

Appearance Standards and Design Review

§ 154.120. Intent and Purpose

The Town of Maggie Valley recognizes that new construction built to proper standards is important to its residents, businesses, and industries. Maggie Valley desires architectural styles and developments that build upon and uphold the existing mountain character and natural setting of the town and believes that well-designed and well-maintained development is in the best interests of all residents and businesses.

A. It is the intent of this section to establish appearance standards and design review procedures for the planning jurisdiction of the Town of Maggie Valley. The purposes of this Section are as follows:

1. Provide design criteria for well-built commercial and multi-family construction through the use of appropriate architectural elements and site development;
2. Improve community appearance by requiring the use of suitable exterior colors and building materials;
3. Preserve and enhance the Town’s natural environment, aesthetic integrity, and unique character;
4. Support tourism and stimulate local economic development;
5. Preserve private property values and maintain a high quality of life;
6. Prevent and reduce soil erosion;
7. Reduce the hazards of flooding and storm water runoff;
8. Provide shade and thereby reduce heat levels associated with pavement, conserve energy, and improve air quality;
9. To increase natural buffers and thereby reduce the effects of wind and noise;
10. Protect the overall health, safety, and general welfare of the public.

§ 154.121. Definitions

Accent color – a single finish color which is used on a building, in the least proportion of all colors used, not to exceed 5% of the façade area.

Building - any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind

Building Element – an exterior wall, roof, or site wall which is manmade and constructed

Design Theme - individual architectural components of a building or multiple buildings that share a pattern of similar features, colors, shapes, materials,

1 scales, and overall design style. Words such as "compatible," "context" or
2 "harmonious" refer to elements sharing the same design theme

3
4 Exterior walls - the vertical or nearly-vertical planes which form the exterior
5 envelope of a building

6
7 Façade – the face of a building

8
9 Field color – a single stain or exterior finish color which is used most extensively
10 in a building's visible façade

11
12 Flat Roof – The external covering of a building having a 2(v):12(h) slope or less

13
14 Human Scale - having dimensions, proportions, and other physical
15 characteristics that are easily understood, manipulated, and experienced by
16 people.

17
18 Pitched Roof – The external covering of a building having a slope greater than
19 2(v):12(h)

20
21 Roof area – a single, unbroken, contiguous plane, measured perpendicular to
22 slope

23
24 Site walls – retaining walls, screen walls or other vertical or nearly- vertical
25 planes which occur on a property, but are not part of the exterior envelope of a
26 building

27
28 Structure - that which is built or constructed, an edifice or building of any kind or
29 any piece of work artificially built up or composed of parts combined together in
30 some definite manner

31
32 Trim color – a single color which is used on a building's trim, lesser in proportion
33 to the Field Color.

34
35
36 **§ 154.122. Applicability**

- 37
38 A. These standards shall apply to all new construction, expansions and/or
39 additions of 50% or more of the previously existing gross floor area or
40 50% of an existing building's tax value. Changes to exterior building
41 elements and facades for multifamily and nonresidential development less
42 than 50% of tax value will apply only to the specific change.
43
44 B. Single-family detached residential uses and individual duplexes are
45 exempt from this Section, as are changes considered regular maintenance
46 and repairs to existing multi-family and nonresidential buildings.

1 Maintenance and repair is defined as those changes that are considered
2 upkeep and do not change the architectural appearance of the building or
3 involve the complete repainting or refinishing of a building's exterior
4 elements.

5
6 **§ 154.123. Procedures for Review**

7
8 A. A Conditional Use Permit is required for all development subject to the
9 provisions of this section. All such permits shall be issued by the Board of
10 Aldermen prior to the start of any new construction or expansion projects.

11
12 B. Prior to the preparation of final architectural or engineered drawings and
13 plans, for any building or structure to which this section is applicable,
14 which shall be prepared by a Registered Land Surveyor, Professional
15 Engineer, Registered Landscape Architect, or licensed Architect, the
16 property owner or his-/her representative shall schedule a preliminary
17 meeting with the Planning Director. The purpose of the preliminary
18 meeting is to offer the applicant an opportunity to obtain advice and
19 technical assistance from the Town, to acquaint the applicant with the
20 review process in general, and to help facilitate the subsequent
21 preparation and approval of any required plans prior to expending
22 significant resources. Subsequent to the preliminary meeting, the
23 applicant shall submit the following information for review by the
24 Community Appearance ~~Committee~~ Commission.

- 25
26 1. Application for design review on forms furnished by the Town; such
27 application shall include the applicant's and owner's names, mailing
28 addresses, location and legal description of the property and such
29 other information as deemed necessary by the Planning Director;
30
31 2. Site plan showing the areas devoted to buildings, parking, and
32 landscaping treatment;
33
34 3. Elevation drawings of the front, side, and rear of the building or
35 structure illustrating the building's appearance and treatment. Exterior
36 materials and colors shall be included on the drawings or in a
37 separate list;
38
39 4. Landscaping plan depicting locations, size and names of plant
40 material as included within the Town's landscaping requirements;
41
42 5. Material and color samples as well as other supportive information
43 shall be required if deemed necessary by the Planning Director in
44 order to clarify the application.
45

- 1 6. It is the responsibility of the applicant to produce sufficient evidence
2 demonstrating that the design principles, guidelines, and procedures
3 specified in the ordinance will be met.
4
- 5 C. The Appearance ~~Committee~~ Commission shall act only in an advisory
6 capacity. The ~~Committee~~ Commission will review proposed developments
7 and make design recommendations to the applicant before sending them
8 to the Board of Aldermen for final approval or disapproval. If the
9 ~~Committee~~ Commission fails to review submitted materials and make
10 recommendations within 45 days, the applicant may apply directly to the
11 Board of Aldermen for approval.
12
- 13 D. For all developments subject to this section, the Board of Aldermen shall
14 follow quasi-judicial procedures while considering applications for the
15 requisite Conditional Use Permit. In granting an application, the Aldermen
16 shall find that the proposed development will not materially endanger the
17 public health or safety, will be compatible and in harmony with the area in
18 which it is to be developed, is in compliance with the intent and spirit of the
19 Town's established design criteria, that the issuance of the permit will not
20 substantially injure the value of adjoining property. Any conditions required
21 in granting a permit are all to be in accordance with the principles,
22 conditions, safeguards, and procedures specified in this ordinance.
23
- 24 E. Prior to issuance of a building permit for a building or structure to which
25 this section is applicable, the Planning Director shall determine that the
26 plans submitted for the building permit are congruent with those approved
27 by the applicant's Conditional Use Permit.
28
- 29 F. Prior to any change in building design, remodeling, or alteration of a
30 building or structure as to the exterior character, the property owner or
31 his/her representative shall obtain the recommendations of the Community
32 Appearance Committee; except that the repainting of a building may be
33 approved by the Planning Director.
34
- 35 G. The action of the Board of Aldermen shall be noted on two copies of the
36 plans. One (1) copy shall be retained by the Planning Department and one
37 (1) copy shall be returned to the owner and applicant.
38
- 39 H. Noncompliance with any approved site plans shall be grounds for stopping
40 work on the project or for the denial of the certificate of occupancy.
41
- 42 I. The development, building or structure which has been granted a special
43 use permit through the procedures established in this section and has
44 been constructed to adopted appearance standards shall be maintained
45 by the owners or the person in possession of the property upon which the
46 building or structure is located.

1 **§ 154.124. Appearance Standards and Review Criteria**

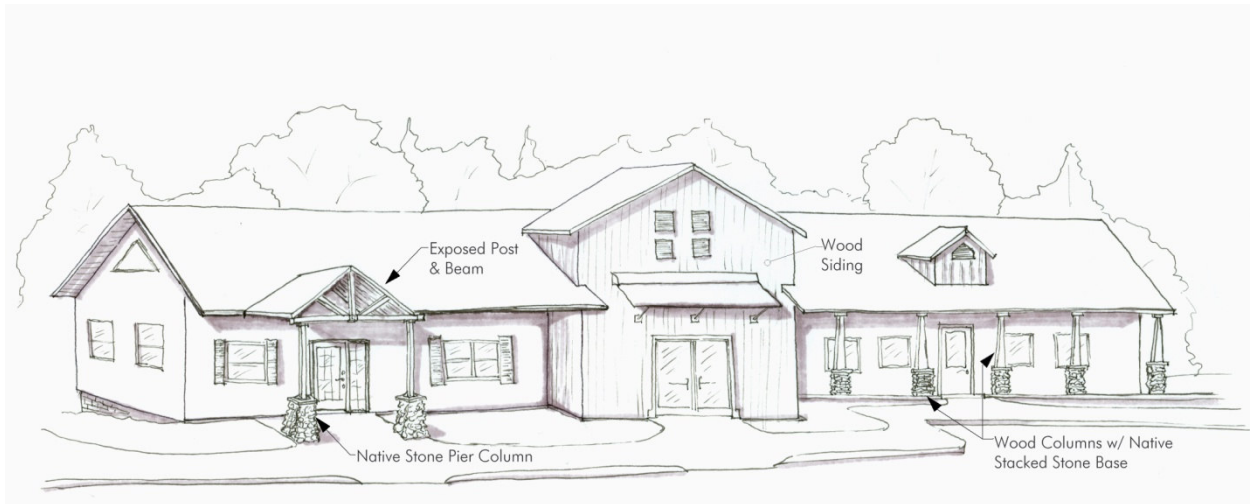
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3 In consideration of all applications for design review and approval, the
4 Appearance ~~Committee~~ Commission and Board of Aldermen shall take into
5 account the proposal's level of compliance with the following criteria, as
6 described within the Town of Maggie Valley Design Guidelines in Section
7 154.125 of this ordinance.

- 8
- 9 A. Compatibility and Context
- 10 B. Frontage, Orientation, and Facades
- 11 C. Correct Setbacks and Yards
- 12 D. Acceptable Building Materials
- 13 E. Appropriate Scale and Massing
- 14 F. Right Height
- 15 G. Articulation Avoids Monotony
- 16 H. Individual Storefronts
- 17 I. Compliant Awnings and Signage
- 18 J. Pitched Roofs
- 19 K. Suitable Colors (elements, accents, and trim)
- 20 L. Adequate Parking and Loading Zones
- 21 M. Screened Utilities, Trash Containment, Buffering and Fencing
- 22 N. Sufficient Lighting
- 23 O. Correct Landscaping and Streetscaping
- 24 P. Adequate Pedestrian and Bicycle Amenities

25
26 **§ 154.125. Design Guidelines**

- 27
- 28 A. Compatibility and Context All development subject to this section shall be
29 compatible with the established architectural character of the Town by
30 using a design that is complementary to existing Town architectural styles,
31 designs, and forms. Compatibility shall be achieved through techniques
32 such as the repetition of roof lines, the use of similar proportions in
33 building mass and outdoor spaces, similar relationships to the street,
34 similar window and door patterns, and the use of building materials that
35 have color, shades, and textures similar to those existing in the immediate
36 area of the proposed development. Development shall be harmonious with
37 surrounding landscapes and buildings. A-frame buildings, round buildings
38 and geodesic domes are discouraged.
- 39
- 40 B. Frontage, Orientation, and Facades The building shall be oriented so that
41 a principal or primary facade faces each street on which the building
42 fronts. Continuous flat facades are discouraged.
- 43
- 44 C. Correct Setbacks All proposed developments must comply with the
45 setbacks in the underlying zoning district.
- 46

- 1 D. Acceptable Building Materials Materials shall be selected for suitability to
 2 the mountain architectural style. For the village character of Maggie
 3 Valley, this means using natural and traditional materials such as wood
 4 and native stone. All sides of a building should relate to each other. The
 5 front should not look substantially different from the other sides. The
 6 number of different materials on exterior finishes should be limited.
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Encouraged:

- Use of materials native to mountain area
- Wood siding (painted, stained, or weathered)
- Wood shingles/shakes
- Native stone
- True log construction
- Log siding
- Exposed wood structural members
- Related trims
- Where materials change there should be a change in wall plane or some architectural device to give sense of transition
- Cultured stone (faux stone)
- Bark siding
- Brick (the brick shall be of constant color and of the wood mold type, no blends)
- Stucco, for two (2) feet above grade only, or allowed as an accent for areas of detail
- All ASTM approved board, per State Fire Code

Discouraged:

- Stucco, as an entire wall exterior finish
- Mix of materials unrelated to architectural form/structure

- 1 • Preformed metal siding
- 2 • Exposed or painted concrete block
- 3 • Vinyl siding
- 4 • Artificial brick
- 5 • Reconstituted or manufactured wood materials
- 6 • Synthetic stucco
- 7 • T1-11 siding (plywood)
- 8 • Split face block
- 9 • Non-ASTM approved board

10
11 E. Appropriate Scale and Massing Scale and proportion should reflect local
12 traditions of mountain buildings. They should be oriented to the
13 characteristic, simple residential buildings of Maggie Valley. Texture of
14 roof and wall finishes shall provide a scale or reference point for the
15 pedestrian in proximity to the structure.

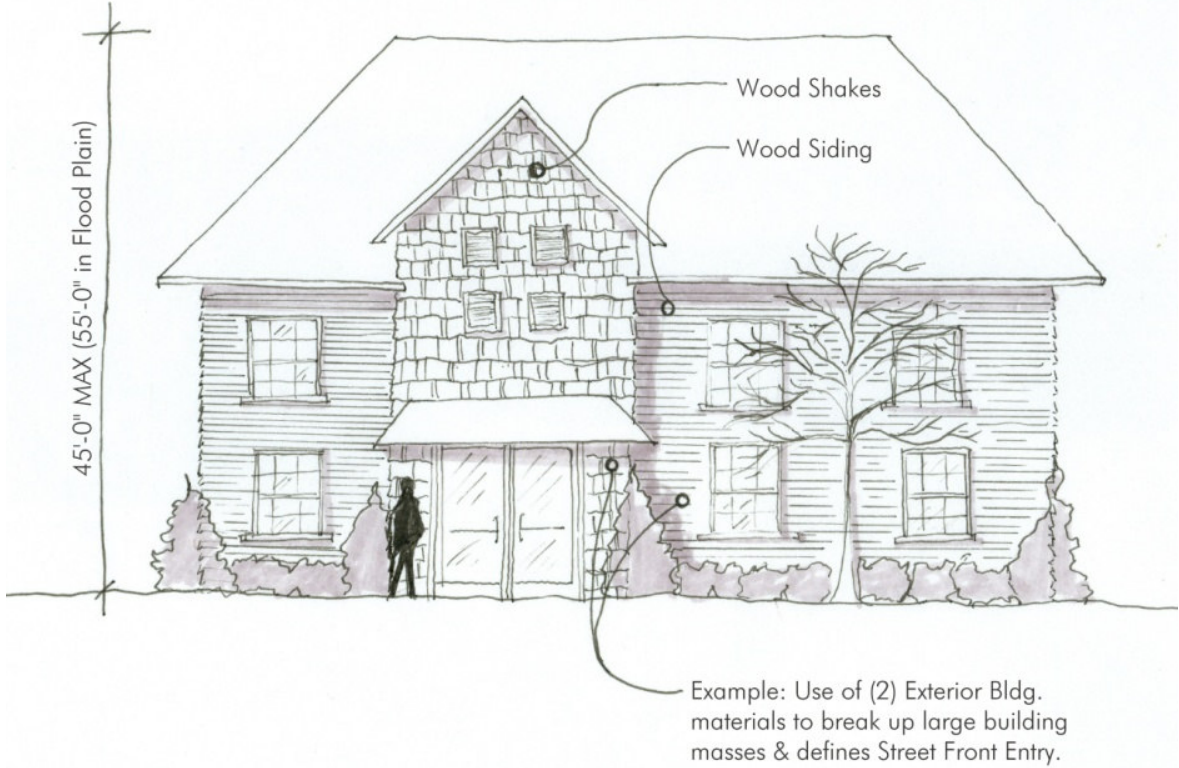
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17 **Encouraged:**

- 18 • Residential scale
- 19 • Structures using rectangular configurations
- 20 • Use of architectural elements (windows, stairs, etc) to break up
- 21 large masses of buildings
- 22 • Pedestrian-oriented scale
- 23 • Covered walkways
- 24 • Canopies

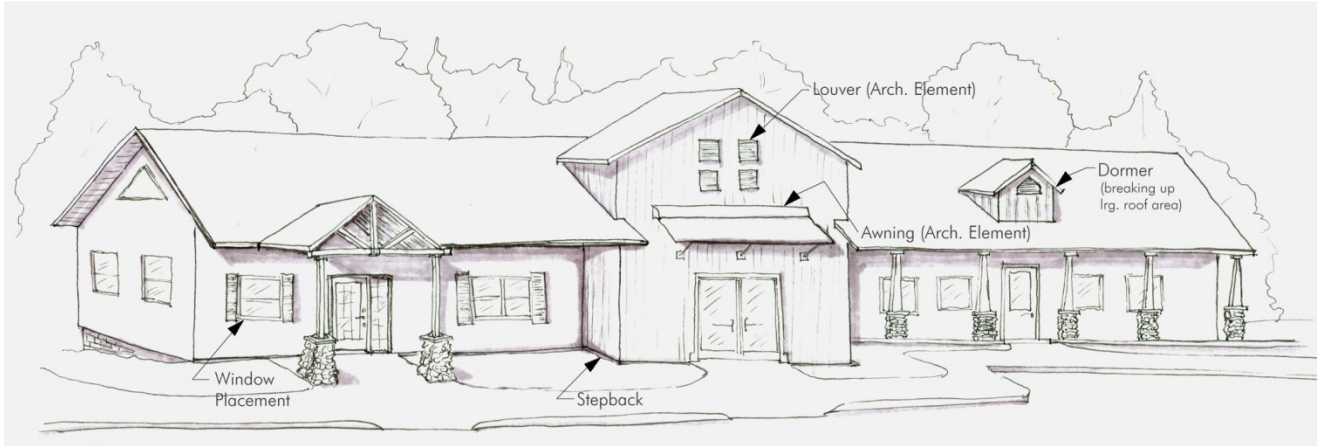
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26 **Discouraged:**

- 27 • Building with a mass more than 40% of total lot size
 - 28 • Solid walls and blank exteriors
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- 1 F. Height 45 foot maximum height as measured from the average natural
- 2 grade to top of the roofline. For those areas existing in a Special Flood
- 3 Hazard Area, the maximum height shall be fifty-five (55) feet; existing
- 4 contours shall be provided on plot or site plans as part of the zoning
- 5 permit application.



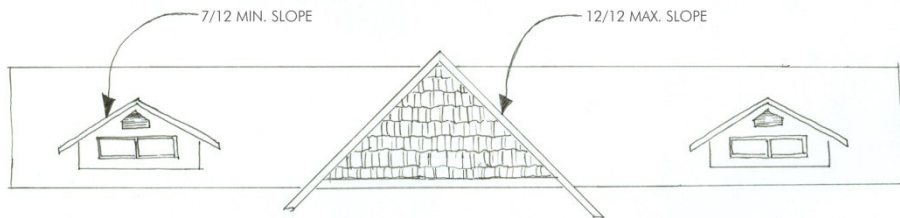
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- 7 G. Use of Articulation to Avoid Monotony Use architectural elements to break
- 8 up large masses of buildings. Monotony of design in single or multiple
- 9 building projects shall be avoided by varying architectural detail and
- 10 building form through use of articulation.



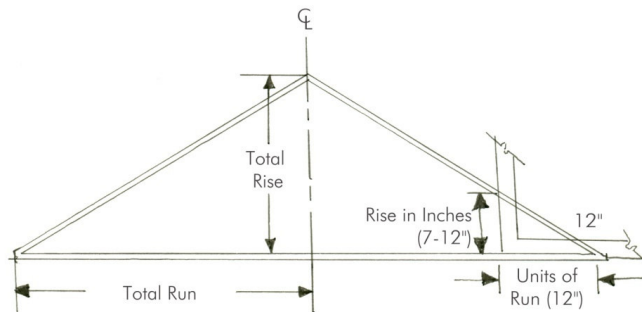
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2 H. Individual Storefronts If several storefronts are located in one building, the
3 individual storefronts shall be unified in all exterior design elements, such
4 as mass, window and door placement, color, materials, and signage while,
5 at the same time, varying the look and providing distinctiveness from
6 storefront to storefront.
7
8 I. Signage and Awnings All developments subject to the provisions of this
9 section must comply with the Sign Ordinance of the Town of Maggie
10 Valley.
11
12 J. Pitched Roofs Roofs are a major visible element and shall be compatible
13 with both the buildings' and neighboring buildings' architectural style.
14 Similarities in roof type create a visual continuity in the streetscape and
15 neighborhood. Roof shape, color and texture should be coordinated with
16 the treatment of the buildings perimeter walls. Roofs with more than one
17 plane, and containing dormers, add variety to a building and break-up its
18 size. The appearance of flat roofs is discouraged.
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21 **Encouraged:**

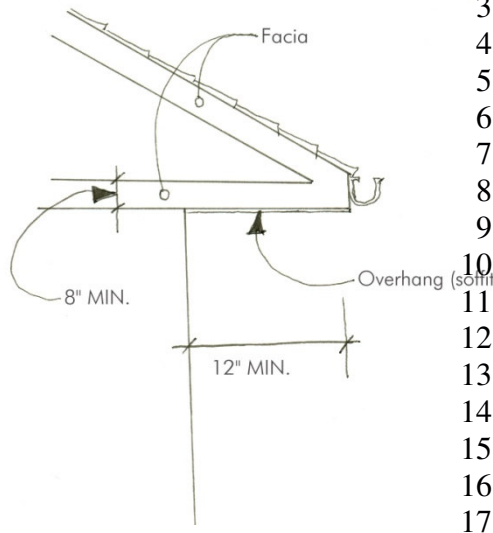
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 - Roof pitches with 7/12 to 12/12 slope



- 24
 - Large overhangs (minimum one (1) foot)



- Fascia eight (8) inches minimum and/or exposed rafter tails



- Gable or hip roofs
- Large roof areas should have more than one plane and be broken up with dormers
- Roof pitches over porches and ancillary structures should be in keeping with principal building (minimum 4/12).
- Grouping together of utility structures (vents, ducts,) and painted to match adjacent building surface
- Exposed gutters and downspouts painted to match or complement adjacent roof or wall material
- Earth tone colors for roof materials
- Traditional roof materials such as: Wood shakes, slate, metal fiberglass shingles
- Same materials on all principal parts of the roof
- Asphalt composition shingles (artificial slate)
- All rooftop mechanical and electrical equipment shall be screened from the view of streets and adjacent property.

K. Suitable Colors (elements, accents, and trim) Colors shall be natural and subdued (earth tones) and shall blend in well with the natural surroundings. Natural stains or paints that reflect the colors of natural materials should be dominant on large areas such as building facades and elevations. Openings and entryways should be clearly expressed with changes of texture or color. Trim color shall refer to any or all buildings trim elements (such as eaves, soffits, overhangs, fascias, windows, sills, gutters). Principal building and trim colors are subject to review, also for repainting an existing building. If the color for repainting matches the previously permitted color, then no additional permit will be required. The

1 repainting of a building may be approved by the Planning Director.

2
3 The Town of Maggie Valley Design Review and Appearance Standards
4 offers the following recommendations for exterior color: Color
5 requirements for predominant color design are reviewed for compatibility
6 with the Mountain Vernacular Palette which includes earth tones. Accent
7 color designs (i.e. black, dark blue, grays) may be used on a limited basis
8 as part of an architectural motif approved by the Appearance ~~Committee~~
9 Commission and the Board of Aldermen.

10
11 **Discouraged:**

- 12 • High gloss finishes
- 13 • Day-glow and fluorescent colors
- 14 • Primary colors, bright colors, including pastels that do not
- 15 complement natural materials
- 16 • Non-earth tone stains

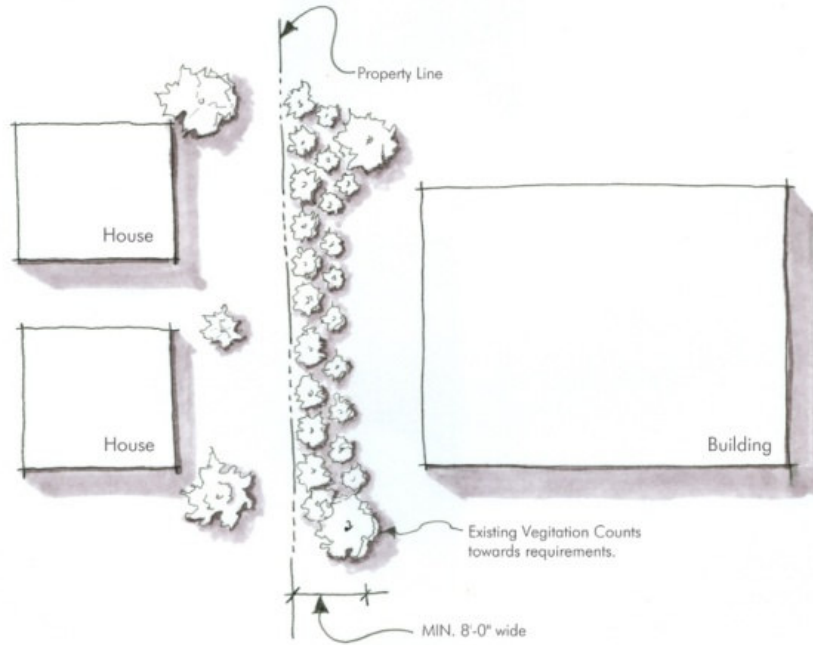
17
18 L. Adequate Parking and Loading Zones All new or newly expanded
19 developments subject to the design review provisions in this section shall
20 comply with the minimum parking requirements of the underlying zoning
21 district. Additionally, developments with the following uses shall supply the
22 following number of off-street parking spaces:

23	Shopping Center	3/1000 sq. ft.
24	Retail Sales	1/333 sq. ft.
25	Restaurant	1/3 seats or 1/100 sq. ft.
26	Take-out Rest.	1/2 seats or 1/80 sq. ft.
27	Medical/Dental office	3.5/1000 sq. ft.
28	Veterinary	1.5/1000 sq. ft. or 1/4 employees
29	Hotel/Motel/Inn	1/room and 1/2 employee
30	Multi-family	1.5/unit

31
32
33
34 All parking spaces required in this ordinance shall be marked or
35 designated by painted lines or an equivalent in a paved parking lot, and by
36 some permanent, fixed markers in unpaved lots.

37
38 Every applicable building or structure shall provide space for the
39 loading and unloading of vehicles off the street or public alley. Such
40 space shall have access to an alley or, if there is no alley, to a street.
41 For the purpose of this section an off-street loading space shall have
42 minimum dimensions of twelve (12) feet by forty (40) feet and an
43 overhead clearance of fourteen (14) feet in height above the alley or
44 street grade.

45
46 M. Screened Utilities, Trash Containment, Buffering and Fencing



1 Fencing, facing street corridors shall consist of natural materials such as
 2 wood and/or stone being complemented by appropriate landscaping to
 3 break up the length and solidity of fencing. Metal fencing of any type is not
 4 permissible. Where chain link is deemed necessary for security purposes
 5 and/or dumpster screening, such fencing must be completely concealed
 6 by evergreen plant material. Chain link with plastic insets of natural earth
 7 tone color is acceptable for the screening of dumpsters.
 8

9 It is the intent of this section to provide for visual screens and or buffers
 10 between trash container and dumpster locations and all street rights-of-
 11 way and adjoining properties.
 12

13 Trash containers and dumpsters shall not be located in the front yard of
 14 any property where practical and shall be screened from view on all sides.
 15

16 N. Sufficient Lighting The purpose of this provision is to regulate the intensity
 17 of exterior lighting. The intent is to prevent light from commercial
 18 developments from excessively illuminating the property in question, other
 19 properties, neighboring properties, or the night sky
 20

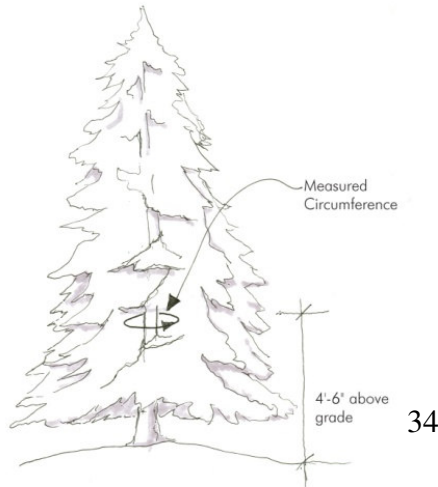
21 O. Correct Landscaping and Streetscaping Landscaping for any new
 22 development requiring six (6) parking spaces or more shall be designed to
 23 meet the requirements of this section utilizing the criteria set forth in
 24 Section 154.125.1. Single family residential uses and properties are
 25 exempt.
 26

27 A landscaping plan, preferably prepared by a registered architect,
 28 landscape architect or professional landscaper, incorporating the

1 requirements of this section shall be submitted with an application for a
2 certificate of compliance (zoning permit) for any permitted or conditional
3 use. The landscape plan shall be reviewed and approved by the Town of
4 Maggie Valley Appearance ~~Committee~~ Commission during the design
5 review process.
6

7 The landscaping plan, in addition to all other site plan requirements, shall
8 include the following:
9

- 10 1) Existing and proposed landscaping, including but not limited to,
 - 11 (a) the location, species, and height of new trees and shrubbery;
 - 12 (b) the location and dimensions of planting areas;
 - 13 (c) the dimensions of the entire parking or paved area;
 - 14 (d) the location and height of fences or walls
- 15
- 16 2) The number, location, species and size of existing trees between the
17 principal building and the public street right-of-way which are to be
18 maintained and preserved for credit; the size is to be measured by
19 taking the circumference of the tree at approximately four and one-half
20 (4 ½) feet above the grade.
21



40 3) The location and description of any barriers to be erected to protect any
41 vegetation from damage both during and after construction.
42

43 4) Clear edging shall be provided between landscaped areas and
44 pedestrian/vehicle areas.
45

1 P. Adequate Pedestrian and Bicycle Amenities All developments subject to
2 the provisions of this section with building coverage of 40,000 square feet
3 or more must provide sidewalks and bicycle racks adequate to serve the
4 proposal as determined by the Appearance Commission and the Board of
5 Aldermen.
6

7 **§ 154.125.1 Street Yard, Parking Lot Yard, and Buffer Yard Design**
8

9 A. Street Yard Required A planting yard, comprised of a strip of land
10 containing landscaping materials, shall be located along and parallel to
11 any adjacent public street, or streets. The street yard is located on private
12 property and not within the street right-of-way. Street yards may have a
13 varying minimum width as specified in this section; however, no street tree
14 can be planted more than 35 feet from the edge of the right-of-way to
15 count as a street tree.
16

17 The minimum width of the street yard cannot be less than seven feet and
18 the average width shall be at least ten feet.
19

20 For street yards, one (1) large shade tree (expected height of 35 feet at
21 maturity) is required for every fifty (50) feet of linear street frontage of the
22 lot minus the width of driveways and access points.
23

24 Ornamental trees (expected height of 25 feet upon maturity) may be used
25 in place of shade trees at the rate of one (1) for every thirty (30) feet. Due
26 to above ground utilities; the Town may require the use of ornamental
27 trees in place of large shade trees.
28

29 Trees do not need to be spaced evenly.
30

31 Trees may be clustered with a minimum spacing of 15 feet and a
32 maximum spacing of 75 feet.
33

34 Inclusion of existing trees in the landscape design is encouraged.
35 Shrubbery, ground cover, and other planting materials shall be used to
36 complement the tree plantings.
37

38 No area of the street yard may be exposed soil, but instead shall be
39 covered with vegetation, whether grass or shrubbery.
40

41 The only area that shall remain uncovered is the six-foot radius
42 surrounding the trunk of any tree; however, this area shall be mulched.
43

44 B. Parking Lot Yard Required The purpose of parking lot yards is to provide
45 attractive views from roads and adjacent properties provide shade to
46 reduce the heat generated by impervious surfaces, reduce glare from

1 parking lots, and to help filter exhaust from vehicles. Parking areas shall
2 be broken up with landscaping and should be screened by hedges, trees,
3 planted berms, shrubs, or walls. This section applies to parking lots with
4 six (6) or more parking spaces.
5

6 Parking lots shall provide a minimum 10% net area of landscaping/green
7 space on the interior or exterior of parking lots.
8

9 All parking shall provide and maintain landscaped planting areas within
10 the interior of or adjacent to the parking area or both.
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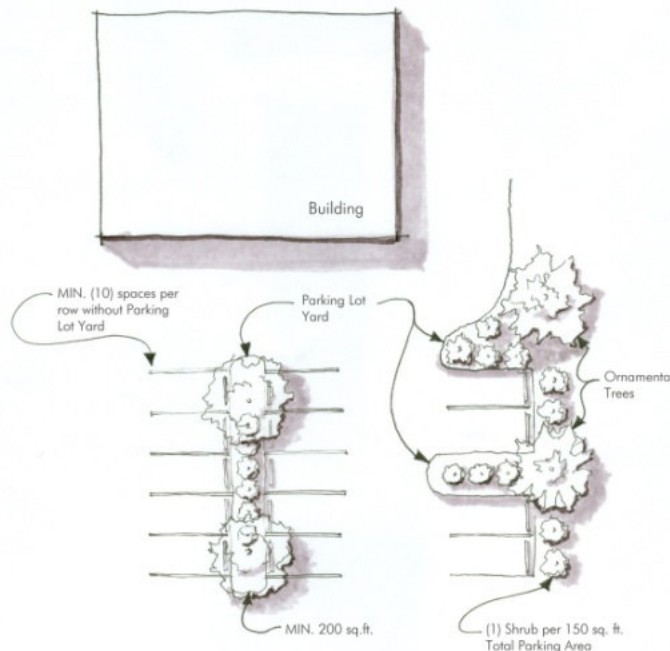
12 Landscaped planting areas are to be located within or adjacent to the
13 parking area as landscaped islands, at the end of parking bays, inside
14 medians, or between rows of cars.
15

16 There shall be one large shade tree within 60' of every parking space.
17 There shall be one shrub for every three-hundred (300) square feet of total
18 parking area. Shrubs shall be eighteen (18) inches tall at planting and
19 reach a minimum height of thirty (30) inches in three years. No more than
20 45 percent (45%) may be deciduous. Evergreen trees for screening
21 shall be a minimum of 5 feet in height at planting.
22

23 Large deciduous trees shall be a minimum caliper of 2.5 inches or greater
24 when planted. Medium deciduous trees shall be a minimum caliper of 1
25 inch.
26

27 All trees and shrubs are to be planted within a landscaped planting area
28 not less than 200 square feet in area.
29

30 Parking bays shall be broken up with landscaped islands or medians to
31 avoid long monotonous rows of parking; no more than ten (10) spaces
32 shall be located in one continuous row.
33



1 C. Buffer Yard Required The purpose of the buffer yard is to provide a
2 transitional area between uses that may differ in development intensity
3 and density. No buildings or parking areas may encroach within the buffer
4 yard.

5
6 Where a commercial, office or institutional (nonresidential) proposed use
7 abuts an existing residential use or residential zoning district, the
8 developer is required to provide a vegetative buffer yard between the
9 residential and proposed uses. This shall be accomplished through the
10 use of densely planted landscaping that would provide complete visual
11 separation within 3 years of planting, or a combination of shrubs and a six
12 foot fence constructed of masonry or pressure-treated lumber. The buffer
13 yard between nonresidential and residential uses shall be 8' in width. No
14 such buffer shall, however, extend nearer to a street right-of-way line than
15 the established building line of the adjoining residential lot.

16
17 D. Existing Vegetation Existing vegetation, other than exotic, non-native
18 species, may count toward meeting the requirements of this section when
19 such vegetation is in good condition, is properly protected during
20 development and helps to further the purpose of the district. Existing
21 vegetation that is used to meet the standards of this section shall be
22 maintained or replaced if it dies during the first year after the completion of
23 the development.

24
25 E. New Plant Material Regionally grown and native species of plants are
26 encouraged. New plant material shall complement existing site vegetation,
27 should be mixed with it and should be integrated with all other natural site
28 features. Plantings should be grouped together or clustered as opposed to
29 thin linear patterns.

30
31 See Appendices 1 and 2 for Approved and Preferred Plant Species.

32
33
34 **§ 154.126. Board of Aldermen Powers and Duties**

35
36 The Board of Aldermen shall have the power to grant or deny conditional
37 use permits, in regards to design review applications. It is the
38 responsibility of the applicant to submit adequate material on which the
39 Board may make a determination as to the compliance of the proposed
40 development with the terms of this section. The Board, after reviewing
41 submitted materials during a quasi-judicial hearing, shall render a decision
42 based on findings of facts and shall impose such reasonable conditions as
43 it deems necessary to carry out the provisions of this section. No vote
44 greater than a majority vote shall be required for the Aldermen to issue
45 such permits. For the purposes of this section, vacant positions on the
46 board and members who are disqualified from voting shall not be

1 considered "members of the board" for calculation of the requisite
2 majority. Such approval as is granted by the Board shall become effective
3 immediately. Approval shall be valid for a period of one (1) year from the
4 date of approval by the Board of Aldermen. Extensions may be granted by
5 the Aldermen provided such extension is requested prior to the date of
6 expiration. Applications which have been disapproved by the Board may
7 be reconsidered upon revision and resubmittal by the applicant in
8 accordance with the requirements of this ordinance.
9

10
11 **§ 154.127. Changes to Building Design and Color**

12
13 A building or structure which has been constructed, installed or
14 occupied in accordance with these provisions may be removed or
15 demolished, but site plans may not be further modified before or after
16 construction, installation or occupancy without the review and approval of
17 the Appearance Commission and the Board of Aldermen. The
18 passage of time shall not remove this requirement for review and approval
19 if changes in design, including color, are desired or proposed for any
20 building within the Town which is subject to these provisions.
21

22
23 **§ 154.128. Appeals**

24
25 Decisions by the Board of Aldermen regarding the issuance of a
26 Conditional Use Permit are subject to review of the superior court in the
27 nature of certiorari in accordance with N.C.G.S. 160A-388. Should an
28 applicant wish to appeal the Board's decision, the appeal must be filed
29 with the Haywood County Superior Court within 30 days after the decision.
30
31