



Planning and Development  
Department

## Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting

January 10, 2012

7:00 P.M.

Board of Commissioners Meeting Room  
Cabarrus County Governmental Center

### Agenda

1. Roll Call
2. Approval December 2011 Minutes
3. Meeting Minutes Correction
4. Proposed Text Changes (Chapter 3 and Permitted Use Table)
5. Directors Report



## Cabarrus County Government – Planning and Development Department

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### Planning and Zoning Commission Minutes January 10, 2012

Mr. Todd Berg, Chair, called the meeting to order at 7:15 p.m. (due to technical difficulties). Members present, in addition to the Chair, were: Ms. Mary Blakeney, Ms. Brenda Cook, Mr. Eugene Divine, Mr. Danny Fesperman, Ms. Shannon Frye, Ms. Emily Knudson, Mr. James Litaker, Mr. Richard Price and Mr. Aaron Ritchie. Attending from the Planning and Development Department were, Ms. Susie Morris, Planning and Zoning Manager, Ms. Arlena Roberts, Clerk to the Board, and Mr. Richard Koch, County Attorney.

#### **Roll Call**

Approval of December 13, 2011, Planning and Zoning Commission Minutes.

Mr. Aaron Ritchie, **MOTIONED, SECONDED** by Mr. James Litaker to **APPROVE** the December 13, 2011 minutes. The vote was unanimous.

Ms. Morris said an incorrect document was attached to the original October 21, 2010 minutes. The Board needs to approve the minutes with the correct document attached. The minutes will be replaced with the correct document and a corrected copy will be sent to the state archives office in Raleigh.

Approval of the corrections to the October 21, 2010, Planning and Zoning Commission Minutes.

Mr. Aaron Ritchie, **MOTIONED, SECONDED** by Mr. James Litaker to **APPROVE** the October 21, 2010 minutes. The vote was unanimous.

#### **Proposed Text Changes to Chapter 3 and the Permitted Use Table**

Ms. Morris said Chapter 3 and the Permitted Use Table are being presented together because they are the controlling documents for everything else. The Board has seen the permitted use table, but has not seen Chapter 3.

She said based on the changes that were made to the table, the text in Chapter 3 was amended. She said what is in the table is reflective in the text; it is essentially expanding those list to make sure that they matched.

She said at the end of Chapter 3, it talks about the Planned Unit Development Standards. We have not had anyone that has opted for Planned Unit Development Standards. She

Planning and Zoning Commission Minutes  
January 10, 2012

said one reason may be because typically, if they want to do a mixed use development the cities will have them annexed for utilities.

Ms. Morris said anything in this chapter that has been changed is indicated in red and deleted text has been marked through.

Page 1, is about Conditional Use and Accessory Use; no changes were made. Page 2, talks about Zoning Districts; some cleanup work was done on this page. She said sometimes in this text it talks about zones, it doesn't talk about districts; so those are a lot of the changes that were made to get everything in line. It talks about the map of the zoning districts that it is to be kept in the Zoning Administrator's office. No changes in that particular section.

Page 3, Statements regarding the purpose of zoning districts and the Agricultural Open Space district is not changing unless the Board sees something that should be changed. At first, she thought the hamlet type settlement should be changed, but when you look at the definition of hamlet, it talks about rural community, so that it is appropriate to what would happen with that particular zoning district.

The Board made no additional recommendations to the Agricultural Open Space District.

Ms. Morris said Farmland Preservation talks about some farmland. She said that could be 100 acres or 1000 acres, so for clarification it was changed in general to farmland preservation.

She said some uses were added to the Agriculture/Open Space (AO) uses to be consistent with the table that we worked through in September/October 2011. The new items are in red text. She asked the Board to look at the added uses and deleted uses to see if there is anything that they thought would not be appropriate for the Agriculture/Open (AO) zoning district. In this district a 3 acre minimum is required for a conventional lot. She said you can have a 1 acre lot, but it is very limited on what types of commercial uses can go there.

The Chair asked if there was any significance to the blue text on the retail sales.

Ms. Morris said the blue text corresponds to a change that was made in the table to things that we have already talked about.

We have received some calls recently about using facilities for church retreats and things like that. Where you see the day camp and summer camp, we added Civic Group Camp, which includes Boy Scouts, Girl Scouts and churches.

The next step is to make sure that every one of these items that is listed on the table has a definition. She said at this point there are a lot of things that don't have definitions.

Planning and Zoning Commission Minutes  
January 10, 2012

Ms. Morris did get the shooting range worked out with the Sheriff and will bring that text back to the Board in Chapter 8.

The Board made no additional recommendations to the Agriculture /Open Space Uses.

To clean up the language in Countryside Residential (CR), the site sensitive design concept and the clustering option has been deleted because it is no longer in the Ordinance. We now have the open space and the amenity type subdivisions which essentially act as a clustering option. We used to have the clustering option and the conventional option.

Some typos were corrected in the Rationale section and public utilities were deleted. Countryside Residential (CR) does not allow public utilities; therefore it is not appropriate for it to talk about having access to public utilities.

Ms. Morris asked the Board review the Countryside Residential Uses list. The new items are in red text.

She said the wireless telecommunications services has been added and includes co-location, stealth antennae, 65 feet or less and new tower. The ordinance says that if it is 65 feet or less they do not have to get a Conditional Use Permit. Co-locations are administrative and new towers are what the Board will see as a Conditional Use.

The Board made no additional recommendations to the Countryside Residential Uses list.

In the Low Density Residential District (LDR), because it is not zones, the word zones were replaced with the word district. Low Density Residential District is optional for utilities; it could be somewhere where there are no utilities or where there might be utilities.

She said there were no changes in the Rationale. The Low Density Residential (LDR) Uses in red are the same thing because a lot of them are the temporary uses that we did not have in the Ordinance that are now in the Permitted Use Table, plus listed the Cell Tower information.

The Board made no additional recommendations to the Low Density Residential District Uses list.

In the Medium Density Residential (MDR) description there were some wording changes; no changes in the Rationale. Uses were added to Medium Density Residential (MDR) District Permitted Uses list so that it is consistent.

The Board made no additional recommendations to the Medium Density Residential District Uses list.

Planning and Zoning Commission Minutes  
January 10, 2012

Ms. Morris said as we work our way down through the districts, they all will have uses added until we get to the General Commercial.

She said there were no changes with High Density Residential/Mixed Use over all intent or the Rationale; added uses in the High Density Residential Mixed Use District.

Mr. Price asked what the difference is between a communications tower and a 911 tower.

Ms. Morris said the communication tower and the 911 towers are not intended to be cell towers where non-emergency equipment would be located. An example would be the tower in Midland by the fire station; that is a communications tower, not a cell tower. She said the County or the City builds communications towers; its main purpose is for emergency services or the repeaters and things like that to increase radio service.

The Board made no additional recommendations to the High Density Residential District Uses list.

The Office and Institutional District language was cleaned up. She said to be consistent with what we have done in other places, in the Rationale section, zones was changed to districts, and where it says when bordering residential zones, that was changed to residential districts or residential developments to make sure that they are compatible.

Ms. Morris said this is our short list. This is the transitional district, so there are not a whole lot of uses here that would be considered heavy commercial uses. It is more things that would be related to neighborhood services or churches and schools.

She said some items have been marked through. The Mobile office, temporary, is actually handled now in Temporary uses. Residential is not allowed in this district, there was some conflicting information; that is why you see Townhouses, Home Occupation and Multifamily Residential marked out. The chart said it wasn't allowed, the text said it was, but it was clear from the conversations that it was not to be a residential district; it was a transitional district between residential and other districts.

Mr. Berg asked if there could be a situation where there was an existing home that would be nonconforming and someone wanted to convert it to a home occupation business.

Ms. Morris said there might be, but we would look at it as a nonconforming use. We do not have a lot of Office Institutional (OI) and any OI that is out there was intentionally put in place at that time. So, we may have one, but we would look at it as nonconforming and this would handle anything new.

She said very little change to Commercial Districts - Office/Limited Commercial; addressed the bordering on residential districts or residential development and adding the uses that were added to the Table; making sure that they match up. The chart did not address duplexes, but they were allowed as a commercial use. Cleanup work was done on this section and the temporary uses were added.

Planning and Zoning Commission Minutes  
January 10, 2012

The Board made no additional recommendations to Commercial Districts (Office /Limited Commercial)

Ms. Morris said cleanup work was done to the General Commercial District and added the uses and clarifying those uses so that they are consistent with the Table. She asked the Board if they an opinion either way about the flea market, as long as it is indoor only.

The Board did not make any comments about the flea market.

She will edit the Pharmaceutical Supply to read Pharmaceutical or Medical supply.

The Board made no additional recommendations to the Commercial Districts

Ms. Morris said cleanup work was done to the Industrial District on the definition; no changes to the Rationale; making sure that the chart is same. There were some uses here that did not seem to make a lot of sense; for example, the Hotels, Motels and Inns in the industrial area. She said the Table said one thing and the text said one thing, so we went with not having them in the Industrial District.

She asked Board if they thought it was something appropriate for a Light Industrial District. It seems like it should be more in the Commercial District.

The Board agrees that it should be in the Commercial District.

Ms. Morris said it also had Banks in the Light Industrial District. When you start looking at that, you start running into things that are in the Light Industrial that would be subject to the Commercial Design Standards. She said a lot of it did not make sense.

The Chair asked if the free standing ATM is a permitted use in the Industrial District.

Ms. Morris said it should not be a permitted use in the Industrial District unless the Board thinks that it is appropriate to be in a light industrial business park or something like that. But, again it gets into that whole design standard, because it is classified as a commercial use.

The Chair said it is probably best to leave it as you have it.

The Board made no additional recommendations to the Industrial District.

Ms. Morris said some cleanup work was done in the General Industrial District. The last sentence of the Rationale of the General Industrial was changed to include that these are being sited near transportation such as rail lines, airports, etc., not just the major roadways. The text was cleaned up and the uses were added so that it is consistent with what is in the Table.

The Board made no additional recommendations to the General Industrial District.

Planning and Zoning Commission Minutes  
January 10, 2012

Ms. Morris said in the Planned Unit Development (PUD) there were no changes to the Intent or the Rationale. The Processing Procedures were cleaned up to state what needs to be shown, how the process happens, and lets them know that they are eligible for the expedited zoning process.

When talking about a density of up to 18 units per acre, unless someone provides utilities without making them annex, we probably will not see a lot of these types of developments. She said if something would change policy wise, then this would be available if someone wanted to take advantage of it. At this point, unless they had the utilities, they would be looking at trying to do this type of a development with well and septic and those densities just do not work and depending on what type of nonresidential uses they picked it may or may not work there either.

She said in the Open Spaces, added that it should be designed with Section 5-8A. This is where it talks about the primary and secondary open space, to make sure that floodplains and steep slopes into the open space and that they are not damaged.

She said with the Design Standards there is some flexibility. She said the last sentence in the Design Standards description was incomplete and the following sentence was added to complete the sentence: shall be incorporated where appropriate to the greatest extent possible. She said this will give the Board some flexibility when looking at this.

When we went through the Architectural Elements, we tried to get it as covenants to the property so that we would not have to review every house plan, or every plan that came through, and that they would also have to submit residential guidelines and examples to the Board so you could see what the façades would look like for commercial and what the elevations looked like for the residential; conceptual drawings, lighting and signage.

She asked if there was anything the Board would want to see if we do have one of these types of developments come in or if there was anything they did not want to see that needed to be removed from the list.

The Board made no additional recommendations to the Architectural Elements.

Ms. Morris said the neighborhood scale recreation facilities and amenities were added in. We are now subject to Phase 2, Post Construction Permitting for stormwater. This lets them know that they need to be using best management practices as defined by NCDENR.

The Transportation Elements was change to read that park-and-ride lots may be incorporated along planned public transportation routes. She said it doesn't make a lot of sense to have them put in a park-and-ride lot if there is not a bus that is going to pick people up.

The Landscaping and Buffering elements let them know that it is out there. It also lets them know that we have a requirement which states that they must have at least a 1 acre

Planning and Zoning Commission Minutes  
January 10, 2012

lot in order to have the river stream overlay buffer or the waterbody overlay buffer on their lot.

No changes to Parking.

The Submittal Requirements was cleaned up and incorporated the Architectural Elements into the covenants. She said this is what we did in Chapter 5 for the anti-monotony standards.

She said it also talks about having to have a Professional Design Team and what happens if they want to modify the plan.

Ms. Morris asked the Board if they were okay with Chapter 3 and moving forward with what the uses are and getting the other chapters in sync with it.

It was the consensus of the Board to except the text changes to Chapter 3.

Ms. Morris presented the changes and additions to the Permitted Use Table. She added the reference to the Mobile Home Park. She had to do some renumbering to the chart and that is why some of them are still in red; some of the numbers have changed. She said Agritourism and the Barn and Greenhouse are new uses. She said this is still consistent with what you have looked at before.

The changes are mainly with the Adult Oriented businesses. She said the Sheriff's office requested that we put something in; but the more they thought about it, and after talking with other jurisdictions, they decided that it was not something that we needed to do because it was geared more toward bars, night clubs and things like that. We will keep the Adult Use but there will be no Adult Oriented Businesses added. She said if someone wanted to open a bar, they cannot do that in the County because the County is dry. There are regulations that are related to pool halls in the County Code, so some of those things would have been covered and may overlap. It just seemed like the best thing from their perspective was to not add it because these things kind of take care of themselves either with State regulations or County Code regulations.

Ms. Morris spoke with the Sheriff about Pawn shops, and he thought we should be consistent with that and keep that in the same places that Gunsmiths would be allowed because sometimes they go hand in hand. Pawn shop was added to the Limited Commercial and General Commercial because Gunsmiths are allowed there.

The Towing Service, no towed vehicle storage on the lot, this is not exactly how that was stated the first time that the Board saw it. She said this would allow someone to have a towing service and to be able to store their own tow trucks, car haulers or vehicles like that on the site, but it would not allow them to store other people's vehicles there.

We kept the Temporary Uses chart and added some additional information to let them know that they have to go look at the text because it only applies in x, y, and z situations.

Planning and Zoning Commission Minutes  
January 10, 2012

In Transportation Related, clarified the Charter Bus Company, Travel Agency with On-Site Bus Storage and where that would be permitted.

Ms. Morris said we went through the lists and if the Board is okay with those lists, they correspond to the Table and that is what we will use. We will rectify Chapters 7 and 8 back to this. She said everything comes back to this.

The Chair asked if they should act on Chapter 3 and the Table.

Ms. Morris thinks it would be better for the Board to act on Chapter 3, the combined Table, Chapter 7 and Chapter 8 together. She said there are some minor changes to be made to Chapters 7 and 8 to rectify back to the Table and then the definitions chapter. Then they could move forward with those five together.

She said there would be no action tonight as long as there is no direction for staff to go back and look at anything else besides the one correction.

It was the consensus of the Board to accept the text changes to the Table.

### **Director Report**

Ms. Morris said we have not heard anything else on the APFO. Historically, the last week of January is when they release decisions.

Mr. Koch updated the Board on the Ben Small case. Mr. Koch thinks Mr. Small's appeal time ran until yesterday or today or that it may have expired by now. He said there is a three day mail factor built into the rules and Mr. Small could have filed something and Mr. Koch just has not received his copy yet.

He said Mr. Small's neighbor, Mr. Richards, still calls to inquire about the progress and is probably expecting us to do something about having that building torn down.

Mr. Koch said that would be the next step if Mr. Small has not appealed. If he does appeal it would go to the Court of Appeals and that is a little more involved than the appeal to the Superior Court.

Ms. Morris said the APFO was not adjusted this year the Board of Commissioners tabled it pending the Supreme Court decision. It would have called for an increase this year based on the cost of construction. We are still at the 2010 amount because there was no adjustment last year which would have also been an increase.

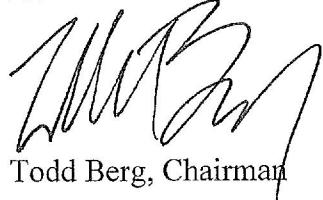
Mr. Price asked what the fee is.

Ms. Morris said currently it is close to \$8,000 and it was \$7,000 something and it would have gone up 3 or 4 hundred dollars.

Planning and Zoning Commission Minutes  
January 10, 2012

There being no further discussion, Mr. Danny Fesperman MOTIONED, SECONDED BY Mr. Aaron Ritchie to ADJOURN the meeting. The meeting ended at 7:58 p.m.

APPROVED BY:



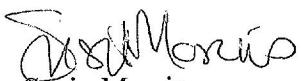
Todd Berg, Chairman

SUBMITTED BY:



Arlena B. Roberts

ATTEST BY:



Susie Morris  
Planning and Zoning Manager

# Memo

**To:** Planning and Zoning Commission  
**From:** Susie Morris, AICP, CZO, Planning and Zoning Manager  
**CC:** File  
**Date:** 1/4/2012  
**Re:** Meeting Minutes Correction

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- Attached you will find the meeting minutes from the October 21, 2010 meeting.
- When the minutes were approved, a document was attached to the minutes as an exhibit (Wallace Hills Tack Shop Findings of Fact) that was incorrect.
- The minutes need to be corrected to reflect the proper document as the attachment.
- The Planning and Zoning Commission will need to consider the revised minutes and then vote on the minutes and the Findings of Fact.



Planning and Zoning Commission Minutes  
October 21, 2010

Mr. Todd Berg, Chair, called the meeting to order at 7:15 p.m. Members present, in addition to the Chair were: Ms. Mary Blakeney, Mr. Larry Ensley, Mr. Danny Fesperman, Mr. Ted Klutz, Ms. Emily Knudson, Mr. Tommy Porter and Mr. Barry Shoemaker. Ms. Shannon Frye arrived at 7:20 p.m. and was seated after the start of the meeting. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Ms. Kassie Watts, Senior Planner, Mr. Jay Lowe, Senior Zoning Officer, Ms. Arlena Roberts, Clerk to the Board and Mr. Richard Koch, County Attorney.

The Oath of Office was administered to reappoint Mr. Eugene Divine.

**Roll Call**

**Approval of Minutes**

Mr. Tommy Porter, MOTIONED, SECONDED by Mr. Ted Klutz to APPROVE the September 16, 2010 meeting minutes. The vote was unanimous.

**New Business - Planning Board Function:**

The Chair introduced Petition RZON2010-00006 - Petitioners: Tony & Perry Freeze, PIN#5529-91-4865.

Ms. Kassie Watts, Senior Planner, addressed the Board presenting the staff report for Petition RZON2010-00006 – Zoning Atlas Amendment. This petition is a request by Mr. Tony Freeze and Mr. Perry Freeze, property owners and applicants. The existing zoning is Office Institutional (OI), and is 7.98 acres.

The property was rezoned during the 2005 County-wide rezoning from Low Density Residential (LDR) to Office Institutional (OI); the applicant is requesting that it be rezoned back to Low Density Residential (LDR).

The subject property is located adjacent to single family and institutional uses. The surrounding zonings are Office Institutional (OI) to the north, Low Density Residential (LDR) and Medium Density Residential (MDR) to the east. To the south it is Low Density Residential (LDR) and Office Institutional (OI), and to the west is Office Institutional (OI).



Planning and Zoning Commission Minutes  
October 21, 2010

The subject property is located within the City of Concord Service Area and the Utility Service Boundary established as a part of the Central Area Land Use Plan. The applicant is not requesting utilities for the subject property at this time. The applicant has a letter from the City of Concord that is required as a part of the rezoning application stating that they are not being required to annex at this time and they are not requesting utilities.

The request was sent out for comments to the different agencies. The standard comments were received from WSACC regarding the utility boundary. There were some comments from Soil and Water Conservation that were in the Board packets. The City of Concord sent an additional formal comment that they had no objection or comment relative to the proposed rezoning, however, should the developer seek development permits they would reserve the right to evaluate that request at that time.

Ms. Watts said the Central Area Land Use Plan that was adopted in 2008 designates this property as Low Density Residential (LDR) and is intended to allow for moderate density residential, accommodating community development. The area is to be predominantly used for single-family residential with density up to 2 units per acre, or up to 3 units per acre, provided additional development standards are met.

She said this rezoning, as proposed, is consistent with the Central Area Land Use Plan. It is a conventional rezoning request; therefore, all uses that are permitted in the Low Density Residential (LDR) district would have to be considered as possible uses on the subject property.

Mr. Tony Freeze, Applicant, 2906 Montford Avenue NW, Concord, NC, addressed the Board. He is co-owner of the property with his brother and they are interested in getting the property rezoned back to what it was originally. They did not request that it be zoned Office Institutional (OI). He said some of the neighboring properties have already come before the board to be rezoned from Office Institutional (OI) back to Low Density Residential (LDR).

There being no further discussion, Mr. Barry Shoemaker, MOTIONED, SECONDED by Mr. Ted Kluttz to Approve Petition RZON2010-00006. The vote was unanimous.

**Consistency Statement:**

The Chair stated that the proposed rezoning is consistent with the Central Area Plan and is reasonable and in the public interest.

There being no further discussion, it was the consensus of the Board to Approve the Consistency Statement.

**New Business - Planning Board Function:**

**The Chair introduced Petition PLPR2010-00029 - Preliminary Plat Approval - Olive Woods Subdivision**

Planning and Zoning Commission Minutes  
October 21, 2010

Ms. Cassie Watts, Senior Planner, addressed the Board presenting the staff report for Petition PLPR2010-00029, Preliminary Plat Approval for the Olive Woods Subdivision, a conventional subdivision. The applicant is Mr. Wayne Cline, acting as the Power of Attorney (POA), for his mother, Ms. Emily Cline.

Ms. Watts said the zoning is Agricultural Open Space (AO), located on Mt. Olive Road. There are two parcels that are involved.

Ms. Watts said a minor subdivision allows you up to five lots and anything beyond that is considered a major subdivision, which is the case here. She said Mr. Cline has done a minor subdivision and is now moving into the major part, which is this additional number of lots.

She said the subject property is currently vacant and wooded and it is surrounded by farm, forestry and residential uses on all sides. It has Agricultural Open (AO) space all around it. These properties will be served by wells and septic tanks which are already identified on the lots. The staff report includes the code considerations and it was reviewed by all of the agencies. She said there are some conditions that staff recommends be included with the application should it be approved.

Staff finds that the proposed subdivision meets all of the development standards of the Cabarrus County Subdivision and Zoning Ordinance.

Should the Planning and Zoning Commission grant approval of the subdivision, staff request that the following conditions be applied as part of the approval:

1. The developer shall enter into an Adequate Public Facilities Mitigation Agreement with the Cabarrus County Board of Commissioners to address school adequacy. (*Ms. Watts said in this particular case, this assessment has already been done and it has been found that all the schools impacted by this project were not over capacity, so there will not be a mitigation payment or phasing schedule required for this project.*)
2. The developer must obtain driveway permits from NCDOT prior to final platting.
3. Permits for the disturbance of streams and other wetlands must be requested from the North Carolina Division of Water Quality and U.S. Army Corps of Engineers prior to any impacts.
4. Each lot shall be subject to Sediment and Erosion Control Plan review and approval, from the North Carolina Department of Environmental and Natural Resources, prior to the issuance of zoning permits.
5. Each lot shall be subject to Phase II Post-Construction Stormwater Permit review and approval, by the North Carolina Division of Water Quality, prior to the issuance of zoning permits.
6. Should any changes be required as a result of review by these agencies, the applicant shall resubmit to the Planning and Zoning Board for approval of a revised project design.

Planning and Zoning Commission Minutes  
October 21, 2010

7. Copies of Post-Construction Stormwater, Driveway and Soil and Erosion Control Permits shall be provided as part of zoning permitting process for the permanent project file.

Ms. Watts said the proposed conditions given by staff address the comments provided by the service providers.

Mr. Wayne Cline, 165 Earles Fort Road, Landrum, SC, Applicant, addressed the Board, stating that he is representing his mother Emily Cline and will answer any questions the Board may have.

Mr. Danny Fesperman asked how Mr. Cline was doing with NCDOT on this, as far as the cuts coming out onto the road.

Mr. Cline said prior to final platting, he is to get with NCDOT at that time and work out the appropriate arrangements for the driveway permit. He said the original statement from NCDOT suggested no more than four driveways, but because one of the parcels has already been sold and the person is already constructing a home with a driveway, which had been approved; the implication is that there would be five driveway entries on Mt. Olive Road rather than the stated four. He said that could possibly change based on NCDOT's final decision, but he doubts that it will be more than five.

The Chair asked Mr. Cline if he agreed to the staff recommendations.

Mr. Cline said yes.

Mr. Barry Shoemaker said if we approve this with the conditions as noted by staff, how long would the approval be valid or how long would Mr. Cline have to begin the subdivision?

Ms. Morris said once a preliminary plat is approved, they have up to two years to file a final plat. It would be carried on the books for two years, once they file a final plat, even if it is only one lot; that re-ups the two years. For example if they have five lots and they platted one every two years, their approval could inevitably be good for ten years.

Ms. Morris said the applicant has their reservation of capacity and if the conditions of approval are approved, we ask that the applicant places that on the final plat so that it becomes public record and is a part of the project record. She said staff recommends the seven conditions that were read, plus that they revise the plat to put that information on it.

Ms. Shannon Frye said if the applicant has an existing permit for an existing lot, is that already a part of the two original tracts? She is trying to figure out how that goes along with the conditions that are stipulated by staff as a part of the plat, and if that one lot part is a part of this configuration or is that an existing lot.

Ms. Watts said the Ordinance allows you to cut up to five lots out of your tract and it is considered a minor subdivision; meaning it does not have to come before the Board and so it is

Planning and Zoning Commission Minutes  
October 21, 2010

held to a different set of standards. She said when Mr. Cline talked about the lot having a house being built on it, that is one of those lots and it was allowed to be approved administratively by staff. Once it gets to that five, anything beyond that begins to count as a major subdivision and has to come before you as a board. So, the conditions that are on this do not apply to those other lots, but they will apply to these.

There being no further discussion, Mr. Barry Shoemaker, **MOTIONED, SECONDED** by Mr. Ted Kluttz to **Approve** Petition PLPR2010-00029 – Preliminary Plat Approval, Olive Woods Subdivision, with conditions recommend by staff. The vote was unanimous.

(The Chair moved the Architectural Design Review up on the Agenda).

**New Business – Planning Board as Design Review Committee  
Architectural Design Review for Wallace Hill Tack Shop**

**The Chair introduced Architectural Design Review for Wallace Hill Tack Shop**

Mr. Jay Lowe, Senior Zoning Officer, addressed the Board. He said this is an application involving a Commercial Design Standards Review. This is a Planning Board Function and the Board is acting as the Commercial Design Review Committee.

Mr. Lowe said the Applicant is Wallace Hill Tack Shop, Case# ZN2010-00106, the applicant is Carlos Moore, Architect, of Concord, NC. The property owner is J. C. and Marie Wallace, 5321 Odell School Road, Davidson NC. The zoning of the subject property is Agricultural Open (AO); the location of the property is 5169 Odell School Road, Davidson, NC, and the size of the property is 20.1 acres.

Mr. Lowe said the applicant is seeking deviations from the standards listed in Appendix B, as part of the Design Review Committee process as outlined in Chapter 5, District Development Standards, Section 5-9, Nonresidential Development Standards.

A letter from the Architect for the project, Ms. Ginger Moore, was attached to staff report and described the areas where deviations are requested.

Staff has reviewed the application and the site plans and most of them seem to meet the standards that the Ordinance requires. He said there are a few items that staff felt did not meet the requirements. He said Ms. Moore is asking for deviation for those.

Mr. Lowe said that according to the Ordinance the Board has the ability to offer some relief; it is not a variance procedure, and it specifically says that the Board has that ability acting as the Review Committee.

Mr. Lowe said the applicant is asking for relief on the setbacks. The setbacks do not meet the standards required by the Ordinance. The Ordinance requires that front building setbacks be a minimum of 15 feet and a maximum of 25 feet. As proposed and currently

Planning and Zoning Commission Minutes  
October 21, 2010

sited, the tack shop is approximately 67 feet from the edge of the right of way off of Odell School Road.

The applicant contends the proposed setback is in keeping with the character of the area. (See applicant letter submitted in staff report item #8).

Mr. Lowe said the Building placement and the sidewalks do not meet standards required by the Ordinance. It requires a minimum 5 foot sidewalks and a minimum 6 foot landscape buffer between the road and the side walk.

The applicant contends the side walks are not appropriate for the project area. (See applicant letter submitted in staff report item #1).

The parking requirements do not meet standards required by the Ordinance. The Ordinance requires that parking areas shall be located primarily to the rear of the structure. The site plan shows parking in the front of the building between the building and the right of way.

The applicant contends that parking is in keeping with character of the area with historic use and location of this type of structure. (See applicant letter submitted in staff report item #8).

Mr. Lowe said they meet most of everything else until you get down to massing and rhythm. The applicant turned in a document today to address that issue and a copy was placed at each seat for review this evening.

Mr. Lowe said included in the staff report were photos of some houses to give the Board an idea of the architecture in that area.

Ms. Ginger Moore, Applicant, 74 Spring Street, NW, Concord, NC, addressed the Board. She said historically, most country stores and rural commercial buildings were situated close to the road for easy visibility with the parking area immediately in front of the building. These buildings usually had generous front porches with benches and display items. These buildings and parking areas were also usually situated near shade trees in order to invite the user in and invite them to stay a while.

She said this started before the automobile, with horses and carriages often tied to the front of the buildings for ease of access and to keep them within the public eye to discourage theft. The location of the front parking for rural country stores remained the same even after the introduction of the automobile. She said numerous businesses and general stores trying to catch the attention of passing motorists sprang up along the country roads. The rural locations provided more frontage room and less traffic than more urban areas and parking therefore was located in front of the structure.

Users have come to expect a specific spatial layout that has been defined by their previous experiences and that directly corresponds to ease of user wayfinding. Placing

Planning and Zoning Commission Minutes

October 21, 2010

the parking at the rear of the building would be opposite to what the normal user experience would be in a rural setting at a country store type building.

She said the setback from the right of way that is created in this project between the edge of the parking and the edge of the right of way is sufficient to provide space in order to preserve the rural character, vegetation, and corridor view shed as well as allowing for any future essential tree pruning and any future needed road signage. Our proposed front parking lot will be screened from the road by existing and planted vegetation and will be located directly behind and therefore screened from the road by an existing 8 foot high berm. The actual parking lot is approximately 14 foot below the road elevation, thereby naturally screening the parking lot from the view and meeting the intent of the ordinance.

Ms. Moore said the revised exterior elevations address the massing and rhythm comments in the staff report and the revised drawings show a change in the ridgeline on the center section of the structure and is evident on all four sides of the exterior elevations. On the rear elevation, the roof was extended approximately 6 feet for a covered porch in front of the exit doors. We are asking for relief from the parking lot and the building setbacks and the sidewalk.

Mr. Kluttz asked if there was grazing and pasture at the rear of the building.

Ms. Moore said to the rear of building is a 40 foot fall from the road down to where the stables are and right behind the tack shop is another 8 foot berm, then it levels out and beyond that is pasture.

Ms. Shannon Frye asked any of the trees are included in the increased setback.

Ms. Moore said all of those trees will remain.

The Chair said the other building there that is off of the property, but it looks like you are bringing the driveway by that building. He asked what the setbacks are of that building in relation to what she is doing. He said it appears from the site plan that they are about the same.

Ms. Moore does not know, but it is the same property owner.

Mr. Jay Lowe spoke with the owner who says it is about 75 feet.

The Chair said for the purposes of discussion, let's break it down; we have the issue of setbacks and sidewalks as one issue, then the rhythm and the fenestration which we will address with the revised drawings.

He asked if there were any issues with the massing or the rhythm part of the design review.

There were no comments on this issue.

Planning and Zoning Commission Minutes  
October 21, 2010

The Chair asked if there were any comments on the setbacks and the sidewalk.

Mr. Porter said it appears that what the applicant is asking for is consistent with what is already in the area.

The Chair agrees; he also agrees with the point about the elevation change from the road down to the building. He thinks that is also a factor to consider as far as the sidewalk goes. He said it appears that it would be the only piece of sidewalk along that road in this area.

Mr. Kluttz said it appears that the applicant is trying to be a good neighbor and designed the project to be good stewards to the environment, to the scenery, and to the overall fitting of the area.

Mr. Shoemaker asked if the property is adjacent to the Keith Wayne project on Odell School Road. He guesses that it is a satellite annexation by Kannapolis.

Ms. Morris said the Wayne Brothers project was annexed into Kannapolis and it is zoned Office Institutional (OI).

Mr. Shoemaker asked Ms. Moore how she is going to control the run off from the road onto the property.

Ms. Moore said they have a state stormwater permit; drop inlets are in and it has gone through that whole process.

Mr. Shoemaker said the area in front of the berming will be rather flat and it will have stormwater in it and it will be a flat area with grass on it. He said it will not be a sidewalk but it will be a groomed area.

Ms. Moore said that is correct. She said that a ditch is in there now.

Mr. Shoemaker asked if the whole area in front of the property would be level across the front and there will not be storm ditch drain would be there.

Ms. Moore said, not necessarily. She said there is a swell there now and it is all going down to a drop inlet. She said they are also catching the water from across Odell School Road as well. There is a pipe under the road there and they are piping that off.

Mr. Shoemaker said when you look at it from the road angle will it come down and swell.

Ms. Moore said yes.

The Chair said it appears a swell may be in the NCDOT right of way.

Planning and Zoning Commission Minutes  
October 21, 2010

Ms. Moore said it is. She said the drop inlet is right on the edge of the new right of way.

Mr. Shoemaker said one of the things we suffer with on country roads, is the fact that the ditches on the sides of the roads are so deep and dangerous. He wanted to make sure that NCDOT had some standards for the swell so we do not get left with a deep ditch. He said the applicant is asking for relief from sidewalks; he is still concerned about creating something new and different.

The Chair thinks the ditch is probably in the NCDOT's right of way and the applicant is not doing anything with the ditch.

Ms. Moore said that is correct.

Mr. Shoemaker said if we were to require sidewalks they would have to do something about the ditch; they would have to put in storm sewer.

Ms. Morris said the sidewalks would be outside of the right of way and in this particular case, because it is a site plan review, the applicant was required to get a soil and erosion control permit because of the size of the project which also required them to get a Phase II Post Construction Stormwater Permit. She said all of that has been handled at this time through the project with the impervious area that is proposed. It is a high density project, but they met the conditions that the state imposed on the project for stormwater control.

Mr. Shoemaker said putting in a sidewalk does not necessarily mean that there will be curb or gutter on the side of the road.

Ms. Morris said that is correct. We do not have a curb and gutter typical in the County Ordinance; typically it ends up being valley, if it is required. She said in that particular case, that road will eventually be widened and at that time NCDOT will determine what type of typical will be used for that cross section for the street.

The Chair said from the road all the way to the right of way, including the ditch, would not be changed regardless of whether there were sidewalks or not. He said the sidewalk would be outside of all of that if we were to require it.

There being no further discussion, Ms. Mary Blakeney, **MOTIONED, SECONDED** by Mr. Barry Shoemaker to **Approve** the Architectural Design Review for the Wallace Hills Tack Shop. The vote was unanimous.

Mr. Koch said because of the way that ordinance is set up; any deviations have to meet certain criteria. He thinks the criteria were in a general way articulated by some of the Commission members who spoke. He suggests that the Board allows him to prepare the appropriate findings for approval at the next meeting.

The Chair said the points that were made had to do with the topography and the slope off the street and the setback being consistent with the setbacks of the other building.

Planning and Zoning Commission Minutes  
October 21, 2010

Mr. Koch said and the other compatibility with the surrounding improvements and area.

**It was the consensus of the Board to allow Mr. Koch to prepare the findings to be approved at the next meeting. (See Attached Findings)**

The Chair ordered a short recess to allow the County Attorney and the Attorney for the applicant to talk.

**New Business – Board of Adjustment Function:**

**The Chair introduced Petition VARN2010-00002, Applicant, Benjamin Small – Variance**

Mr. Eugene Divine acknowledged that he might have a perceived conflict of interest on this case.

Mr. Koch asked Mr. Divine to specify the nature of the perceived conflict.

Mr. Divine said since the last time there was a meeting on this issue; he has had business dealings with Mr. Small and his partner.

Mr. Koch said it is his understanding that Mr. Small has represented Mr. Divine on a matter as an Attorney.

Mr. Divine said that is correct. He feels that he should be recused from the case.

The Chair MOTIONED, SECONDED by Ms. Shannon Frye to Recuse Mr. Divine. The vote was unanimous.

**Mr. Larry Ensley replaced Mr. Divine on the Board.**

Mr. Danny Fesperman acknowledged that he is currently, as well as in the past, done business with the law firm Hamilton, Moon, Stephens, Steele and Martin who are representing Mr. Small.

The Chair asked Mr. Fesperman if his conflict is with the law firm and not Mr. Small.

Mr. Fesperman said that is correct, he currently has that law firm on retainer.

Mr. Koch said the attorney for Mr. Small is Mr. George Sistrunk and is a partner in that firm.

Mr. George Sistrunk, Attorney, on behalf of Mr. Small, addressed the Board. He said Mr. Koch advised him of the conflict issues and based on the conflict issues, he and Mr. Small agree that Mr. Sistrunk should withdraw as his counsel to eliminate any conflict issues. He said Mr. Small does not want to have the proceedings tainted in anyway.

Planning and Zoning Commission Minutes  
October 21, 2010

Mr. Sistrunk requests on behalf of Mr. Small to have the hearing continued until the next Planning and Zoning Commission meeting on November 18, 2010. He said this would allow time for him to prep Mr. Small to handle this himself or to obtain other counsel that does not have the conflict issue that he and his firm have.

The Chair said if Mr. Sistrunk withdraws, that resolves Mr. Fesperman's conflict. He said the applicant is not really prepared to present the case tonight and it would need to be continued until the next meeting.

There being no further discussion, Mr. Barry Shoemaker, **MOTIONED, SECONDED** by Mr. Danny Fesperman to **CONTINUE** Petition VARN2010-00002, until the next Planning and Zoning Commission meeting November 18, 2010.

**Directors Report**

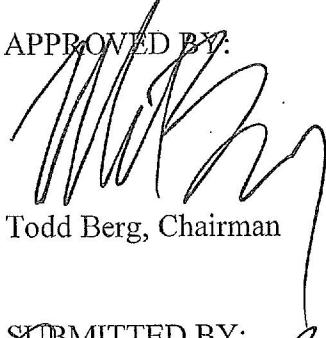
Ms. Susie Morris, Planning and Zoning Manager addressed the Board stating that on Tuesday, October 19, 2010, the Harrisburg Planning and Zoning Commission made a recommendation to the Harrisburg Town Council to move forward with the Harrisburg Area Land Use Plan.

Ms. Morris said we have not been able to proceed or make any progress with the inter-local agreement.

There being no further discussion, Mr. Larry Ensley **MOTIONED, SECONDED** by to Mr. Tommy Porter to **ADJOURN** the meeting. The vote was unanimous. The meeting ended at 8:20 p.m.

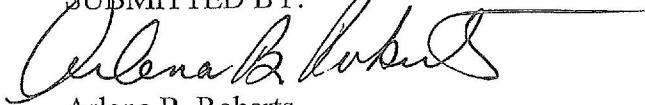
Planning and Zoning Commission Minutes  
October 21, 2010

APPROVED BY:



Todd Berg, Chairman

SUBMITTED BY:



Arlena B. Roberts

ATTEST BY:

Susie Morris  
Planning and Zoning Manager

**WALLACE HILL TACK SHOP**  
**CASE ZN 2010-00106**

**FINDINGS OF FACT**

**A. GENERAL FINDINGS**

1. This property is on a large tract in a location that is essentially rural in character.

2. This tack shop has the characteristics of a country store, which traditionally were located in some visual proximity to a country road, with the parking between the road and the store building, consistent with pre-motorized vehicular days when a "shopper" would ride his /her horse or bring his/her horse drawn carriage to the entrance and tie the horses up near the front door.

**B. SETBACKS**

1. The above General Findings of Fact are incorporated by reference as Findings regarding this issue.

2. The Ordinance requires a front building setback of no less than 15 feet and no more than 25 feet. The proposed tack shop is approximately 67 feet from the Odell School road right of way.

3. The proposed setback of 67 feet is in keeping with the rural character of the area and with the concept of a country store, before zoning and setbacks became prevalent.

**C. BUILDING PLACEMENT**

1. The above General Findings of Fact are incorporated by reference as Findings regarding this issue.

2. The above Setback Findings of Fact are incorporated by reference as Findings regarding this issue.

**D. CONNECTIVITY AND SIDEWALKS**

1. The above General Findings of Fact are incorporated by reference as Findings regarding this issue.

2. The Ordinance requires a minimum 5 foot sidewalk.

3. Because of the rural character of the area, there are no other sidewalks and a sidewalk near the road would not connect to anything.

4. The plans call for sidewalks adjacent to the parking area and the building.

#### **E. PARKING REQUIREMENTS**

1. The above General Findings of Fact are incorporated by reference as Findings regarding this issue.

2. The Ordinance requires that parking areas be located primarily to the rear of the structure.

3. Historically, visitors to a country store expect to find the parking in front of the building.

Based on the foregoing Findings, the Planning and Zoning Commission as the Design Review Committee reach the following

#### **CONCLUSIONS**

The deviations sought by the applicant from the District Development Standards in Chapter 5 of the Cabarrus County Zoning Ordinance are APPROVED, because such deviations meet the following requirements of the Ordinance permitting such deviations:

1. The deviations provide for architectural design compatibility in relation to the existing neighborhood.

2. The adjusted setbacks are compatible with surrounding development.

3. The deviations in site design are compatible with the context of the surrounding neighborhood.

# Memo

**To:** Planning and Zoning Commission  
**From:** Susie Morris, AICP, CZO, Planning and Zoning Manager  
**CC:** File  
**Date:** 1/4/2012  
**Re:** Proposed Text Changes (Chapter 3 and Permitted Use Table)

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Attached please find the following:

Draft Chapter 3

Draft Permitted Use Table (DRAFT 1)

- Please look over the proposed text changes to Chapter 3 of the Zoning Ordinance. Chapter 3 would be completely replaced by the new Chapter 3. This is the first time that you are seeing this document.
- The DRAFT Permitted Use Table will combine the tables from Chapter 3, Chapter 7 and Chapter 8 into one single table to be maintained and updated.
- Additions to both of these documents are in red text. Deletions are in strikethrough text. Blue text reflects changes since the last time you reviewed the document (Permitted Use Table).
- If there are any items that you have questions or concerns about, please note those items so that we can discuss the proposed changes at the meeting on Tuesday.
- Also, please take another look at the revised DRAFT Permitted Use Table to see if there are any uses that you feel have been missed on the table or items that you think may not be categorized appropriately.

### Section 3-1 Introduction

The purpose of this Chapter is twofold. One, it is to establish types of zoning districts for grouping similar and compatible land uses throughout Cabarrus County. Secondly, it is to set forth a "Table of Permitted Uses" that lists types of land uses and their status in each district.

### Section 3-2 How to use this Chapter

The description of zoning districts is set forth in Section 3-7. After a description of the zoning district, a listing of uses follows. If you know your zone ~~ing district~~ and want to understand what is allowed within it, this section provides the answer. If, on the other hand, you have a use in mind and want to know where it fits, find the use in the Table of Permitted Uses located at the end of this Chapter to understand its status within the various zoning districts. A land use may be:

- **Permitted by right (P)**- This means that the land use is considered completely compatible in the district and no further governmental review is needed.
- **Permitted based on standards (PBS)** - This means that the land use in question could be compatible with the district as long as it meets certain standards. For example, a gas station may be completely appropriate in a residential district if it is built on a smaller scale than the gas stations found on major commercial corridors with multiple pumps, twenty-four hour operation, and lit signage. ~~This concept, new to the practice of zoning in Cabarrus, is known variously as "performance" or "flexible" zoning.~~ Many of the PBS uses have more than one standard. ~~When an applicant cannot meet all of the standards for a use under consideration, he or she may ask for a variance. How to ask for a variance is explained in Chapter Twelve, Section 12-20.~~ All land uses that are considered "PBS" appear in the chart at the end of ~~this Chapter Seven~~.
- **Conditional Use (C)**- This means that the land use considered needs to be reviewed by a public body, in this case, the Planning & Zoning Commission serving as a Board of Adjustment. Often, these are land uses with the potential for far reaching consequences. A public airport is a good example. The creation of an airport may profoundly affect an area's transportation system, may greatly affect surrounding land use from a noise standpoint, etc. Accordingly, these types of land use merit consideration and debate in a public forum. In order to assure compatibility with surrounding land use, reasonable conditions may be placed on the development of the property. All land uses that are conditional appear in the chart at the end of this Chapter.
- **Accessory use** - These are land uses that are secondary, subordinate, and incidental to what typically is the original land use or permitted use. Within the Table of Permitted Uses, all accessory uses are listed as a separate type of use under their own heading of "Accessory". A utility shed, for example, in the backyard of a residentially developed property is a good example of an accessory use. They must be considered compatible with both the original use and the surrounding land area. These uses cannot exist by themselves and they must be accessory to another use. Occasionally, accessory uses are further modified as either based on

standards or conditional. See "Accessory Uses" within the Table of Permitted Uses **at the end of this Chapter**.

### **Section 3-3 Zoning districts designated and purposes listed**

All land and water areas in Cabarrus County, except within the corporate limits of any municipality and their respective extraterritorial **zones jurisdictions**, if any, are divided into the following districts. Such districts are designed to both assure the compatibility of land uses within each district and to partially implement the officially adopted Cabarrus County Area Plans, and other planning documents which serve as part of the overall county comprehensive plan.

### **Section 3-4 Standard zoning districts and standard zoning district categories**

For the purpose of implementing this Ordinance, the following general zoning categories and specific zoning district types are hereby created.

#### **AGRICULTURAL:**

Agricultural/Open Space (AO)

#### **RESIDENTIAL:**

Countryside residential (CR)

Low density residential (LDR)

Medium density residential (MDR)

High density residential/mixed use (HDR/MU)

#### **COMMERCIAL:**

Office/Institutional (OI)

Office/limited commercial (LC)

General commercial (GC)

#### **INDUSTRIAL:**

Limited industrial (LI)

General industrial (GI)

#### **FLOATING:**

Planned Unit Development (PUD)

### **Section 3-5 Map of zoning districts**

The boundaries of these districts are shown on maps entitled "Official Zoning Atlas of Cabarrus County." The zoning atlas and all notations, references, and amendments made to it are hereby made a part of this Ordinance and are kept in the Office of the Zoning Administrator, available for public inspection. Other supplements, in the form of maps, indexes, guides, illustrations, records, reports, interpretive material and standards may be officially adopted, directly or by reference, to facilitate administration and public understanding of the Official Zoning Atlas, or of regulations adopted for the zoning districts or other divisions established thereby.

### **Section 3-6 Rules governing interpretation of district boundaries**

- a. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

- c. Boundaries indicated as approximately following jurisdictional lines of municipalities/sanitary districts shall be construed as following such lines.
- d. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- e. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line, shall be construed as moving with the actual shore line. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines and in the event of change, construed as being the actual.

Boundaries indicated as parallel to or extensions of features indicated in (a) through (e) above shall be construed.

Distances not specifically indicated on the Official Zoning Atlas shall be determined by the scale of the map.

- f. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Atlas, or in other circumstances not covered by (A) through (F) above, the Zoning Administrator shall interpret the district boundaries.
- g. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the regulations for either portion of the lot may be extended not to exceed one hundred (100) feet beyond the district line into the remaining portion of the lot.

### **Section 3-7 Statements regarding the purpose of zoning districts**

The following subsections more fully describe the essential nature of each zoning district, explain the rationale for its creation and list land uses either permitted (P), permitted based on standards (PBS), or conditional (C).

#### **AGRICULTURAL DISTRICT:**

##### **AGRICULTURAL/OPEN SPACE**

This district is comprised mostly of lands usually found on the eastern side of the County which, due to physical characteristics such as soil type, topography, etc., should remain agrarian. To a lesser degree, these are also those lands which are conducive to providing recreationally oriented open space. These land areas should remain the farmland and undeveloped/forested land of the County. Public utilities will not be planned for these areas. Consequently, residential uses that support those working and/or owning the land, home occupations allied with existing residences, and very limited business endeavor are envisioned as complementary to the area. In sum, the primary activity of these lands is agricultural - housing and business are typically related to and supportive of the practice of modern day agriculture. It is not, however, improbable that a small hamlet type settlement might evolve in this zoning district. As to those areas constituting open space, manmade uses must take care to enhance and not detract from the essential character of the area.

## Rationale

Cabarrus County, due largely to its proximity to the Charlotte/Mecklenburg metropolitan area, is in a growth mode which will, in all probability, continue. While the issue of farmland preservation may ultimately be more driven by market economics, it still behooves policy makers to prudently attempt some farmland preservation. Less a matter of market economics is the concept of retaining unspoiled, undeveloped lands for future generations to enjoy.

## USES IN THE AGRICULTURE/OPEN SPACE ZONE-USES

### PERMITTED USES

Agriculture Excluding Livestock

Agriculture Including Livestock

Agritourism, Accessory to Agriculture

Bulk Grain Storage

Cemetery

Dairy Processing

Family Care Home

Group Care Facility

Hatchery

Livestock Sales

Mobile home class I

Manufactured Home (In Manufactured Home Overlay District Only-See Chapter 4)

Nursery/Greenhouse

Sawmill

Single Family Detached Residential

Stables, Commercial

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

### PERMITTED BASED ON STANDARDS (PBS)

Accessory Apartment

Accessory Building

Auction House

Barn, Greenhouse as Primary Structure

Bed and Breakfast

Cemetery

Civic Organization Facility

Communications Tower, 911 Communications Tower

Community Garden, Accessory Use

Contractor Office, Construction Equipment Storage, Temporary Use

Contractor or Trade Shops

Convenience Store with Petroleum Sales

Convenience Store without Petroleum Sales

Country Club with Golf Course

Dumpsters, Commercial Waste Containers, Temporary Use

Ethanol Fuel Production (Residential District, Private Use Only), Accessory Use

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use

For Profit Temporary Sign, Temporary Use (Existing Businesses)

Gas station

Golf Course, Public or Private

Home Occupation, General

Home Occupation, Rural

Ice Production, Dispensing, Accessory to Convenience Store

Ice Production, Dispensing, Accessory to Gas Stations

Kennel, Private

Landfill, Demolition (less than one acre)

Mobile home class I

Mobile office, temporary

Mobile Personal Storage Unit, Renovation, Temporary Use

Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use

Nursery/Daycare Center

Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)

Public Cultural Facility

Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use

Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use

Real Estate Office in Model Home, Temporary Use

Recyclable Materials Drop Off

Religious Institution (Total Seating Capacity 350 or Less)

Repair Shop, Automobile

Repair Shop, Farm Machinery

Repair Shop, Small Engine

Rest/Convalescent Home with 10 Beds or Less

Restaurant, Excluding Drive-Thru

Retail Sales, Shopper's Goods

Sawmill

Scientific Research and Development, Accessory to Agriculture

Swim Club, Tennis Club, Country Club

Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use

Temporary Construction Sign, Temporary Use

Temporary Dwelling for Large Construction Projects, Temporary Use

Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use

Towing Service, Accessory to Automobile Repair

Towing Service, with Towed Vehicle Storage Yard (No Salvage or Part Sales)	Public Service Facility
Trail Head, Accessory	Public Use Facility
Wind Energy Facility, Accessory Use, On Site Use Only	Race shop/Race Team complex
Wireless Telecommunications Services, Co-location	Reception Facilities
<b><u>CONDITIONAL USES</u></b>	Recreational Facility, Outdoor
Airstrip	Recreational Therapy Facility (Rural Setting)
Animal Hospital	Recreational Trail, Greenway, or Blueway Connectors
Animal Shelter	Religious Institution (Total Seating Capacity 351 or More)
Correctional Facility	Religious Institution Including School
Colleges & Universities	Rest/Convalescent Home with More Than 10 Beds
Day Camp, Summer Camp, Civic Group Camp Facility	Shooting Range with Outdoor Target Practice
Elementary, & secondary Middle and High Schools	Slaughter House/Meat Packing
Kennel, Commercial	Sports and Recreation Instruction on Camp
Landfill, Demolition (one acre or more)	Trade & Vocational Schools
Landfill, Sanitary	Trail Head, Primary Use Site
Multimedia Production & Distribution Complex	Veterinarian
	Wireless Telecommunications Services

## RESIDENTIAL DISTRICTS:

### COUNTRYSIDE RESIDENTIAL

Lands in this district have a strong rural, pastoral feel. Natural environmental elements such as tree lines, small ponds, rock formations, and manmade elements such as pasture fencing are to be retained, if at all possible. Although the area is capable of handling higher densities of development, development is kept at very low overall densities. Development includes only the standard single family detached dwelling. The site sensitive design concept is carried out through performance-based standards on in

residential development with the technique of "clustering". In general, clustering is an arrangement of physical structures on land with an emphasis on retaining natural areas as open space. It is the primary way in which development can be successfully blended into the rural landscape.

### **Rationale**

This is a land use district ~~was~~ created as a direct result of the County's systematic area planning process. As a reaction to the growth of the past decade (as much as 80% in some townships) many residents are anxious to see their areas retain the appeal that inspired the resident to make his/her original investment. This district helps implement a growth management philosophy before the fact rather than after. ~~Even when the area has access to public utilities, the overall density will remain relatively low.~~ In summary, the principle purpose of this district is to provide some land area in the County for a permanent country/rural residential life style.

### **USES IN THE COUNTRYSIDE RESIDENTIAL USES ZONE:**

#### **PERMITTED USES**

Agriculture Excluding Livestock  
Agriculture Including Livestock  
Agritourism, Accessory to Agriculture  
Cemetery  
Dairy Processing  
Family Care Home  
Group Care Facility  
Livestock Sales  
Manufactured Home (In Manufactured Home Overlay District Only-See Chapter 4)  
Nursery/Greenhouse  
Single Family Detached Residential  
Stables, Commercial  
Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

#### **Accessory Apartment**

#### **Accessory Building**

#### **Auction House**

#### **Barn, Greenhouse as Primary Structure**

#### **Bed and Breakfast**

#### **Cemetery**

#### **Civic Organization Facility**

#### **Community Garden, Accessory Use**

#### **Contractor Office, Construction Equipment Storage, Temporary Use**

#### **Convenience Store with Petroleum Sales**

#### **Convenience Store without Petroleum Sales**

#### **Country Club with Golf Course**

#### **Dumpsters, Commercial Waste Containers, Temporary Use**

#### **Ethanol Fuel Production (Residential District, Private Use Only), Accessory Use**

#### **PERMITTED BASED ON STANDARDS (PBS)**

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary	Real Estate Office in Model Home, Temporary Use
For Profit Temporary Sign, Temporary Use (Existing Business)	Religious Institution (Total Seating Capacity 350 or Less)
Gas station	Rest/Convalescent Home with 10 Beds or Less
Golf Course, Public or Private	Restaurant, Excluding Drive-Thru
Home Occupation, General	Sawmill
Home Occupation, Rural	Scientific Research and Development, Accessory to Agriculture
Ice Production, Dispensing, Accessory to Convenience Store	Stables, Commercial
Ice Production, Dispensing, Accessory to Gas Stations	Swim Club, Tennis Club, Country Club
Kennel, Private	Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use
Landfill, Demolition (less than one acre)	Temporary Construction Sign, Temporary Use
<del>Mobile home-class I</del>	Temporary Dwelling for Large Construction Projects, Temporary Use
<del>Mobile office, temporary</del>	Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use
Mobile Personal Storage Unit, Renovation, Temporary Use	Trail Head, Accessory Use
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Wind Energy Facility, Accessory Use, On Site Use Only
<del>Nursery/Daycare Center</del>	Wireless Telecommunications Services, Co-location
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	<b><u>CONDITIONAL USES</u></b>
Public Cultural Facility	Animal Hospital
Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use	Animal Shelter
Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use	Colleges & Universities
	Communications Tower, 911 Tower

Day Camp, Summer Camp, Civic Group Camp Facility	Religious Institution (Total seating capacity 351 or more)
Elementary & secondary Middle and High Schools	Religious Institution Including School
Kennel, Commercial	Rest/Convalescent Home with More Than 10 Beds
Multimedia Distribution & Production Complex	Shooting Range with Outdoor Target Practice
Public Service Facility	Slaughter House/Meat Packing
Public Use Facility	Sports and Recreation Instruction on Camp Trail-Head, Primary Use
Reception Facilities	Veterinarian
Recreational Facility, Outdoor	Wireless Telecommunications Services
Recreational Therapy Facility (Rural Setting)	
Recreational Trail, Greenway, or Blueway Connectors	

#### **LOW DENSITY RESIDENTIAL DISTRICT**

This district is intended to permit development with a low density residential community character. This district allows conventional, open space and amenity subdivisions. ~~These zones~~ ~~This district~~ are located where public utilities either are available or are envisioned available within the next two to five years.

#### **RATIONALE**

This district is designed to provide permanent protection for those who want to live in a low density residential environment. The district, while focused on single-family residential development, is designed to allow a wide variety of residential types.

#### **USES IN LOW DENSITY RESIDENTIAL USES:**

##### Permitted Uses

Agriculture Excluding Livestock

Agritourism, Accessory to Agriculture

Family Care Home

Group Care Facility

Manufactured Home (In Manufactured Home Overlay District Only-See Chapter 4)

Nursery/Greenhouse

Semi-Attached House

Single Family Detached Residential

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

**PERMITTED BASED ON STANDARDS (PBS)**

Accessory Apartment

Golf Course, Public or Private

Accessory Building

Home Occupation, General

Agriculture-Female Chickens, Limited Number,  
Less than 5 Acres

Home Occupation, Rural

Agriculture, Including Livestock

Ice Production, Dispensing, Accessory to  
Convenience Store

Automated Teller Machine, As Accessory

Ice Production, Dispensing, Accessory to Gas  
Stations

Bank/Financial Institution/Automated Teller  
Machine

Itinerant Merchant, Temporary Use

Barn, Greenhouse as Primary Structure

Landfill, Demolition (less than one acre)

Bed and Breakfast

Mobile home-class I

Cemetery

Mobile office, temporary

Civic Organization Facility

Mobile Personal Storage Unit, Renovation,  
Temporary Use

Community Garden, Accessory Use

Mobile Personal Storage Unit, Vacate or Occupy  
Premises, Temporary Use

Contractor Office, Construction Equipment  
Storage, Temporary Use

Nursery/Daycare Center

Convenience Store with Petroleum Sales

Promotional Activities Involving the Display of  
Goods or Merchandise, Temporary Use (Existing  
Business)

Convenience Store without Petroleum Sales

Public Cultural Facility

Country Club with Golf Course

Real Estate Office in Construction Trailer or Modular Unit,  
Commercial /Mixed Use Projects, Temporary Use

Dumpsters, Commercial Waste Containers,  
Temporary Use

Real Estate Office in Construction Trailer or  
Modular Unit, Residential Projects, Temporary  
Use

Ethanol Fuel Production (Residential District,  
Private Use Only), Accessory Use

Real Estate Office in Model Home, Temporary  
Use

FEMA Trailers, Natural Disaster or Significant  
Weather Event, Temporary Use

Religious Institution (Total seating capacity 350  
or less)

For Profit Temporary Sign, Temporary Use  
(Existing Business)

Rest/Convalescent Home with 10 Beds or Less

Gas station

Restaurant, Excluding Drive-Thru	Elementary & secondary Middle and High Schools
Scientific Research and Development, Accessory to Agriculture	Public Service Facility
Stables, Commercial	Public Use Facility
Swim Club, Tennis Club, Country Club	Recreational Facility, Outdoor
Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use	Recreational Trail, Greenway, or Blueway Connectors
Temporary Construction Sign, Temporary Use	Religious Institution (Total seating capacity 351 or more)
Temporary Dwelling for Large Construction Projects, Temporary Use	Religious Institution Including School
Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use	Rest/Convalescent Home with More Than 10 Beds
Trail Head, Accessory Use	Trail-Head, Primary Use
Wind Energy Facility, Accessory Use, On Site Use Only	Wireless Telecommunications Services
Wireless Telecommunications Services, Co-location	

#### CONDITIONAL USES

Colleges & Universities

Communications Tower, 911 Tower

#### **MEDIUM DENSITY RESIDENTIAL**

This district is intended to permit development with a moderately high density community character. This district allows open space and amenity subdivisions. Residential development options for this zone district include a variety of housing types, including townhouses. ~~This se-zones district-are is located where public utilities either are available, or are envisioned available within the next ten years.~~

#### **RATIONALE**

This district is designed to provide permanent protection for those who want to live in a moderately high density residential environment. The district is designed to provide the principal location for a wide variety of residential types.

## MEDIUM DENSITY RESIDENTIAL DISTRICT USES:

### PERMITTED USES

Agriculture, Excluding Livestock

Agritourism, Accessory to Agriculture

Family Care Home

Group Care Facility

Manufactured Home (In Manufactured Home Overlay District Only-See Chapter 4)

Nursery/Greenhouse

Semi-Attached House

Single Family Detached Residential

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

### PERMITTED BASED ON STANDARDS (PBS)

Accessory Apartment

Accessory Building

Agriculture-Female Chickens, Limited Number, Less than 5 Acres

Agriculture, Including Livestock

Automated Teller Machine as Accessory

Bank/Financial Institution/Automated Teller Machine

Barn, Greenhouse as Primary Structure

Bed and Breakfast

Cemetery

Civic Organization Facility

Community Garden, Accessory Use

Contractor Office, Construction Equipment Storage, Temporary Use

Convenience Store without Petroleum Sales

Country Club with Golf Course

Dumpsters, Commercial Waste Containers, Temporary Use

Ethanol Fuel Production (Residential District, Private Use Only), Accessory Use

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use

For Profit Temporary Sign, Temporary Use

Golf Course, Public or Private

Home Occupation, General

Home Occupation, Rural

Itinerant Merchant, Temporary Use (Existing Business)

Ice Production, Dispensing, Accessory to Convenience Store

Landfill, Demolition (less than one acre)

Mobile office, temporary

Mobile Personal Storage Unit, Renovation, Temporary Use

Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use

Nursery/Daycare Center

Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)

Public Cultural Facility	Trail Head, Accessory Use
Real Estate Office in Construction Trailer or Modular Unit/Wind Energy Facility, Accessory Use, On Site Use Only	Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use
Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use	Wireless Telecommunications Services, Co-location
Real Estate Office in Model Home, Temporary Use	<b><u>CONDITIONAL USES</u></b>
Religious Institution (Total seating capacity 350 or less)	Colleges & Universities
Rest/Convalescent Home with 10 Beds or Less	Communications Tower, 911 Tower
Restaurant, Excluding Drive-Thru	Elementary, & secondary Middle and High Schools
Scientific Research and Development, Accessory to Agriculture	Public Service Facility
Swim Club, Tennis Club, Country Club	Public Use Facility
Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use	Recreational Facility, Outdoor
Temporary Construction Sign, Temporary Use	Recreational Trail, Greenway, or Blueway Connectors
Temporary Dwelling for Large Construction Projects, Temporary Use	Religious Institution (Total seating capacity 351 or more)
Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use	Religious Institution Including School
Townhouses	Rest/Convalescent Home with More Than 10 Beds
	Restaurant with drive-thru facility
	Trail Head, Primary Use
	Wireless Telecommunications Services

#### **HIGH DENSITY RESIDENTIAL/MIXED USE**

This district is intended to allow for a wide range of residential uses and will be the primary location for multifamily development. This district allows open space and amenity subdivisions. Both water and sewer are available and transportation networks are capable of supporting high density development. The district is also designed to accommodate office and commercial uses that are compatible with a high

density setting. High density residential/mixed use zones districts will typically develop near municipal boundary lines but should always be located near major thoroughfare level roads.

#### **RATIONALE**

This district is designed to provide permanent protection to those who want to live in a more densely settled residential setting with conveniently sited low intensity nonresidential uses.

#### **HIGH DENSITY RESIDENTIAL/MIXED USE ZONE DISTRICT USES:**

##### **PERMITTED USES**

Agriculture, Excluding Livestock

Agritourism, Accessory to Agriculture

Barber, Beauty, Tanning, Nail or Skin Care Salon

Drug Store

Dry Cleaning Pick-Up Station

Family Care Home

Group Care Facility

Laundromat

Mobile Home Park (Overlay District Only)

Movie Theater

Pet Shop, Grooming, Enclosed Facility

Retail Sales - Shopping Centers 10,000 Square Feet and Less

Semi-Attached House

Single Family Detached Residential

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

##### **PERMITTED BASED ON STANDARDS (PBS)**

Accessory Apartment

Accessory Building

Automated Teller Machine as Accessory

Bank/Financial Institution/Automated Teller Machine

Bed and Breakfast

Cemetery

Civic Organization Facility

Community Garden, Accessory Use

Contractor Office, Construction Equipment Storage, Temporary Use

Convenience Store without Petroleum Sales

Country Club with Golf Course

Dumpsters, Commercial Waste Containers, Temporary Use

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use

For Profit Temporary Sign, Temporary Use (Existing Business)

Golf Course, Public or Private

Home Occupation, General

Itinerant Merchant, Temporary Use (Existing Business)

Ice Production, Dispensing, Accessory to Convenience Store

Landfill, Demolition (less than one acre)	Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use
Mobile office, temporary	Temporary Construction Sign, Temporary Use
Mobile Personal Storage Unit, Renovation, Temporary Use	Temporary Dwelling for Large Construction Projects, Temporary Use
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use
Multifamily Residential	Townhouses
Nursery/Daycare Center	Trail Head, Accessory Use
Office, Professional Less Than 5,000 SF	Wireless Telecommunications Services, Co-location
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	<b><u>CONDITIONAL USES</u></b>
Public Cultural Facility	Colleges & Universities
Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use	Communications Tower, 911 Tower
Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use	Elementary, & secondary Middle and High Schools
Real Estate Office in Model Home, Temporary Use	Public Service Facility
Recreational Facility, Indoor	Public Use Facility
Religious Institution (Total seating capacity 350 or less)	Recreational Facility, Outdoor
Rest/Convalescent Home with 10 Beds or Less	Recreational Trail, Greenway, or Blueway Connectors
Restaurant, Excluding Drive-Thru	Religious Institution (Total seating capacity 351 or more)
Scientific Research and Development, Accessory to Agriculture	Religious Institution Including School
Self-Service Storage Facilities	Rest/Convalescent Home with More Than 10 Beds
Swim Club, Tennis Club, Country Club	Restaurant with Drive-Thru Facility
	Trail Head, Primary Use

## **OFFICE/INSTITUTIONAL DISTRICT:**

### **OFFICE/INSTITUTIONAL**

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. Where appropriate, This district can serve as a transition between residential land use and higher intensity non-residential land use.

### **RATIONALE**

This district is used to provide for low intensity office and institutional uses than can be complementary to adjacent residential land use. This district features employment options and essential services which require a moderate number of average daily trips. These uses will have a minimum impact on the surrounding area because these trips will generally occur during regular business hours, thus, not competing with residential traffic at peak hours and weekends. This district should be located adjacent to residential zones districts or in areas where its use would serve as a transition between residential land use and higher intensity non-residential land use. Higher intensity non-residential land use may include commercial zones districts, light industrial or mixed use zones districts. When bordering residential zones districts or residential developments, care should be taken to assure natural or manmade buffering and/or architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

## **OFFICE/ INSTITUTIONAL ZONE DISTRICT USES:**

### **PERMITTED USES**

Bank/financial institution/ATM/Freestanding ATM

Barber, Beauty, Tanning, Nail or Skin Care Salon

Civic Organization Facility

Colleges & Universities

Farmer's Market

Funeral Home

Group Care Facility

Hospital, Ambulatory Surgical Care Facility, Medical Facility

Office, Professional Less Than 30,000 Square Feet

Office, Professional Greater Than 30,000 Square Feet or more

Parking Lot, Parking Garage, Commercial or Private

Printing & Reprographic Facility

Public Cultural Facility

Public Use Facility

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

### **PERMITTED BASED ON STANDARDS (PBS)**

Accessory Building	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)
Automated Teller Machine As Accessory	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
Bank/Financial Institution/Automated Teller Machine	Recreational Facility, Indoor
Catering Service	Recreational Trail, Greenway, or Blueway Connectors
Community Garden, Accessory Use	Recyclable Materials Drop Off
Contractor Office, Construction Equipment Storage, Temporary Use	Religious Institution (Total seating capacity of 350 or less)
Country Club with Golf Course	Rest/Convalescent Home (10 Beds or Less)
Dumpsters, Commercial Waste Containers, Temporary Use	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)
Duplex, Commercial Use, Individual Lots	Scientific Research and Development
Event, Tent or Temporary Structure, Temporary Use	Swim Club, Tennis Club, Country Club
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Temporary Amusement Enterprise, Temporary Use
For Profit Temporary Sign, Temporary Use (Existing Business)	Temporary Construction Sign, Temporary Use
Golf Course, Public or Private	Temporary Dwelling for Large Construction Projects, Temporary Use
<del>Home Occupation, General</del>	<del>Townhouses</del>
<del>Mobile office, temporary</del>	<del>Trail Head, Accessory Use</del>
Mobile Personal Storage Unit, Renovation, Temporary Use	<del>Trail Head, Primary Use Site</del>
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Wireless Telecommunications Services, Co-location
<del>Multifamily Residential</del>	<b><u>CONDITIONAL USES</u></b>
Nursery/Daycare Center	Communications tower, 911 Tower
	Convention Center Facility

Elementary and secondary Middle and High Schools	Religious Institution Including School
Public Service Facility	Rest/Convalescent Home (More than 10 beds)
Recreational Facility, Outdoor	Trade & Vocational Schools
Religious Institution (Total seating capacity of 351 or more)	Wireless Telecommunication Services (WTS)

## COMMERCIAL DISTRICTS:

### OFFICE/LIMITED COMMERCIAL

This district is intended to accommodate relatively small scale commercial and office development at intensities complementary to residential land use.

### RATIONALE

This district is used to provide both convenience oriented goods and services and for the permanent protection of adjacent or intermixed residential areas by permitting only a limited range of commercial activities. The district should be located near municipal boundary lines or areas of commercial growth and may border general commercial zones-districts, light industrial, or high density residential mixed use zones districts. When bordering residential zones districts or residential developments, care should be taken to assure natural or manmade buffering so that the nonresidential activities are not a nuisance to residential use.

### OFFICE/LIMITED COMMERCIAL ZONE DISTRICT USES:

#### PERMITTED USES

Arcade, Game Room	Colleges & Universities
Automobile Parts, Tires, Accessories supplies	Convenience Store with Petroleum Sales
Bank/financial institution/ATM/Freestanding ATM	Convenience Store without Petroleum Sales
Barber, Beauty, Tanning, Nail or Skin Care Salon	Drug store
Car Wash, Detail Service	Dry cleaning/pick up station
Catering Service	Equipment Sales and Service
Civic Organization Facility	Family care home
	Farm Supply Sales
	Farmer's Market

Flea Market, Indoor Vendors Only	Religious institution (Total seating capacity of 351 or more)
Funeral home	Restaurant, excluding drive-thru
Group care facility	Retail sales - shopping centers 10,000 - 50,000 square feet
Gunsmith	Retail sales - shopping centers 10,000 square feet and less
Health Club, Fitness Center	<del>Single family residential detached</del>
Hospitals, Ambulatory Surgical Care Center, Medical Facilities	Tattoo Studio
Hotels, motels, inns	Taxidermy Studio, No Outdoor Processing
Laundromat	Towing Service, No Vehicle Storage Lot, Office Only (Storage of Tow Truck, Car Haulers Permitted on Site)
Lawn and Garden Supply	Taxi stand
Locksmith	Wireless Telecommunications Services, Stealth Antennae, 65 feet or less
Lumber and Construction Materials	<b><u>PERMITTED BASED ON STANDARDS (PBS)</u></b>
Mobile Home Retail Sales	Accessory Building
Movie Theater	Automated Teller Machine as Accessory
Nursery/Greenhouse	Automobile Rental
Office, professional, less than 30,000 square feet	Automobile Sales, New and Used
Parking Lot, Parking Garage, Commercial or Private	Bank/Financial Institution/Automated Teller Machine
Pawn Shop	Bed and Breakfast
Pet shop, grooming (enclosed)	Catering Service
Photographic studio	Community Garden, Accessory Use
Printing and Reprographic Studio	Communications Tower, 911 Tower
Public cultural facility	Contractor and or Trade Shop
Public use facility	
Religious institution (Total seating capacity of 350 or less)	

Contractor Office, Construction Equipment Storage, Temporary Use	Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility
Country Club with Golf Course	Motorcycle Sales, New and Used
Day Camp, Summer Camp, Civic Group Camp Facility	Multifamily Residential
Dumpsters, Commercial Waste Containers, Temporary Use	Nursery/Daycare Center
Duplex, Commercial Use, Individual Lots	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)
Event, Tent or Temporary Structure, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use
Fireworks Stand, Temporary Use	Real Estate Office in Model Home, Temporary Use
For Profit Temporary Sign, Temporary Use (Existing Business)	Recreational Facility, Indoor
Golf Course, Public or Private	Recreational Trail, Greenway, or Blueway Connectors
Government Buildings, Storage Only	Recyclable Materials Drop Off
Home Occupation, General	Repair Garage, Automobile
Ice Production, Dispensing, Accessory to Convenience Store	Repair Shop, Small Engine
Itinerant Merchant, Temporary Use (Existing Business)	Restaurant with Drive-Thru Facility
Landfill, Demolition (less than one acre)	Scientific Research and Development
Mobile office, temporary	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)
Mobile Personal Storage Unit, Renovation, Temporary Use	Self-Service Storage Facility
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Shooting Range, Indoor
Moving Van, Truck or Trailer Rental	Sports and Recreation Instruction or Camp
	Storage Building Sales, with Display Area

<b><u>CONDITIONAL USES</u></b>	
Swim Club, Tennis Club, Country Club	Animal Hospital
Temporary Amusement Enterprise, Temporary Use	Animal Shelter
Temporary Construction Sign, Temporary Use	Kennel, Commercial
Temporary Dwelling for Large Construction Projects, Temporary Use	Public service facility
Townhouses	Recreational facility, outdoor
Trail Head, Accessory Use	Trade & vocational schools
Trail Head, Primary Use Site	Veterinarian
Wireless Telecommunications Services, Co-location	Wireless Telecommunications Services (WTS)

### **GENERAL COMMERCIAL DISTRICT**

The primary purpose of this district is to provide locations for large scale commercial activities. This level of commercial activity usually draws clientele regionally as well as from nearby neighborhoods, requires siting on major thoroughfares and requires relatively large-scale off street parking. The ~~zone~~ ~~district~~ will accommodate a wide variety of office, retail and lodging land uses. General commercial may border the other less intense commercial ~~zone~~ ~~district~~ or either of the two industrial ~~zones~~ ~~districts~~. A general commercial ~~zone~~ ~~district~~ may border a higher density residential ~~zone~~ ~~district~~ but care should be taken to assure a buffer between the two.

### **RATIONALE**

This district is intended to provide the principal location for large scale commercial development in Cabarrus County.

### **GENERAL COMMERCIAL DISTRICT USES:**

<b><u>PERMITTED USES</u></b>	
Arcade, Game Room	Bank/financial institution/ATM/Freestanding ATM
Auction House	Barber, Beauty, Tanning, Nail or Skin Care Salon
Automobile Parts, Tires, Accessories supplies	Boat Works and Sales, with Outdoor Storage or Sales Lot
Automobile Rental	Building Equipment sales/indoor storage only
Automobile Sales, New and Used	Building Equipment sales/outdoor storage

Building Contractor's Storage Yard	Group care facility
Building Contractor Supply	Gunsmith
Bus Terminal, Bus Station	Health Club, Fitness Center
Car Wash, Detail Service	Hospitals, Ambulatory Surgical Care Center, Medical Facilities
Catering Service	Hotels, motels, inns
Charter Bus Company, Travel Agency with On Site Bus Storage	Janitorial Service, Outdoor Storage
Civic Organization Facility	Laundromat
Colleges & Universities	Lawn and Garden Supply
Convenience Store with Petroleum Sales	Lawn and Garden Supply with Outdoor Storage
Convenience Store without Petroleum Sales	Locksmith
Drive In Theater	Lumber and Construction Materials
Drug store	Lumber and Construction Materials with Outdoor Storage
Dry cleaning/pick up station	Machine Shop
Dry Cleaning/Laundry Plant	Mobile home retail sales
Equipment Sales and Service	Motorcycle Sales, New and Used
Equipment Sales and Service with Outdoor Storage	Movie Theater
Family care home	Multimedia Production and Distribution Complex
Farm Supply	Nursery/Greenhouse
Farm Supply with Outdoor Storage	Office, Professional, less than 30,000 SF
Farmer's Market	Office, Professional, 30,000 SF or more
Flea Market, Indoor Vendors Only	Parking Lot, Parking Garage, Commercial or Private
Freezer/Ice Plant	Pawn Shop
Funeral home	Pet Shop, Grooming, Enclosed
Gas Station	

Pharmaceutical Supply	Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers Permitted on Site)
Photographic Studio	<u>Taxi stand</u>
Printing and Reprographic Studio	<u>Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot</u>
Public Cultural facility	<u>Warehouse, Enclosed Storage</u>
Public Use facility	<u>Welding Shop</u>
Race Shop/Race Team Complex	<u>Wireless Telecommunications, Stealth Antennae, 65 Feet or Less</u>
Radio and Television Studio	<b><u>PERMITTED BASED ON STANDARDS (PBS)</u></b>
Rail Passenger Station	<u>Accessory Building</u>
Recreational Facility, Indoor	<u>Automated Teller Machine as Accessory</u>
Recreational Vehicle Sales and Service, On Site Storage or Sales Lot	<u>Bank/Financial Institution/Automated Teller Machine</u>
Religious institution (Total seating capacity of 350 or less)	<u>Community Garden, Accessory Use</u>
Religious institution (Total seating capacity of 351 or more)	<u>Communications, 911 Tower</u>
Repair Garage, Automobile	<u>Contractor Office, Construction Equipment Storage, Temporary Use</u>
Repair Shop, Small Engine	<u>Country Club with Golf Course</u>
Restaurant, excluding drive-thru	<u>Day Camp, Summer Camp, Civic Group Camp Facility</u>
Retail sales - Shopping Centers 10,000 - 50,000 Square Feet	<u>Dumpsters, Commercial Waste Containers, Temporary Use</u>
Retail Sales - Shopping Centers 10,000 Square Feet and Less	<u>Duplex, Commercial, Individual Lot</u>
Retail Sales - Shopping Centers 50,000-100,000 Square Feet and Less	<u>Event, Tent or Temporary Structure, Temporary Use</u>
Tattoo Studio	<u>FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use</u>
Taxi Service, Dispatch and Taxi Storage	
Taxidermy Studio, No Outdoor Processing	

Fireworks Stand, Temporary Use	Restaurant with Drive-Thru Facility
For Profit Temporary Sign, Temporary Use	Scientific Research and Development
Golf Course, Public or Private	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)
Government Buildings, Storage Only	Self-Service Storage Facility
Government Buildings, Storage Only, Outdoor	Shooting Range, Indoor
Ice Production, Dispensing, Accessory to Convenience Store	Sports and Recreation Instruction or Camp
Ice Production, Dispensing, Accessory to Gas Station	Storage Building Sales, with Display Area
Itinerant Merchant, Temporary Use (Existing Business)	Swim Club, Tennis Club, Country Club
Landfill, Demolition (less than one acre)	Temporary Amusement Enterprise, Temporary Use
<del>Mobile office, temporary</del>	Temporary Construction Sign, Temporary Use
Mobile Personal Storage Unit, Renovation, Temporary Use	Temporary Dwelling for Large Construction Projects, Temporary Use
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Towing Service, Accessory to Automobile Repair
Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility	Towing Service, with Towed Vehicle Storage Yard (No Salvage or Part Sales)
Moving Van, Truck or Trailer Rental	Trail Head, Accessory Use
<del>Nursery/Daycare Center</del>	Trail Head, Primary Use Site
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	Wireless Telecommunications Services, Co-location
Real Estate Office in Construction Trailer or Modular Unit Commercial /Mixed Use Projects, Temporary Use	<b><u>CONDITIONAL USES</u></b>
Recreational Trail, Greenway, or Blueway Connectors	Adult use
Recyclable Materials Drop Off	Airport, commercial
	Airstrip
	Amusement, Outdoor
	Animal Hospital

Animal Shelter	Single-Family Detached Residential
Coliseum/Stadium	Trade and Vocational Schools
Convention Center	Truck stop or Truck Terminal
Kennel, Commercial	Trucking and Heavy Equipment, Sales & Service
Mobile Home, Class I Manufactured Home, Single Section	Trucking Company, Heavy Equipment Dispatch Facility with On-Site Storage
Public Service Facility	Veterinarian
Recreational Facility, Outdoor	Wireless Telecommunications Services (WTS)
Retail Sales - Shopping Centers Greater Than 100,000 Square Feet	
Amusement, Outdoor	

## INDUSTRIAL ZONES DISTRICTS:

### LIMITED INDUSTRIAL

This district provides for both large and small scale industrial and office development. The primary distinguishing feature of this district is that it is geared to indoor industrial activities which do not generate high levels of noise, soot, odors and other potential nuisances/pollutants for impacting adjoining properties. It is typically located in areas of the county with infrastructure, i.e., higher volume roadways, water and sewer. Light industrial zones districts may border higher density residential zones districts only when an effective buffer exists. For example, a natural structural feature such as a sharp break in topography, strips of vegetation or traffic arteries. In no case, would a limited industrial zone district be located so as to result in industrial/commercial traffic penetrating a residential neighborhood.

### RATIONALE

This district provides a location for light industrial land uses such as assembly operations, storage and warehousing facilities, offices and other light manufacturing operations.

### USES IN THE LIMITED INDUSTRIAL ZONE DISTRICT USES:

Bank/Financial Institution/ATM/~~Freestanding ATM~~

### PERMITTED USES

Automobile Rental

Automobile Parts, Tires, Accessories supplies

Boat Works and Sales, with ~~Outdoor Storage, Sales Lot~~

Bottling Works

Building equipment sales/indoor storage	Janitorial Service with Outdoor Storage
Building equipment sales/open storage	Lawn and Garden Supply with Outdoor Storage
Building Contractor's Storage Yard	Lumber and Construction Materials with Outdoor Storage
Building and Contractor Supply	Machine Shop
Building and Contractor Supply, with Outdoor Storage	Manufacturing/processing
Bulk Grain Storage	Metal Works, Metal Processing, Fabrication
Bus Terminal, Bus Station	Multimedia Production & Distribution Complex
Cast Concrete Production, Distribution and Storage	Nursery, Greenhouse
Catering Service	Office, Professional, 30,000 Square Feet or Less
Charter Bus Company, Travel Agency with on Site Bus Storage	Office, Professional, 30,000 Square Feet or More
Contractor's storage yard	Parking Lot, Parking Garage, Commercial or Private
Convenience Store with Petroleum Sales	Pharmaceutical Supply
Convenience Store without Petroleum Sales	Pharmaceutical Supply with Outdoor Storage
Dairy Processing	Printing and Reprographic Facilities
Dry Cleaning/Laundry Plant	Public Use Facility
Equipment Sales and Service	Race Shop, Race Team Complex
Equipment Sales and Service, with Outdoor Storage	Radio and Television Studios
Farm Supply Sales with Outdoor Storage	Railroad Passenger Station and
Farm Machinery Repair (duplicate)	Rail Storage Yard
Freezer/Ice Plant	Rail Transfer Station
Gas Station	Recreational Facility, Indoor
Hatchery	
Hotels, Motels and Inns	

Recreational Vehicle Sales and Service, Outdoor Storage or Sales Lot	Bank/Financial Institution/Automated Teller Machine
Repair Garage, Automobile	Communications tower, 911 Tower
Repair Shop, Farm Machinery	Contractor Office, Construction Equipment Storage, Temporary Use
Repair Shop, Small Engine	Dumpsters, Commercial Waste Containers, Temporary Use
Restaurant, Excluding Drive-Thru	Event, Tent or Temporary Structure, Temporary Use
Sawmill	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use
Slaughter House/Meat Packing	For Profit Temporary Sign, Temporary Use (Existing Business Only)
Taxi Service, Dispatch and Taxi Storage	Government Buildings, Storage Only
Taxidermy Studio, No Outdoor Processing	Government Buildings, Storage Only, Outdoor Only
Tire Recapping	Ice Production, Dispensing, Accessory to Convenience Store
Towing Service, with Towed Vehicle Storage Yard (No Salvage or Parts Sales)	Ice Production, Dispensing, Accessory to Gas Stations
Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers Permitted)	Landfill, Demolition (less than one acre)
Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot	Mobile office, temporary
Vending Machine Operator	Mobile Personal Storage Unit, Renovation, Temporary Use
Warehouse, Enclosed Storage	Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use
Welding Shop	Moving Van, Truck or Trailer Rental
Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less	Moving Van, Truck or Trailer Rental, Accessory to Self Service Storage
<b><u>PERMITTED BASED ON STANDARDS (PBS)</u></b>	
Accessory apartment	
Accessory Building	
Automated Teller Machine as Accessory	

Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	Airport, commercial
Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary	Airstrip, as Accessory Use
Recreational Trail, Greenway or Blueway, Connector	Animal Hospital
Recyclable materials drop-off	Animal Shelter
Restaurant with drive-thru facility	Coliseum/Stadium
Scientific Research and Development	Correctional Facility
Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins), Temporary Use	Kennel, Commercial
Self-Service Storage Facilities	Landfill, Demolition (one acre or more)
Shooting Range, Indoor	Landfill, Sanitary
Sports and Recreation Instruction or Camp	<del>Mobile Home, Class I Manufactured Home, Single Section</del>
Storage Building Sales, with Display Area	Nursery/Daycare Center
Temporary Amusement Enterprise, Temporary	Public Service Facility
Temporary Construction Sign, Temporary	Race Track, Animal or Mechanical
Temporary Dwelling for Large Construction Projects, Temporary	Recreational Facility, Outdoor
Towing Service, Accessory to Automobile Repair	Shooting Range with Outdoor Target Practice Areas
Trail Head, Accessory	Single-Family Detached Residential
Trail Head, Primary Use Site	Trade and Vocational Schools
Warehouse, open storage	<del>Trucking and Heavy Equipment, Sales &amp; Service</del>
Wireless Telecommunications Services, Co-location	Trucking Company, Heavy Equipment Dispatch Facility with On-Site Storage
<b><u>CONDITIONAL USES</u></b>	Truck Stop or Truck Terminal
	Veterinarian
	Wireless Telecommunications Services

## GENERAL INDUSTRIAL

While this zone ~~district~~ permits both large and small scale industrial/office development, its primary purpose is to provide a location for large scale development. It is designed to permit a very wide variety of industrial uses which may occur both indoor and outdoor, including certain land uses which are permitted in no other zoning district because of their potential to create nuisances for adjoining properties.

### RATIONALE

This district is intended to provide a location for both light and heavy industrial uses in a zoning district in which the potential for nuisance complaints from nearby properties is minimized. Certain land uses such as extraction, airports, and racetracks will be permitted only upon issuance of a conditional use permit. General industrial ~~zones~~ ~~districts~~ are compatible neighbors with ~~both~~ the light industrial and general commercial ~~zones~~ ~~districts~~. Care should be taken to site this ~~zone~~ ~~district~~ on major roadways or near other forms of transportation, such as rail lines, airports, etc.

### USES IN THE GENERAL INDUSTRIAL ZONE-DISTRICT USES

#### PERMITTED USES

Asphalt or Concrete Plant or Batch Plant  
Boat Works and Sales, ~~Outdoor Storage or Sales Lot~~  
Bottling Works  
~~Building equipment sales/indoor storage~~  
~~Building equipment sales/open storage~~  
Building Contractor's Storage Yard  
Building and Contractor Supply  
Building and Contractor Supply with Outdoor Storage  
Bulk Grain Storage  
Cast Concrete Production, Distribution and Storage  
Charter Bus Company, Travel Agency with Outdoor Bus Storage

Chemical Manufacturing  
~~Contractor's storage yard~~  
Convenience Store without Petroleum Sales  
Dairy Processing  
Dry Cleaning/Laundry Plant  
Equipment Sales and Service  
Equipment Sales and Service with Outdoor Storage  
Farm Supply Sales with Outdoor Storage  
Foundry, Iron Works, Steel Mill  
Freezer/Ice Plant  
Gas Station  
Hatchery  
~~Hotels, Motels and Inns~~  
Janitorial Service with Outdoor Storage

Lawn and Garden Supply with Outdoor Storage	Slaughter House/Meat Packing
Lumber and Construction Materials, Outdoor Storage	Taxi Service, Dispatch and Taxi Storage
Machine Shop	Tire Recapping
Manufacturing/processing	Towing Service, with Towed Vehicle Storage Yard (No Salvage or Parts Sales)
Metal Works, Metal Processing, Fabrication	Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers permitted on site)
Moving Van, Truck or Trailer Rental	Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot
Multimedia Production & Distribution Complex	Trucking Company, Heavy Equipment, Dispatch with On-Site Storage
Nursery, Greenhouse	Truck Stop, Truck Terminal
Office, Professional, 30,000 Square Feet or Less	Vending Machine Operator
Office, Professional, 30,000 Square Feet or More	Warehouse, Enclosed
Parking Lot, <a href="#">Parking Garage</a> , Commercial or Private	Warehouse, Volatile Materials
Pharmaceutical Supply, Outdoor Storage	Welding Shop
Printing and Reprographic Facilities	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Public Use Facility	<b><u>PERMITTED BASED ON STANDARDS (PBS)</u></b>
Race Shop, Race Team Complex	Accessory Buildings
Radio and Television Studios	Automated Teller Machine as Accessory
Railroad <a href="#">Passenger</a> Station and Rail Storage Yard	Bank/Financial Institution/Automated Teller Machine
Rail Transfer Station	Communications tower, <a href="#">911</a> Tower
Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot	Contractor Office, Construction Equipment Storage, Temporary Use
Repair Shop, Farm Machinery	Dumpsters, Commercial Waste Containers, Temporary Use
Restaurant, Excluding Drive-Thru	
Sawmill	

Ethanol Fuel Production Plant, Small Plant	Restaurant with Drive-Thru Facility
Ethanol Fuel Production Plant, Medium Plant	Salvage Yard
Event, Tent or Temporary Structure, Temporary Use	Sports and Recreation Instruction or Camp
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Temporary Amusement Enterprise, Temporary Use
For Profit Temporary Sign, Temporary Use (Existing Business)	Temporary Construction Sign, Temporary Use
Government Buildings, Storage Only	Temporary Dwelling for Large Construction Projects, Temporary Use
Government Buildings, Storage Only, Outdoor Only	Towing Service, with Salvage
Ice Production, Dispensing, Accessory to Convenience Store	Towing Service, Accessory to Salvage Yard
Ice Production, Dispensing, Accessory to Gas Stations	Trail Head, Accessory
Landfill, Demolition (less than one acre)	Trail Head, Primary Use Site
Mobile office, temporary	Warehouse, Open Storage
Mobile Personal Storage Unit, Renovation, Temporary Use	Wireless Telecommunications Services, Co-location
Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use	<b><u>CONDITIONAL USES</u></b>
Promotional Activities Involving the Display of Goods or Merchandise, Temporary	Airport, Commercial
Public Use Facility	Airstrip, as Accessory
Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use	Coliseum, Stadium
Recreational Trail, Greenway or Blueway, Connector	Correctional Facility
Recyclable Materials Drop-Off	Extraction of Earth Products
	Landfill, Demolition (one acre or more)
	Landfill, Sanitary
	Mobile Homes, Class I Manufactured Home, Single Section
	Nursery/Daycare
	Public Service Facility

Race Track, Animal or Mechanical	Single Family Detached Residential
Recreational Facility, Outdoor	Trade and Vocational Schools
Shooting Range with Outdoor Target Practice	Wireless Telecommunications Services

## FLOATING ZONES:

### PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Planned Unit Development (PUD) regulations are intended to provide for a mix of different land uses while encouraging and allowing more creative and cohesive design of land development than is possible under traditional zoning regulations. PUD zoning allows substantial flexibility in planning and design of a proposed development that often occurs in the form of relief from compliance with conventional zoning ordinance requirements such as minimum lot size and buffering. Ideally, this flexibility results in a development that is better planned, contains more amenities and, ultimately, is a development that is more desirable to live in than one produced in accordance with typical zoning ordinance and subdivision controls.

### RATIONALE

This district provides for a mix of land uses including single-family residential, multi-family residential, professional offices, industrial uses, recreational facilities, civic uses or commercial centers. These uses are integrated into a coordinated and comprehensively designed development project that offers a high level of amenities and preserves the natural and scenic qualities of open spaces.

### Processing Procedures:

To enable thorough analysis of a Planned Unit Development, more information is needed about the proposal than would be required if development were being pursued under conventional zoning requirements. Although a PUD is technically a floating district, it shall be processed as a special use district in accordance with Section 13-12 of this Ordinance with the following additions:

The following criteria shall apply to all PUD-proposed development:

- a. **Eligibility.** An application for PUD must be submitted by the property owner or property owner's representative for an area of not less than 25 acres.
- b. **Density.** Overall density will be defined on the initial preliminary site plan in accordance with the required land use composition calculation.
- c. **Preservation of Natural Features.** Critical areas and other significant and desirable natural features such as steep slopes, drainage courses, unique stands of vegetation, riparian areas and water bodies are to be retained and integrated into the site design.
- d. **Common Architectural Theme.** All buildings and structures in the project site area are to share a common architectural theme that ensures compatibility among interior land uses. This theme

shall also be compatible or complementary with adjacent development, or shall be adequately screened or buffered from such adjacent development.

- e. **Adjoining Land Use Compatibility.** The project site design shall be laid out in a manner that ensures compatibility and harmony with adjoining land uses exterior to the subject project.
- f. **Streets.** All public and private streets within the project site area shall comply with NCDOT minimum design guidelines.
- g. **Naming Convention.** Upon approval, the zoning district will be known by the name Planned Unit Development and will be designated as PUD.

The Cabarrus County Planning and Zoning Board hear the “PUD” request and the preliminary site plan approval request concurrently, except that the final decision to approve or deny each request shall be by a separate vote. The Cabarrus County Planning and Zoning Board shall first make a decision whether to grant approval for the requested “PUD” district. If the “PUD” request is denied, the Cabarrus County Planning and Zoning board will no longer consider the request for approval of the preliminary site plan. If the “PUD” district is approved, the Cabarrus County Planning and Zoning Board shall then make a decision whether to approve the preliminary site plan.

Applications for PUD are also eligible for the expedited rezoning process as prescribed in Section 13-12, step 4.

#### **Permitted Uses**

The uses permitted in a PUD district shall be the permitted uses as set forth in the approved site plan. Because the PUD is a floating district, these uses will be selected from those uses permitted in Chapter 3, Section 3-8 Table of Permitted Uses. Approval of the proposed uses is at the sole discretion of the appropriate decision making agency. No additional conditional use permit shall be required for any conditional use listed once the PUD district is assigned and preliminary site plan approval is granted.

#### **Land Use Composition**

The preliminary site plan for a PUD district shall not be approved unless the following minimum percentages of land uses are provided for within the boundaries of the district. The percentage values are based on dwelling units for residential land use and square footage for non-residential land use.

Moderate density residential (max. 4 units per acre) = 20%

High density residential (max. 18 units per acre) = 10%

Non residential = 8%

#### **Open Space**

All Planned Unit Developments consisting of 30 or more residential units shall provide open space in an amount equal to 10% of the residential area of the PUD or 7% of the total PUD area, whichever is greater. Active recreational areas will be required to be provided on at least 1/3 of the total required

open space acreage in residential areas and 1/5 of the total required open space acreage in non-open space acreage in residential areas. Required open space for PUDs developed utilizing the cluster development should shall be calculated designed as indicated in Section 5-8 A, Open Space, Section 1-8.

Active recreational areas are defined as any park or recreational facility that is not dependent upon a specific environmental or natural resource, which is developed with recreation and support facilities that can be provided anywhere for the convenience of the user. Activity-based recreation areas include, but are not limited to, playgrounds, golf courses, bicycle trails, baseball or softball fields, football or soccer fields, basketball courts, swimming pools, clubhouses, equestrian facilities, swings, slides, play apparatus and tennis courts.

### **Design Standards**

The land uses within a PUD shall not be subject to any of the dimension and density provisions of Chapter 5 part III, Table One: Development Standards By Zoning District: except that a perimeter setback of 25 feet shall be maintained. PUD designs shall be subject to the recommended design elements listed below. These design elements are for consideration in the design of a Planned Unit Development and shall be considered as criteria for approval. This is not to state that all of the design elements listed below shall be included in a PUD, rather all elements shall be considered and those that are considered appropriate and reasonable should and shall be incorporated to the greatest extent possible.

#### *Architectural elements*

- Building height, rhythm, articulation, massing and bulk are compatible with the individual site attributes and are compatible with the surrounding neighborhoods.
- Distinctive architectural details such as covered front entries, covered front porches, door and window details, roof overhangs, and/or parapet walls with cap features should be provided on each dwelling, or principle structure. A variety of roofing colors, textures, and component shapes including shake shingle, shalè, and wood compositions, should be provided.
- Significant architectural differences in the choice of elevations, roof lines, and exterior colors for each residential floor plan should be provided. Not more than three (3) adjacent homes should contain the same front facade, and not more than three (3) adjacent homes should contain the same rear facade visible from arterial street view, on any block front. Homes facing one another (across the street) should not have the same facade. Adjacent homes should shall not use the same elevation. Changes to be considered during residential design and placement include changes in the number of stories, garage location and articulation of the front façade.
- Garage fronts should be de-emphasized and not be the most prominent architectural feature of the house. This should be accomplished by providing side access garages, detached "in-line" garages, and/or L-shaped floor plans on not less than fifty percent (50%) of the lots. Garages should be recessed at least one car length in order to provide interest and relief from the street. The front elevation should prominently feature an entrance for persons rather than automobiles with the garage area not to exceed forty percent (40%) of the front facades of two story houses and forty-five (45%) of single story houses.

- Residential design guidelines are shall be provided as part of the application. These guidelines shall which include provide a variety of the conceptual standard design plans for the proposed development, and may include: variation in building setbacks, detached garages, recessed garages if attached to the principal building and fencing alternatives. Examples shall include, but are not limited to: proposed residential elevations, proposed commercial development elevations, park or open space features, street tree and/or planted median conceptual plans, typical lighting, typical signage, etc.

#### *Recreation elements*

- Not less than 20 percent (20%) of the residential units in medium and the high density areas are shall be located within 660 feet of a pedestrian, equestrian and or bicycle trail.
- Recreation and open space facilities should be aligned with the community parks and open space network as provided in any locally adopted land use plans or parks and recreation master plans.
- Neighborhood scale recreation facilities and amenities should be provided which are functional, not retention/detention or basin-like in design. Retention basins used in conjunction with recreational facilities or amenities should be designed in accordance with the Stormwater Best Management Practices (BMPs) Management Standards of this Ordinance, as defined by the North Carolina Department of Environmental Resources Water Quality Division. Such areas should include turf or landscaping within all areas not permanently covered with standing water.
- Gateway treatments may be incorporated at appropriate locations along an open space network.

#### *Transportation elements*

- Park-and-ride lots may be incorporated with along planned public transportation routes planned facilities.
- Bicycle lanes should be included along at least fifty percent (50%) of the linear frontage of all planned collector streets.
- Bicycle parking facilities should be provided for all uses except single family detached and semi-attached residences.
- A customized entrance may be provided at the entry street intersecting a thoroughfare or collector which features a waterfall, sculpture, monument signage, special landscaping, specialty pavement, enhanced fence wall details, boulevard median or other similar treatment.

#### *Landscaping and Buffering elements*

- Higher density or intensity developments abutting lower density or intensity areas may utilize transitional stepping of intensities of uses or lot dimensions rather than strict buffering provided that these features substantially mitigate any negative impacts consistent with the intent of this ordinance. These elements will be defined on the initial preliminary site plan and will become binding once approved.

- Landscaping within the PUD district and along its boundary shall be defined on the initial preliminary site plan and will become binding once approved. Street trees, landscaped berms, and planted medians ~~are~~ should be included in the design as applicable.
- ~~Strongly encouraged.~~ Existing trees ~~should~~ shall be retained wherever possible, especially around the perimeter ~~of the development~~, as buffering materials and along creeks and streams.
- ~~Where streams are located on the proposed project site, stream buffers as described in Chapter 4, Waterbody Overlay and stream buffer limitations, as described in Chapter 5-8, B shall be incorporated into the overall project design.~~

#### *Parking*

- Landscaping, half walls, fencing, or other methods should be utilized to screen parking areas from view. Islands and planting areas should be incorporated to increase safety, create shade and improve aesthetics.

#### *Other design considerations*

- Homeowner or property owners associations ~~should~~ shall be required to maintain all roadway/right-of-way landscaping, pedestrian and bicycle, and equestrian paths (arterial, collector and local as proposed) to the standards of this Ordinance.
- Areas designated for industrial land uses should be designed to create a campus-style environment.

#### Submittal Requirements

The following documents and associated fees will be required at the time of initial submittal:

- Completed Cabarrus County Rezoning Application with associated fees. ~~(A PUD rezoning will adhere to the fee schedule for a non-residential/mixed-use rezoning.) This application will contain a list of permitted uses to be considered in the PUD rezoning.~~
- Completed Cabarrus County Preliminary Subdivision Application with associated fees.
- Preliminary Site Plan. In addition to the requirements of Section 13-11, a preliminary site plan submittal must include the following:
  - Boundary lines and dimensions of the subject site.
  - Existing and proposed easements - general purpose and width.
  - Utility extensions of water lines, sanitary sewers, and storm sewers.
  - Land use designations for the subject site.
  - Retention and detention areas.
  - Residential lots (average lot size and minimum lot size shall be specified).
  - Locations, size, and type of intended landscaping features.
  - Locations, size, and type of intended buffers.
  - Proposed ~~project~~ subdivision and street names for review.
- Location, square footage or minimum lot size, number of units (for residential), and building height in feet or number of stories for each land use category ~~will be sufficient~~, actual lot

designation at time of site plan approval will not be required.

- Architectural elements shall be incorporated into Covenants, Conditions and Restrictions for the proposed PUD. This document shall be submitted as part of the application and shall subsequently be recorded by the Applicant in the office of the Cabarrus County Register of Deeds.

#### **Professional Design Team Required**

An applicant for a PUD approval shall certify, in writing at the time of application, that a member of each of the following professions will be used in the planning and design process for the proposed development:

- a. Project planning and design by a licensed North Carolina architect, licensed North Carolina landscape architect, planner certified by the American Institute of Certified Planners (AICP), or a registered land surveyor;
- b. Landscaping design by a certified nurseryman or licensed North Carolina landscape architect; and,
- c. Site engineering by a North Carolina Registered Engineer.

#### **Modification of Approved Preliminary Site Plan**

Following approval of the PUD district and the preliminary site plan, no modification of the land use category designations, design standards, uses, densities or any other condition of the site plan shall be permitted unless an amended petition is filed. However, the Administrator may approve **minor** changes **modifications in writing to the plan** provided that they meet the requirements of Chapter 13, Part V Section 13-17. **Approvals of minor changes must be made in writing and a copy maintained in the case file.**

#### **Section 3-8. TABLE OF PERMITTED USES**

The following Table of Permitted Uses lists each of Cabarrus County's zoning districts across the top of the page with uses listed vertically to the side. Uses are grouped together within the following seven categories arranged as follows:

Agricultural Uses

Residential Uses

Accessory Uses

Commercial, Retail and Office Uses

Institutional, Civic and Public Uses

Industrial Uses

## PERMITTED USE TABLE (DRAFT 1)

“P” – Permitted, “C” – Conditional, “PBS” – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
<b>RESIDENTIAL USES</b>										
Family Care Home	P	P	P	P	P	P	P	P	P	
Group Care Facility	P	P	P	P	P	P	P	P	P	
Mobile Home, Type-I Manufactured Home, Single Section	Permitted in Manufactured Home Overlay District Only – see Chapter 4									
Mobile Home, Type-II Manufactured Home, Multi-Section	Permitted in Manufactured Home Overlay District Only – see Chapter 4									
Mobile Home Park (8-4, 14)	Permitted in Manufactured Home Park/Manufactured Home Overlay District Only – see Chapter 4									
NOTE: All mobile homes subject to installation requirements as outlined in Chapter 4										
Multifamily Residential (7-3, 33)	P	P	P	P	P	P	P	P	P	
Semi-Attached House	P	P	P	P	P	P	P	P	P	
Single Family Detached Residential	P	P	P	P	P	P	P	P	P	
Single Family Detached Residential (8-4, 30)	P	P	P	P	P	P	P	P	P	
Manufactured Home, Single Section (8-4, 30)	P	P	P	P	P	P	P	P	P	
Townhouses (7-3, 61)	P	P	P	P	P	P	P	P	P	
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
<b>AGRICULTURAL USES</b>										
Agriculture, Including Livestock (7-3, 2A)	P	P	PBS							
Agriculture, Female Chickens, limited number, less than 5 acres (7-3, 2B)	P	P	P	P	P	P	P	P	P	
Agriculture Excluding Livestock	P	P	P	P	P	P	P	P	P	
Agritourism, Accessory to Agriculture	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
Barn, Greenhouse, As Primary Structure (7-3, 7)	P	P	P	P	P	P	P	P	P	
Bulk Grain Storage	P	P	P	P	P	P	P	P	P	
Dairy Processing	P	P	P	P	P	P	P	P	P	
Hatchery	P	P	P	P	P	P	P	P	P	
Livestock Sales	P	P	P	P	P	P	P	P	P	
Nursery, Greenhouse	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
Scientific Research and Development, Accessory to Agriculture (7-3, 51)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
<b>ACCESSORY USES</b>										
Accessory Apartment (7-3,1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
Accessory Building (lot less than 2 acres) (7-3, 1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
Accessory Building (lot 2 acres or greater) (7-3, 1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	
Airstrip (8-4, 3)	C		PBS	PBS	PBS	PBS	PBS	PBS	C	
Automated Teller Machine (7-3, 6, b)			PBS							

Revised/Permitted Uses

## PERMITTED USE TABLE (DRAFT 1)

"P" = Permitted, "C" = Conditional, "PBS" = Permitted based on standards

**PERMITTED USE TABLE (DRAFT 1)**

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Day Camp, Summer Camp, Civic Group Camp Facility (8-4, 10)	C	C					PBS	PBS		
Day Camp, Summer Camp, Civic Group Camp Facility (7-3, 18)							P			
Drive-in Theater					P		P	P		
Drug Store					P		P	P		
Dry Cleaning/Laundry Plant				P			P	P		
Dry Cleaning/Pick up Station				P			P	P		
Duplex, Commercial Use, Individual Lots (7-3, 19)				PBS	PBS		P	P		
Equipment Sales and Service							P	P		
Equipment Sales with Outdoor Storage Area							P	P		
Farmer's Market				P			P	P		
Farm Supply Sales							P	P		
Farm Supply Sales with Outdoor Storage Area				P			P	P		
Flea Market, Indoor Vendors Only	PBS	PBS	PBS				P	P		
Gas Station (7-3,23)	PBS	PBS	PBS	PBS	PBS		PBS	PBS		
Golf Course (Public or Private) (7-3, 24)							P	P		
Gunsmith							P	P		
Health Club or Fitness Center							P	P		
Hotels, Motels, & Inns							P	P		
Janitorial Services with Outdoor Storage	C	C					P	P		
Kennel, Commercial (8-4, 39)	C	C					C	C		
Laundromat				P			P	P		
Lawn and Garden Supply							P	P		
Lawn and Garden Supply with Outdoor Storage							P	P		
Locksmith							P	P		
Lumber and Construction Materials							P	P		
Lumber and Construction Materials with Outdoor Storage Area							P	P		
Mobile Home Retail Sales							PBS	PBS		
Motorcycle Sales, New & Used (7-3, 5)										
Movie Theater				P			P	P		
Moving Van, Truck or Trailer Rental (7-3, 34)	PBS									
Nursery, Daycare Center (7-3, 35)										
Nursery, Daycare Center (8-4, 16)									C	C
Office Professional, Less than 5,000 SF (7-3, 36)							PBS			
Office professional, Less than 30,000 square feet							P	P		
Office professional, 30,000 Square Feet or More							P	P		
Parking Lot, Parking Garage, Commercial or Private							P	P		
Pawn Shop (NCGS Chapter 91A)							P	P		

## PERMITTED USE TABLE (DRAFT 1)

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Pet Shop, Grooming (Enclosed Facility)					P		P	P	P	
Pharmaceutical Supply, Indoor Storage							P	P	P	P
Pharmaceutical Supply, Outdoor Storage							P	P	P	P
Photographic Studio					P	P	P	P	P	P
Printing and Reprographic Facility	C				P	P	P	P	P	P
Race Shop, Race Team Complex (8-4, 19)							P	P	P	P
Race Shop, Race Team Complex							P	P	P	P
Radio and Television Studio	C	C					P	P	P	P
Reception Facilities (8-4, 21)					PBS	PBS	P	P	P	
Recreational Facility, Indoor (7-3, 38)	C	C	C	C	C	C	C	C	C	C
Recreational Facility, Outdoor (8-4, 22)	C	C	C	C	C	C	C	C	C	C
Recreational Therapy Facility (Rural Setting) (8-4, 23)	C	C	C	C	C	C	C	C	C	C
Recreational Vehicle Sales, With Outdoor Storage or Sales Lot					PBS	PBS	PBS	PBS	PBS	PBS
Recyclable Materials Drop Off (7-3, 40)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Repair Garage, Automobile (7-3, 42)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Repair Shop, Farm Machinery (7-3, 43)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Repair Shop, Small Engine (7-3, 44)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Restaurant, Excluding Drive-thru (7-3, 46)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Restaurant with Drive-thru Facility (7-3, 47)	PBS				PBS	PBS	PBS	PBS	PBS	PBS
Restaurant with Drive-thru Facility (8-4, 28)	PBS				P	P	P	P	P	P
Retail Sales, Shoppers' Goods (7-3, 48)					P	P	P	P	P	P
Retail Sales, Shopping Centers, 10,000 square feet and less					P	P	P	P	P	P
Retail Sales, Shopping Centers, 10,000 – 50,000 square feet					P	P	P	P	P	P
Retail Sales, Shopping Centers, 50,000 – 100,000 square feet					P	P	P	P	P	P
Retail Sales, Shopping Centers, 100,000 square feet or more (8-4, 29)					C	C	C	C	C	C
Sawmill (7-3, 50)	PBS	PBS			PBS	PBS	PBS	PBS	PBS	PBS
Scientific Research and Development (7-3, 52)					PBS	PBS	PBS	PBS	PBS	PBS
Self-service Storage Facilities (7-3, 53)					PBS	PBS	PBS	PBS	PBS	PBS
Shooting Range, Indoor (7-3, 54)	C	C			PBS	PBS	PBS	PBS	PBS	PBS
Shooting Range, with Outdoor Target Practice (8-4, 31)	C	C			C	C	C	C	C	C
Signs, Off-Premise										
Signs, On-Premise										
Sports and Recreation Instruction or Camps (8-4, 32)	C	C								
Sports and Recreation Instruction or Camps (7-3, 56)										
Stables, Commercial (7-3, 57)	P	PBS	PBS							
Storage Building Sales, with Display Area (7-3, 55)	PBS	PBS	PBS	PBS						
Swim Club, Tennis Club, Country Club (7-3, 58)	PBS	PBS	PBS	PBS						

See Chapter Eleven, Table Six for Regulations

Revised/Permitted Uses

1/4/2012

PERMITTED USE TABLE (DRAFT 1)

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Tattoo Studio									P	P
Taxidermy Studio, No Outdoor Processing									P	P
Towing Service, with towed vehicle storage yard (no salvage or part sales) (7-3, 60)	PBS						PBS	P	P	PBS
Towing Service, with salvage (7-3, 59)										
Towing Service, no towed vehicle storage lot, office only (Storage of Tow Trucks, Car Haulers Permitted on Site)							P	P	P	P
Veterinarian (8-4, 39)	C	C					C	C	C	
Wireless Telecommunications Services (8-4, 38)	C	C	C	C	C	C	C	C	C	C
Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less (8-4, 38)	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications Services – Co-locations (7-3, 66)	PBS									
INSTITUTIONAL, CIVIC AND PUBLIC USES										
Animal Shelter (8-4, 39)	C	C			PBS	PBS	PBS	PBS	C	C
Cemetery (7-3, 10)	PBS	P	P							
Civic Organizational Facility (7-3,11)	PBS	C	C							
Coliseum/Stadium (8-4, 5)									C	C
College/University (8-4, 6)	C	C	C	C	C	C	P	P	P	
College/University							PBS	PBS	PBS	PBS
Communications Tower, 911 Communications Tower (7-3, 12)	PBS						PBS	PBS	PBS	PBS
Communications Tower, 911 Communications Tower (8-4, 7)	C	C	C	C	C	C	C	C	C	C
Convention Center Facility (8-4, 8)									C	C
Correctional Facility (8-4, 9)	C								C	C
Elementary, Middle and High Schools (8-4,11)	C	C	C	C	C	C	C	C		
Funeral home							P	P	P	
Government, Excluding Correctional Facilities							PBS	PBS	PBS	PBS
Government Buildings, Storage Only (7-3, 25)							PBS	PBS	PBS	PBS
Government Buildings, Storage Only with Outdoor Storage Area (7-3, 26)							P	P	P	
Hospital, Ambulatory Surgical Care Facility, Medical Facility	PBS	PBS	PBS	PBS	PBS	PBS	P	P	P	
Public Cultural Facility (7-3, 37)	C	C	C	C	C	C	C	C	C	C
Public Service Facility (8-4, 17)	C	C	C	C	C	C	C	C	C	C
Public Use Facility (8-4, 18)	C	C	C	C	C	C	C	C	C	C

Revised/Permitted Uses

1/24/2012

**PERMITTED USE TABLE (DRAFT 1)**

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Public Use Facility						P	P	P	P	P
Recreational Trail, Greenway or Blueway, Connectors (8-4, 24)	C	C	C	C	C					
Recreational Trail, Greenway or Blueway, Connectors (7-3, 39)						PBS	PBS	PBS	PBS	PBS
Recreational Trail, Greenway or Blueway as Part of Public Use Facility										
Religious Institution (total seating capacity 351 or more) (8-4, 25)	C	C	C	C	C	C	C	C	C	C
Religious Institution (total seating capacity 351 or more)									P	P
Religious Institution (total seating capacity 350 or less) (7-3, 41)	PBS									
Religious Institution with School (8-4, 26)	C	C	C	C	C	C	C	C	C	C
Rest Home, Convalescent Home (10 beds or less) (7-3, 45)	PBS									
Rest Home, Convalescent Home (more than 10 beds) (8-4, 27)	C	C	C	C	C	C	C	C	C	C
Trade and Vocational Schools (8-4, 34)	C	C	C	C	C	C	C	C	C	C
Trail Head, Primary Use Site (8-4, 35)	C	C	C	C	C	C	C	C	C	C
Trail Head, Primary Use Site (7-3, 63)						PBS	PBS	PBS	PBS	PBS
INDUSTRIAL										
Asphalt & Concrete Plant, Batch Plant										P
Cast Concrete Production, Distribution, Storage									P	P
Bottling Works									P	P
Chemical Manufacturing									P	P
Ethanol Fuel Production, Small Plant (7-3, 21)									PBS	PBS
Ethanol Fuel Production, Medium Plant (7-3, 22)									PBS	PBS
Extraction of Earth Products (8-4, 12)									C	C
Foundry, Ironworks and Steel Mills									P	P
Freezer, Ice Plant								P	P	P
Landfill, Demolition (less than one acre) (7-3, 32)	PBS									
Landfill, Demolition (one acre or more) (8-4, 13)	C							C	C	C
Landfill, Sanitary (8-4, 13)	C							C	C	C
Machine Shop								P	P	P
Manufacturing								P	P	P
Metal Works, Metal Processing, Fabrication								P	P	P
Multimedia Production and Distribution Complex (8-4, 15)	C	C						P	P	P
Multimedia Production and Distribution Complex								C	C	C
Race Track, Mechanical or Animal (8-4, 20)								PBS	PBS	PBS
Salvage Yard (7-3, 49)								P	P	P
Slaughter House, Meat Packing (8-4, 33)	C	C								
Slaughter House, Meat Packing										

Revised/Permitted Uses

1/4/2012

## PERMITTED USE TABLE (DRAFT 1)

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Tire Recapping									P	P
Trucking Equipment, Heavy Equipment, Sales and Service, Sales Lot									P	P
<b>Public Utilities</b>										
<b>Vending Machine Operators</b>									P	P
Warehouse, Enclosed Storage									P	P
Warehouse, Open Storage (7-3, 64)								PBS	PBS	
Warehouse, Volatile Materials									P	
Welding Shop								P	P	P
<b>TEMPORARY USES</b>										
Contractor Office, Construction Equipment Storage										
Dumpsters, Commercial Waste Containers	PBS	PBS	PBS							
Events, Tent or Temporary Structure							PBS	PBS	PBS	PBS
FEMA Trailers, Natural Disaster or Significant Weather Event	PBS	PBS	PBS							
For Profit Temporary Sign										
Fireworks Stands								PBS	PBS	
Itinerant Merchants						PBS	PBS	PBS	PBS	
Mobile Personal Storage Unit, Vacate or Occupy Premise	PBS	PBS	PBS							
Mobile Personal Storage Unit, Renovation	PBS	PBS	PBS							
Promotional Activities Involving the Display of Goods or Merchandise										
Real Estate Office in a Construction Trailer or Temporary Modular Unit, Commercial/Mixed Use Projects										
Real Estate Office in a Construction Trailer or Temporary Modular Unit, Residential Projects								PBS, Active Residential Projects, Refer to Text		
Real Estate Office in Model Home								PBS, Active Mixed Use/Commercial Use Project Sites, Refer to Text		
Seasonal Sale of Agriculture Products (includes Christmas Trees and Pumpkins)										
Similar and Compatible Uses Not Specified								PBS, As Determined by Administrator		
Special Events and Activities								PBS, Related to Special Events on Public Property, Refer To Text		
Temporary Agricultural Sign (Seasonal Sales on Site)								PBS, Active Agriculture Sites, Refer to Text		
Temporary Amusement Enterprise								PBS	PBS	PBS
Temporary Construction Sign								PBS, Active Construction Sites, Refer to Text		
Temporary Dwelling for Large Construction Projects								PBS, Active Construction Sites, Refer to Text		
Temporary Residence in Mobile Home During Construction of New Home on Same Site	PBS									

PERMITTED USE TABLE (DRAFT 1)

"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
<b>TRANSPORTATION RELATED</b>										
Airport, Commercial (8-4, 2)										
Airstrips (8-4,3)										
See Accessory Uses										
Bus Terminal, Bus Station									P	P
Charter Bus Company, Travel Agency with On-Site Bus Storage								P	P	P
Rail Passenger Station								P	P	P
Rail Storage Yard								P	P	P
Rail Transfer Station								P	P	P
Taxi Service, Dispatch and Storage								P	P	P
Trucking Company, Heavy Equipment Company, Dispatch Facility With Storage (8-4, 36)								C	C	P
Truck Stop, Truck Terminal (8-4, 37)								C	C	P