



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

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

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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.

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Ms. Morris did get the shooting range worked out with the Sherriff 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.

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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.

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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.

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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

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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 Sherriff'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 Sherriff 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.

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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. Smalls 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 appeal. 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.

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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:



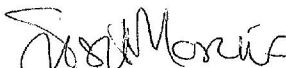
Todd Berg, Chairman

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

- 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.



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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 Kluttz, 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 Kluttz 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).



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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

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Ms. Kassie 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.

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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

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

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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

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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.

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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.

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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.

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.

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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

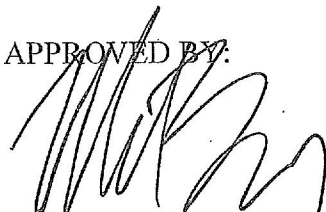
Ms. Susie Morris, Planning and Zoning Manager addressed the Board stating that on Tuesday, October 19, 2010, the Harrisburg Planning and Zoning Commission made a recommendation to the Harrisburg Town Council to move forward with the Harrisburg Area Land Use Plan.

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.

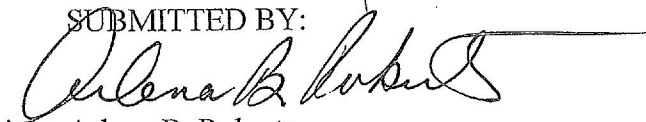
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APPROVED BY:



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)

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)

Trail Head, Accessory

Wind Energy Facility, Accessory Use, On Site Use
Only

Wireless Telecommunications Services, Co-
location

CONDITIONAL USES

Airstrip

Animal Hospital

Animal Shelter

Correctional Facility

Colleges & Universities

Day Camp, Summer Camp, Civic Group Camp
Facility

Elementary, & secondary Middle and High
Schools

Kennel, Commercial

Landfill, Demolition (one acre or more)

Landfill, Sanitary

Multimedia Production & Distribution Complex

Public Service Facility

Public Use Facility

Race shop/Race Team complex

Reception Facilities

Recreational Facility, Outdoor

Recreational Therapy Facility (Rural Setting)

Recreational Trail, Greenway, or Blueway
Connectors

Religious Institution (Total Seating Capacity 351
or More)

Religious Institution Including School

Rest/Convalescent Home with More Than 10
Beds

Shooting Range with Outdoor Target Practice

Slaughter House/Meat Packing

Sports and Recreation Instruction on Camp

Trade & Vocational Schools

Trail Head, Primary Use Site

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

PERMITTED BASED ON STANDARDS (PBS)

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**

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary

For Profit Temporary Sign, Temporary Use (Existing Business)

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

Religious Institution (Total Seating Capacity 350 or Less)

Rest/Convalescent Home with 10 Beds or Less

Restaurant, Excluding Drive-Thru

Sawmill

Scientific Research and Development, Accessory to Agriculture

Stables, Commercial

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

Trail Head, Accessory Use

Wind Energy Facility, Accessory Use, On Site Use Only

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Animal Hospital

Animal Shelter

Colleges & Universities

Communications Tower, 911 Tower

Day Camp, Summer Camp, Civic Group Camp Facility

Elementary & secondary Middle and High Schools

Kennel, Commercial

Multimedia Distribution & Production Complex

Public Service Facility

Public Use Facility

Reception Facilities

Recreational Facility, Outdoor

Recreational Therapy Facility (Rural Setting)

Recreational Trail, Greenway, or Blueway Connectors

Religious Institution (Total seating capacity 351 or more)

Religious Institution Including School

Rest/Convalescent Home with More Than 10 Beds

Shooting Range with Outdoor Target Practice

Slaughter House/Meat Packing

Sports and Recreation Instruction on Camp

Trail Head, Primary Use

Veterinarian

Wireless Telecommunications Services

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 is 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

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 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 Business)

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

Itinerant Merchant, Temporary Use

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

Religious Institution (Total seating capacity 350
or less)

Rest/Convalescent Home with 10 Beds or Less

Restaurant, Excluding Drive-Thru

Scientific Research and Development, Accessory to Agriculture

Stables, Commercial

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

Trail Head, Accessory Use

Wind Energy Facility, Accessory Use, On Site Use Only

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.

Elementary & secondary Middle and High Schools

Public Service Facility

Public Use Facility

Recreational Facility, Outdoor

Recreational Trail, Greenway, or Blueway Connectors

Religious Institution (Total seating capacity 351 or more)

Religious Institution Including School

Rest/Convalescent Home with More Than 10 Beds

Trail Head, Primary Use

Wireless Telecommunications Services

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

Real Estate Office in Construction Trailer or Modular Unit/Wind Energy Facility, Accessory Use, On Site Use
Commercial /Mixed Use Projects; Temporary Use Only

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

Real Estate Office in Model Home, Temporary
Use

Religious Institution (Total seating capacity 350
or less)

Rest/Convalescent Home with 10 Beds or Less

Restaurant, Excluding Drive-Thru

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

Townhouses

Trail Head, Accessory Use

Wireless Telecommunications Services, Co-
location

CONDITIONAL USES

Colleges & Universities

Communications Tower, 911 Tower

Elementary, & secondary Middle and High
Schools

Public Service Facility

Public Use Facility

Recreational Facility, Outdoor

Recreational Trail, Greenway, or Blueway
Connectors

Religious Institution (Total seating capacity 351
or more)

Religious Institution Including School

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)

~~Mobile office, temporary~~

Mobile Personal Storage Unit, Renovation,
Temporary Use

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

Multifamily Residential

Nursery/~~Daycare~~ Center

Office, Professional Less Than 5,000 SF

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

Recreational Facility, Indoor

Religious Institution (Total seating capacity 350
or less)

Rest/Convalescent Home with 10 Beds or Less

Restaurant, Excluding Drive-Thru

Scientific Research and Development, Accessory
to Agriculture

~~Self-Service Storage Facilities~~

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

Townhouses

Trail Head, Accessory Use

Wireless Telecommunications Services, Co-
location

CONDITIONAL USES

Colleges & Universities

Communications Tower, 911 Tower

Elementary, ~~& secondary~~ Middle and High
Schools

Public Service Facility

Public Use Facility

Recreational Facility, Outdoor

Recreational Trail, Greenway, or Blueway
Connectors

Religious Institution (Total seating capacity 351
or more)

Religious Institution Including School

Rest/Convalescent Home with More Than 10
Beds

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

Automated Teller Machine As Accessory

Bank/Financial Institution/Automated Teller Machine

Catering Service

Community Garden, Accessory Use

Contractor Office, Construction Equipment Storage, Temporary Use

Country Club with Golf Course

Dumpsters, Commercial Waste Containers, Temporary Use

Duplex, Commercial Use, Individual Lots

Event, Tent or Temporary Structure, 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~~

~~Mobile office, temporary~~

Mobile Personal Storage Unit, Renovation, Temporary Use

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

~~Multifamily Residential~~

Nursery/Daycare Center

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

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

Recreational Facility, Indoor

Recreational Trail, Greenway, or Blueway Connectors

Recyclable Materials Drop Off

Religious Institution (Total seating capacity of 350 or less)

Rest/Convalescent Home (10 Beds or Less)

Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)

Scientific Research and Development

Swim Club, Tennis Club, Country Club

Temporary Amusement Enterprise, Temporary Use

Temporary Construction Sign, Temporary Use

Temporary Dwelling for Large Construction Projects, Temporary Use

~~Townhouses~~

Trail Head, Accessory Use

Trail Head, Primary Use Site

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Communications tower, 911 Tower

Convention Center Facility

Elementary and secondary **Middle and High**
Schools

Public Service Facility

Recreational Facility, Outdoor

Religious Institution (Total seating capacity of
351 or more)

Religious Institution Including School

Rest/Convalescent Home (More than 10 beds)

Trade & Vocational Schools

Wireless Telecommunication Services (WTS)

COMMERCIAL DISTRICTS:

OFFICE/LIMITED COMMERCIAL

This district is intended to accommodate relatively small scale commercial and office development at intensities **ies** 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

Automobile **Parts, Tires, Accessories** supplies

~~Bank/financial institution/ATM/Freestanding~~
ATM

Barber, Beauty, Tanning, Nail or Skin Care Salon

Car Wash, **Detail Service**

Catering Service

Civic Organization Facility

Colleges & Universities

Convenience Store with Petroleum Sales

Convenience Store without Petroleum Sales

Drug store

Dry cleaning/pick up station

Equipment Sales and Service

Family care home

Farm Supply Sales

Farmer's Market

Flea Market, Indoor Vendors Only

Funeral home

Group care facility

Gunsmith

Health Club, Fitness Center

Hospitals, Ambulatory Surgical Care Center,
Medical Facilities

Hotels, motels, inns

Laundromat

Lawn and Garden Supply

Locksmith

Lumber and Construction Materials

Mobile Home Retail Sales

Movie Theater

Nursery/Greenhouse

Office, professional, less than 30,000 square
feet

Parking Lot, Parking Garage, Commercial or
Private

Pawn Shop

Pet shop, grooming (enclosed)

Photographic studio

Printing and Reprographic Studio

Public cultural facility

Public use facility

Religious institution (Total seating capacity of
350 or less)

Religious institution (Total seating capacity of
351 or more)

Restaurant, excluding drive-thru

Retail sales - shopping centers 10,000 - 50,000
square feet

Retail sales - shopping centers 10,000 square
feet and less

Single family residential detached

Tattoo Studio

Taxidermy Studio, No Outdoor Processing

Towing Service, No Vehicle Storage Lot, Office
Only (Storage of Tow Truck, Car Haulers
Permitted on Site)

Taxi stand

Wireless Telecommunications Services, Stealth
Antennae, 65 feet or less

PERMITTED BASED ON STANDARDS (PBS)

Accessory Building

Automated Teller Machine as Accessory

Automobile Rental

Automobile Sales, New and Used

Bank/Financial Institution/Automated Teller
Machine

Bed and Breakfast

Catering Service

Community Garden, Accessory Use

Communications Tower, 911 Tower

Contractor and or Trade Shop

Contractor Office, Construction Equipment Storage, Temporary Use

Country Club with Golf Course

Day Camp, Summer Camp, Civic Group Camp Facility

Dumpsters, Commercial Waste Containers, Temporary Use

Duplex, Commercial Use, Individual Lots

Event, Tent or Temporary Structure, Temporary Use

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

Fireworks Stand, Temporary Use

For Profit Temporary Sign, Temporary Use (Existing Business)

Golf Course, Public or Private

Government Buildings, Storage Only

Home Occupation, General

Ice Production, Dispensing, Accessory to Convenience Store

Itinerant Merchant, Temporary Use (Existing Business)

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

Moving Van, Truck or Trailer Rental

Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility

Motorcycle Sales, New and Used

Multifamily Residential

Nursery/Daycare Center

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

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

Recreational Facility, Indoor

Recreational Trail, Greenway, or Blueway Connectors

Recyclable Materials Drop Off

Repair Garage, Automobile

Repair Shop, Small Engine

Restaurant with Drive-Thru Facility

Scientific Research and Development

Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)

Self-Service Storage Facility

Shooting Range, Indoor

Sports and Recreation Instruction or Camp

Storage Building Sales, with Display Area

Swim Club, Tennis Club, Country Club

Temporary Amusement Enterprise, Temporary Use

Temporary Construction Sign, Temporary Use

Temporary Dwelling for Large Construction Projects, Temporary Use

Townhouses

Trail Head, Accessory Use

Trail Head, Primary Use Site

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Animal Hospital

Animal Shelter

Kennel, Commercial

Public service facility

Recreational facility, outdoor

Trade & vocational schools

Veterinarian

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:

PERMITTED USES

Arcade, Game Room

Auction House

Automobile ~~Parts, Tires, Accessories~~ **supplies**

Automobile Rental

Automobile Sales, New and Used

~~Bank/financial institution/ATM/Freestanding ATM~~

Barber, Beauty, Tanning, Nail or Skin Care Salon

Boat Works and Sales, with Outdoor Storage or Sales Lot

~~Building Equipment sales/indoor storage only~~

~~Building Equipment sales/outdoor storage~~

Building Contractor's Storage Yard

Building Contractor Supply

Bus Terminal, Bus Station

Car Wash, Detail Service

Catering Service

Charter Bus Company, Travel Agency with On
Site Bus Storage

Civic Organization Facility

Colleges & Universities

Convenience Store with Petroleum Sales

Convenience Store without Petroleum Sales

Drive In Theater

Drug store

Dry cleaning/pick up station

Dry Cleaning/Laundry Plant

Equipment Sales and Service

Equipment Sales and Service with Outdoor
Storage

Family care home

Farm Supply

Farm Supply with Outdoor Storage

Farmer's Market

Flea Market, Indoor Vendors Only

Freezer/Ice Plant

Funeral home

Gas Station

Group care facility

Gunsmith

Health Club, Fitness Center

Hospitals, Ambulatory Surgical Care Center,
Medical Facilities

Hotels, motels, inns

Janitorial Service, Outdoor Storage

Laundromat

Lawn and Garden Supply

Lawn and Garden Supply with Outdoor Storage

Locksmith

Lumber and Construction Materials

Lumber and Construction Materials with
Outdoor Storage

Machine Shop

Mobile home retail sales

Motorcycle Sales, New and Used

Movie Theater

Multimedia Production and Distribution
Complex

Nursery/Greenhouse

Office, Professional, less than 30,000 SF

Office, Professional, 30,000 SF or more

Parking Lot, Parking Garage, Commercial or
Private

Pawn Shop

Pet Shop, Grooming, Enclosed

Pharmaceutical Supply

Photographic Studio

Printing and Reprographic Studio

Public Cultural facility

Public Use facility

Race Shop/Race Team Complex

Radio and Television Studio

Rail Passenger Station

Recreational Facility, Indoor

Recreational Vehicle Sales and Service, On Site
Storage or Sales Lot

Religious institution (Total seating capacity of
350 or less)

Religious institution (Total seating capacity of
351 or more)

Repair Garage, Automobile

Repair Shop, Small Engine

Restaurant, excluding drive-thru

Retail sales - Shopping Centers 10,000 - 50,000
Square Feet

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

Retail Sales - Shopping Centers 50,000-100,000
Square Feet and Less

Tattoo Studio

Taxi Service, Dispatch and Taxi Storage

Taxidermy Studio, No Outdoor Processing

Towing Service, No Towed Vehicle Storage Lot,
Office Only (Storage of Tow Trucks and Car
Haulers Permitted on Site)

~~Taxi stand~~

Trucking Equipment, Heavy Equipment, Sales
and Service with Sales Lot

Warehouse, Enclosed Storage

Welding Shop

Wireless Telecommunications, Stealth
Antennae, 65 Feet or Less

PERMITTED BASED ON STANDARDS (PBS)

Accessory Building

Automated Teller Machine as Accessory

Bank/Financial Institution/Automated Teller
Machine

Community Garden, Accessory Use

Communications, 911 Tower

Contractor Office, Construction Equipment
Storage, Temporary Use

Country Club with Golf Course

Day Camp, Summer Camp, Civic Group Camp
Facility

Dumpsters, Commercial Waste Containers,
Temporary Use

Duplex, Commercial, Individual Lot

Event, Tent or Temporary Structure, Temporary
Use

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

Fireworks Stand, Temporary Use

For Profit Temporary Sign, Temporary Use

Golf Course, Public or Private

Government Buildings, Storage Only

Government Buildings, Storage Only, Outdoor

Ice Production, Dispensing, Accessory to Convenience Store

Ice Production, Dispensing, Accessory to Gas Station

Itinerant Merchant, Temporary Use (Existing Business)

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

Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility

Moving Van, Truck or Trailer Rental

Nursery/Daycare Center

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

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

Recreational Trail, Greenway, or Blueway Connectors

Recyclable Materials Drop Off

Restaurant with Drive-Thru Facility

Scientific Research and Development

Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)

Self-Service Storage Facility

Shooting Range, Indoor

Sports and Recreation Instruction or Camp

Storage Building Sales, with Display Area

Swim Club, Tennis Club, Country Club

Temporary Amusement Enterprise, Temporary Use

Temporary Construction Sign, Temporary Use

Temporary Dwelling for Large Construction Projects, Temporary Use

Towing Service, Accessory to Automobile Repair

Towing Service, with Towed Vehicle Storage Yard (No Salvage or Part Sales)

Trail Head, Accessory Use

Trail Head, Primary Use Site

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Adult use

Airport, commercial

Airstrip

Amusement, Outdoor

Animal Hospital

Animal Shelter

Coliseum/Stadium

Convention Center

Kennel, Commercial

~~Mobile Home, Class I~~ Manufactured Home,
Single Section

Public Service Facility

Recreational Facility, Outdoor

Retail Sales - Shopping Centers Greater Than
100,000 Square Feet

Amusement, Outdoor

Single-Family Detached Residential

Trade and Vocational Schools

Truck stop or Truck Terminal

~~Trucking and Heavy Equipment, Sales & Service~~

Trucking Company, Heavy Equipment Dispatch
Facility with On-Site Storage

Veterinarian

Wireless Telecommunications Services (WTS)

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:

PERMITTED USES

Automobile Rental

Automobile Parts, Tires, Accessories supplies

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

Boat Works and Sales, with Outdoor Storage,
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

Bus Terminal, Bus Station

Cast Concrete Production, Distribution and Storage

Catering Service

Charter Bus Company, Travel Agency with on Site Bus Storage

~~Contractor's storage yard~~

Convenience Store with Petroleum Sales

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

~~Farm Machinery Repair (duplicate)~~

Freezer/Ice Plant

Gas Station

Hatchery

~~Hotels, Motels and Inns~~

Janitorial Service with Outdoor Storage

Lawn and Garden Supply with Outdoor Storage

Lumber and Construction Materials with Outdoor Storage

Machine Shop

Manufacturing/~~processing~~

Metal Works, Metal Processing, Fabrication

Multimedia Production & Distribution Complex

Nursery, Greenhouse

Office, Professional, 30,000 Square Feet or Less

Office, Professional, 30,000 Square Feet or More

Parking Lot, Parking Garage, Commercial or Private

Pharmaceutical Supply

Pharmaceutical Supply with Outdoor Storage

Printing and Reprographic Facilities

Public Use Facility

Race Shop, Race Team Complex

Radio and Television Studios

Railroad ~~Passenger~~ Station and

Rail Storage Yard

Rail Transfer Station

Recreational Facility, Indoor

Recreational Vehicle Sales and Service,
Outdoor Storage or Sales Lot

Repair Garage, Automobile

Repair Shop, Farm Machinery

Repair Shop, Small Engine

Restaurant, Excluding Drive-Thru

Sawmill

Slaughter House/Meat Packing

Taxi Service, Dispatch and Taxi Storage

Taxidermy Studio, No Outdoor Processing

Tire Recapping

Towing Service, with Towed Vehicle Storage
Yard (No Salvage or Parts Sales)

Towing Service, No Towed Vehicle Storage
Lot, Office Only (Storage of Tow Trucks and
Car Haulers Permitted)

Trucking Equipment, Heavy Equipment, Sales
and Service with Sales Lot

Vending Machine Operator

Warehouse, Enclosed Storage

Welding Shop

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

Communications tower, 911 Tower

Contractor Office, Construction Equipment
Storage, Temporary Use

Dumpsters, Commercial Waste Containers,
Temporary Use

Event, Tent or Temporary Structure,
Temporary Use

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

For Profit Temporary Sign, Temporary Use
(Existing Business Only)

Government Buildings, Storage Only

Government Buildings, Storage Only, Outdoor
Only

Ice Production, Dispensing, Accessory to
Convenience Store

Ice Production, Dispensing, Accessory to Gas
Stations

Landfill, Demolition (less than one acre)

Mobile office, temporary

Mobile Personal Storage Unit, Renovation,
Temporary Use

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

Moving Van, Truck or Trailer Rental

Moving Van, Truck or Trailer Rental, Accessory
to Self Service Storage

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

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

Recreational Trail, Greenway or Blueway, Connector

Recyclable materials drop-off

Restaurant with drive-thru facility

Scientific Research and Development

Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins), Temporary Use

Self-Service Storage Facilities

Shooting Range, Indoor

Sports and Recreation Instruction or Camp

Storage Building Sales, with Display Area

Temporary Amusement Enterprise, Temporary

Temporary Construction Sign, Temporary

Temporary Dwelling for Large Construction Projects, Temporary

Towing Service, Accessory to Automobile Repair

Trail Head, Accessory

Trail Head, Primary Use Site

Warehouse, open storage

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Airport, commercial

Airstrip, as Accessory Use

Animal Hospital

Animal Shelter

Coliseum/Stadium

Correctional Facility

Kennel, Commercial

Landfill, Demolition (one acre or more)

Landfill, Sanitary

Mobile Home, Class I Manufactured Home, Single Section

Nursery/Daycare Center

Public Service Facility

Race Track, Animal or Mechanical

Recreational Facility, Outdoor

Shooting Range with Outdoor Target Practice Areas

Single-Family Detached Residential

Trade and Vocational Schools

Trucking and Heavy Equipment, Sales & Service

Trucking Company, Heavy Equipment Dispatch Facility with On-Site Storage

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

Lumber and Construction Materials, Outdoor Storage

Machine Shop

Manufacturing/processing

Metal Works, Metal Processing, Fabrication

Moving Van, Truck or Trailer Rental

Multimedia Production & Distribution Complex

Nursery, Greenhouse

Office, Professional, 30,000 Square Feet or Less

Office, Professional, 30,000 Square Feet or More

Parking Lot, Parking Garage, Commercial or Private

Pharmaceutical Supply, Outdoor Storage

Printing and Reprographic Facilities

Public Use Facility

Race Shop, Race Team Complex

Radio and Television Studios

Railroad Passenger Station and

Rail Storage Yard

Rail Transfer Station

Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot

Repair Shop, Farm Machinery

Restaurant, Excluding Drive-Thru

Sawmill

Slaughter House/Meat Packing

Taxi Service, Dispatch and Taxi Storage

Tire Recapping

Towing Service, with Towed Vehicle Storage Yard (No Salvage or Parts Sales)

Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers permitted on site)

Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot

Trucking Company, Heavy Equipment, Dispatch with On-Site Storage

Truck Stop, Truck Terminal

Vending Machine Operator

Warehouse, Enclosed

Warehouse, Volatile Materials

Welding Shop

Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less

PERMITTED BASED ON STANDARDS (PBS)

Accessory Buildings

Automated Teller Machine as Accessory

Bank/Financial Institution/Automated Teller Machine

Communications tower, 911 Tower

Contractor Office, Construction Equipment Storage, Temporary Use

Dumpsters, Commercial Waste Containers, Temporary Use

Ethanol Fuel Production Plant, Small Plant

Ethanol Fuel Production Plant, Medium Plant

Event, Tent or Temporary Structure, Temporary Use

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

For Profit Temporary Sign, Temporary Use (Existing Business)

Government Buildings, Storage Only

Government Buildings, Storage Only, Outdoor Only

Ice Production, Dispensing, Accessory to Convenience Store

Ice Production, Dispensing, Accessory to Gas Stations

Landfill, Demolition (less than one acre)

~~Mobile office, temporary~~

Mobile Personal Storage Unit, Renovation, Temporary Use

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

Promotional Activities Involving the Display of Goods or Merchandise, Temporary

Public Use Facility

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

Recreational Trail, Greenway or Blueway, Connector

Recyclable Materials Drop-Off

Restaurant with Drive-Thru Facility

Salvage Yard

Sports and Recreation Instruction or Camp

Temporary Amusement Enterprise, Temporary Use

Temporary Construction Sign, Temporary Use

Temporary Dwelling for Large Construction Projects, Temporary Use

Towing Service, with Salvage

Towing Service, Accessory to Salvage Yard

Trail Head, Accessory

Trail Head, Primary Use Site

Warehouse, Open Storage

Wireless Telecommunications Services, Co-location

CONDITIONAL USES

Airport, Commercial

Airstrip, as Accessory

Coliseum, Stadium

Correctional Facility

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-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:
 - a. Boundary lines and dimensions of the subject site.
 - b. Existing and proposed easements - general purpose and width.
 - c. Utility extensions of water lines, sanitary sewers, and storm sewers.
 - d. Land use designations for the subject site.
 - e. Retention and detention areas.
 - f. Residential lots (average lot size and minimum lot size shall be specified).
 - g. Locations, size, and type of intended landscaping features.
 - h. Locations, size, and type of intended buffers.
 - i. 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
RESIDENTIAL USES										
Family Care Home	P	P	P	P	P		P			
Group Care Facility	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									
Mobile Home Park (8-4, 14)	NOTE: All mobile homes subject to installation requirements as outlined in Chapter 4									
Multifamily Residential (7-3, 33)					PBS		PBS			
Semi-Attached House			P	P	P					
Single Family Detached Residential	P	P	P	P	P					
Single Family Detached Residential (8-4, 30)								C	C	C
Manufactured Home, Single Section (8-4, 30)								C	C	C
Townhouses (7-3, 61)				PBS	PBS		PBS			
AGRICULTURAL USES										
Agriculture, Including Livestock (7-3, 2A)	P	P	PBS	PBS						
Agriculture, Female Chickens, limited number, less than 5 acres (7-3, 2B)			PBS	PBS						
Agriculture Excluding Livestock	P	P	P	P	P					
Agritourism, Accessory to Agriculture	P	P	P	P	P					
Barn, Greenhouse, As Primary Structure (7-3, 7)	PBS	PBS	PBS	PBS						
Bulk Grain Storage	P								P	P
Dairy Processing	P	P							P	P
Hatchery	P	P							P	P
Livestock Sales	P	P	P							
Nursery, Greenhouse	P	P	P	P			P	P	P	P
Scientific Research and Development, Accessory to Agriculture (7-3, 51)	PBS	PBS	PBS	PBS	PBS					
ACCESSORY USES										
Accessory Apartment (7-3, 1)	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							C	C	C
Automated Teller Machine (7-3, 6, b)			PBS	PBS	PBS		PBS	PBS	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
Community Garden, as Accessory Use, (7-3, 13)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Ethanol Fuel Production (Residential District, Private Use Only) (7-3, 20)	PBS	PBS	PBS	PBS						
Home Occupation, General (7-3, 27)	PBS	PBS	PBS	PBS	PBS		PBS			
Home Occupation, Rural (7-3, 28)	PBS	PBS	PBS	PBS						
Ice Production, Dispensing, Accessory to Gas Station (7-3, 29)	PBS	PBS	PBS					PBS	PBS	PBS
Ice Production, Dispensing, Accessory to Convenience Store (7-3, 30)	PBS	PBS	PBS	PBS	PBS		PBS	PBS	PBS	PBS
Kennel, Private (7-3, 31)	PBS	PBS								
Moving Van, Truck or Trailer Rental, Accessory to Self Storage (7-3, 34, 53)							PBS	PBS	PBS	
Towing Service, Accessory to Automobile Repair (7-3, 60, a-c)	PBS							PBS	PBS	
Towing Service, Accessory to Salvage Yard (7-3, 59, a-c)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Trail Head, Accessory (7-3, 62)	PBS	PBS	PBS	PBS						
Wind Energy Facility, Accessory Use, On Site Use Only (7-3, 65)										

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
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COMMERCIAL, RETAIL AND OFFICE USES

Adult Use (8-4, 1)								C		
Adult Oriented Business								P		
Amusement, Outdoor (8-4, 4)								C		
Animal Hospital (8-4, 39)	C	C					C	C	C	
Arcade, Game Room	PBS	PBS					P	P		
Auction House (7-3, 3)							P	P	P	
Automobile Parts, Tires, Accessories							PBS	P	P	
Automobile Rental (7-3, 4)							PBS	P		
Automobile Sales, New & Used (7-3, 5)							PBS	P		
Bank, Financial Institution, Automated Teller Machine (7-3, 6)			PBS	PBS	PBS	PBS	PBS	PBS	P	P
Barber, Beauty, Tanning, Nail or Skin Care Salon					P	P	P	P		
Bed and Breakfast (7-3, 8)	PBS	PBS	PBS	PBS	PBS		PBS			
Boat Works & Sales, With Sales Lot								P	P	P
Building Contractor's Storage Yard								P	P	P
Building & Contractor Supply									P	P
Building & Contractor Supply with Outdoor Storage							P	P		
Car Wash, Detail Service						PBS	P	P	P	
Catering Service (7-3, 9)							P	P	P	
Contractor or Trade Shops (7-3, 17)	PBS						PBS	P	P	
Convenience Store with Petroleum Sales (7-3, 14)	PBS	PBS	PBS				P	P	P	
Convenience Store without Petroleum Sales (7-3, 15)	PBS	PBS	PBS	PBS	PBS		P	P	P	P
Country Club with Golf Course (7-3, 16)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	

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
Day Camp, Summer Camp, Civic Group Camp Facility (8-4, 10)	C	C								
Day Camp, Summer Camp, Civic Group Camp Facility (7-3, 18)							PBS	PBS		
Drive-in Theater								P		
Drug Store					P		P	P	P	P
Dry Cleaning/Laundry Plant								P		
Dry Cleaning/Pick up Station					P		P	P		
Duplex, Commercial Use, Individual Lots (7-3, 19)						PBS	PBS	PBS		
Equipment Sales and Service							P	P	P	P
Equipment Sales with Outdoor Storage Area							P	P	P	P
Farmer's Market						P	P	P		
Farm Supply Sales							P	P		
Farm Supply Sales with Outdoor Storage Area							P	P	P	P
Flea Market, Indoor Vendors Only							P	P		
Gas Station (7-3, 23)	PBS	PBS	PBS					P	P	P
Golf Course (Public or Private) (7-3, 24)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Gunsmith							P	P		
Health Club or Fitness Center							P	P		
Hotels, Motels, & Inns							P	P	P	
Janitorial Services with Outdoor Storage								P	P	P
Kennel, Commercial (8-4, 39)	C	C					C	C	C	
Laundromat					P		P	P		
Lawn and Garden Supply							P	P	P	P
Lawn and Garden Supply with Outdoor Storage							P	P		
Locksmith							P	P		
Lumber and Construction Materials								P	P	P
Lumber and Construction Materials with Outdoor Storage Area							P	P		
Mobile Home Retail Sales							PBS	P		
Motorcycle Sales, New & Used (7-3, 5)							P	P		
Movie Theater					P		P	P		
Moving Van, Truck or Trailer Rental (7-3, 34)							PBS	PBS	PBS	P
Nursery, Daycare Center (7-3, 35)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
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	P	P	P
Office professional, 30,000 Square Feet or More								P	P	P
Parking Lot, Parking Garage, Commercial or Private						P	P	P	P	P
Pawn Shop (NCGS Chapter 91A)							P	P	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		
Pharmaceutical Supply, Indoor Storage								P	P	
Pharmaceutical Supply, Outdoor Storage									P	P
Photographic Studio							P	P		
Printing and Reprographic Facility						P	P	P	P	P
Race Shop, Race Team Complex (8-4, 19)	C							P	P	P
Race Shop, Race Team Complex								P	P	P
Radio and Television Studio										
Reception Facilities (8-4, 21)	C	C								
Recreational Facility, Indoor (7-3, 38)					PBS	PBS	PBS	P	P	
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								
Recreational Vehicle Sales, With Outdoor Storage or Sales Lot								P	P	P
Recyclable Materials Drop Off (7-3, 40)	PBS					PBS	PBS	PBS	PBS	PBS
Repair Garage, Automobile (7-3, 42)	PBS						PBS	P	P	
Repair Shop, Farm Machinery (7-3, 43)	PBS								P	P
Repair Shop, Small Engine (7-3, 44)	PBS						PBS	P	P	
Restaurant, Excluding Drive-thru (7-3, 46)	PBS	PBS	PBS	PBS	PBS		P	P	P	P
Restaurant with Drive-thru Facility (7-3, 47)							PBS	PBS	PBS	PBS
Restaurant with Drive-thru Facility (8-4, 28)				C	C					
Retail Sales, Shoppers' Goods (7-3, 48)	PBS									
Retail Sales, Shopping Centers, 10,000 square feet and less					P		P	P		
Retail Sales, Shopping Centers, 10,000 – 50,000 square feet							P	P		
Retail Sales, Shopping Centers, 50,000 – 100,000 square feet								P		
Retail Sales, Shopping Centers, 100,00 square feet or more (8-4, 29)								C		
Sawmill (7-3, 50)	PBS	PBS							P	P
Scientific Research and Development (7-3, 52)						PBS	PBS	PBS	PBS	
Self-service Storage Facilities (7-3, 53)							PBS	PBS	PBS	
Shooting Range, Indoor (7-3, 54)							PBS	PBS	PBS	
Shooting Range, with Outdoor Target Practice (8-4, 31)	C	C							C	C
Signs, Off-Premise										
Signs, On-Premise										
Sports and Recreation Instruction or Camps (8-4, 32)	C	C					PBS	PBS	PBS	PBS
Sports and Recreation Instruction or Camps (7-3, 56)										
Stables, Commercial (7-3, 57)	P	PBS	PBS				PBS	PBS	PBS	
Storage Building Sales, with Display Area (7-3, 55)										
Swim Club, Tennis Club, Country Club (7-3, 58)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	

Revised/Permitted 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
Tattoo Studio							P	P		
Taxidermy Studio, No Outdoor Processing							P	P	P	
Towing Service, with towed vehicle storage yard (no salvage or part sales) (7-3, 60)	PBS							PBS	P	P
Towing Service, with salvage (7-3, 59)										PBS
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	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
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INSTITUTIONAL, CIVIC AND PUBLIC USES

Animal Shelter (8-4, 39)	C	C					C	C	C	
Cemetery (7-3, 10)	PBS	PBS	PBS	PBS	PBS					
Civic Organizational Facility (7-3,11)	PBS	PBS	PBS	PBS	PBS	P	P	P		
Coliseum/Stadium (8-4, 5)								C	C	C
College/University (8-4, 6)	C	C	C	C	C					
College/University						P	P	P		
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				
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				
Funeral home						P	P	P		

Government, Excluding Correctional Facilities

Government Buildings, Storage Only (7-3, 25)							PBS	PBS	PBS	PBS
Government Buildings, Storage Only with Outdoor Storage Area (7-3, 26)								PBS	PBS	PBS
Hospital, Ambulatory Surgical Care Facility, Medical Facility						P	P	P		
Public Cultural Facility (7-3, 37)	PBS	PBS	PBS	PBS	PBS	P	P	P		
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					

See Public Service Facility, Public Use Facility or Public Cultural Facility

PERMITTED USE TABLE (DRAFT 1)

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	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	See Public Use Facility and Appendix C									
Religious Institution (total seating capacity 351 or more) (8-4, 25)	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	PBS	PBS	PBS	PBS	PBS	P	P		
Religious Institution with School (8-4, 26)	C	C	C	C	C	C				
Rest Home, Convalescent Home (10 beds or less) (7-3, 45)	PBS	PBS	PBS	PBS	PBS	PBS				
Rest Home, Convalescent Home (more than 10 beds) (8-4, 27)	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					
Trail Head, Primary Use Site (7-3, 63)						PBS	PBS	PBS	PBS	PBS

INDUSTRIAL

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Asphalt & Concrete Plant, Batch Plant										P
Cast Concrete Production, Distribution, Storage									P	P
Bottling Works									P	P
Chemical Manufacturing										P
Ethanol Fuel Production, Small Plant (7-3, 21)										PBS
Ethanol Fuel Production, Medium Plant (7-3, 22)										PBS
Extraction of Earth Products (8-4, 12)										C
Foundry, Ironworks and Steel Mills										P
Freezer, Ice Plant								P	P	P
Landfill, Demolition (less than one acre) (7-3, 32)	PBS	PBS	PBS	PBS	PBS		PBS	PBS	PBS	PBS
Landfill, Demolition (one acre or more) (8-4, 13)	C								C	C
Landfill, Sanitary (8-4, 13)	C								C	C
Machine Shop								P	P	P
Manufacturing									P	P
Metal Works, Metal Processing, Fabrication									P	P
Multimedia Production and Distribution Complex (8-4, 15)	C	C								
Multimedia Production and Distribution Complex								P	P	P
Race Track, Mechanical or Animal (8-4, 20)									C	C
Salvage Yard (7-3, 49)										PBS
Slaughter House, Meat Packing (8-4, 33)	C	C								
Slaughter House, Meat Packing									P	P

Revised/Permitted Uses

1/4/2012

PERMITTED USE TABLE (DRAFT 1)

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	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	P
Public Utilities										
Vending Machine Operators									P	P
Warehouse, Enclosed Storage								P	P	P
Warehouse, Open Storage (7-3, 64)									PBS	PBS
Warehouse, Volatile Materials										P
Welding Shop								P	P	P

See Public Service Facility, (8-4, 17)

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
TEMPORARY USES										
Contractor Office, Construction Equipment Storage										
Dumpsters, Commercial Waste Containers	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Events, Tent or Temporary Structure										PBS
FEMA Trailers, Natural Disaster or Significant Weather Event	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
For Profit Temporary Sign										
Fireworks Stands							PBS	PBS		
Itinerant Merchants			PBS	PBS	PBS		PBS	PBS		
Mobile Personal Storage Unit, Vacate or Occupy Premise	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Mobile Personal Storage Unit, Renovation	PBS	PBS	PBS	PBS	PBS	PBS	PBS	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										
Real Estate Office in Model Home										
Seasonal Sale of Agriculture Products (includes Christmas Trees and Pumpkins)						PBS	PBS	PBS	PBS	
Similar and Compatible Uses Not Specified										
Special Events and Activities										
Temporary Agricultural Sign (Seasonal Sales on Site)										
Temporary Amusement Enterprise						PBS	PBS	PBS	PBS	PBS
Temporary Construction Sign										
Temporary Dwelling for Large Construction Projects										
Temporary Residence in Mobile Home During Construction of New Home on Same Site	PBS	PBS	PBS	PBS	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
TRANSPORTATION RELATED										
Airport, Commercial (8-4, 2)										
Airstrips (8-4,3)								C	C	C
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
Rail Transfer Station									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