, defaced, or broken. Deficiencies must be remediated within 180 days.
- 11) Decorative flowerpots. Decorative flowerpots in the CBD which are positioned adjacent to building front entrances and which are adorned with attractive, live seasonal plants and blooming flowers are encouraged. Dead plants are prohibited.
- 12) Cargo trailers. Cargo trailers used for storage, which are extant in the CBD upon ratification of this ordinance, may continue but must be restored to a visually pristine condition within 180 days. Additional cargo trailers are not permitted.
- 13) Sidewalk furnishings. Sidewalk furnishings such as benches, tables, trash cans, and other like items must be approved by the ARB.

**g) Design standards to be met upon reuse or renovation of a CBD property.**

- 1) Barred windows and doors. Barred windows and doors are prohibited unless required by law.
- 2) Opaque glass. Fully opaque glass is prohibited unless already in place when this ordinance is ratified.
- 3) Awnings. Awnings must: a) not extend across multiple properties, b) be constructed of durable, protective, and fire repellent material, c) preferably be constructed of fabric, d) not be constructed of plastic or fiberglass, e) have coloring which compliments storefronts, signage, and building colors, and f) be approved by the ARB.

4) Building materials and general design. Building materials and general design standards for renovations should comply with the same strictures identified for new construction in the Cherryville Zoning Ordinance and must be approved by the ARB.

5) Paint color and scheme. All building color schemes in the CBD shall be approved by the ARB under the provisions of Sec. 8-157. The ARB will consult professional design counsel regarding appropriate options for color schemes.

6) Brick surfaces. Painting pristine brick surfaces in the CBD is prohibited. Existing painted surfaces may be repainted. But, if possible, brick surfaces should be exposed and restored.

**8-155. Renovation standards to meet requirements for historic tax credits.** Properties applying for tax credits for historic renovation must meet the specific standards of the NC Secretary of the Interior’s Standards of Rehabilitation, which include but are limited to: 1) making minimal changes to the defining characteristics of the building, 2) retaining the historic character of a property and not removing or altering details, 3) not adding faux historical details, 4) preserving distinctive features, finishes, and construction techniques, 5) repairing rather than replacing historic features while matching historic design, color, and material, 6) not using chemical or physical treatments that damage historic materials, 7) protecting significant archeological resources, 8) ensuring new construction doesn’t destroy historic materials, 9) differentiating new work from the old while ensuring its compatibility, and 10) ensuring new construction could be removed without impairing the integrity of the historic property.

**8-156. Enforcement of specific standards for buildings, grounds, and structures in the CBD.**

a) **Violations of fire or building codes.** Penalties and procedures are as identified in the codes.

b) **Violations of the Cherryville Zoning Ordinance.** Penalties and procedures are as identified in the Cherryville Zoning Ordinance.

**c) Violations of Sec 8-154.**

1) Notification. After being alerted by the Downtown Director of a violation, the zoning director will issue a written citation to the building owner.

2) Monetary Penalties for Noncompliance.

Type Citation	Penalty	When issued	Notes
Warning	0		
1 <sup>st</sup> Citation	\$25.00	After 10 days.	
2 <sup>nd</sup> Citation	\$50.00	After 3 more days.	
3 <sup>rd</sup> Citation	\$50.00	After 3 more days.	Escalates daily

3) Additional Penalties for Noncompliance. The city may institute legal proceedings to compel compliance including but not limited to liens on the property.

4) Appeals. Appeals may be made to the city manager. Further appeals may be made to the city council whose decision is final.

**Sec 8-157. Requirements for approval of exterior renovation work in the CBD.**

**a) Exterior renovation work in the CBD requires approval by the ARB on a COA.**

1) Prior approval required. Exterior structural renovation work done to any buildings or spaces within the CBD requires prior approval by the Cherryville Architectural Review Board (ARB) via a certificate of appropriateness (COA) and must comply with the architecture guidelines in: 1) the Cherryville Zoning Ordinance, 2) this ordinance, and 3) if applying for tax credits, the NC Secretary of the Interior Standards of Rehabilitation.

2) Approval for changes. Any changes to approved work during construction must be approved in writing by the ARB.

**b) Exterior renovation work in the CBD must comply with all city, county, and state codes.**

- 1) Building permit and zoning permit required. All work requires a building permit from Gaston County and a zoning permit from the City of Cherryville in addition to the COA.
- 2) State and local building codes. All work must be completed according to state and local building codes and ordinances and be approved, when necessary, by the proper authorities.
- 3) Façade changes require a zoning permit. All façade changes require a zoning permit.

**ADOPTED BY THE CITY COUNCIL of CHERRYVILLE, NORTH CAROLINA  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2025**

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Paige H. Green, CMC, NCCMC, City Clerk

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H.L. Beam, Mayor

<sup>1</sup> “Expanded construction” in this context must mean enlarging a building’s footprint and so, must then not refer to renovations of the existing structure when said renovations don’t increase the building’s square footage.

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