



Commerce Department
Planning Division

Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting

March 13, 2012

7:00 P.M.

Board of Commissioners Meeting Room
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval January 2012 Minutes
3. New Business – Planning Board Function:

Petition RZON2012-00001 - Request to rezone +/- 5.07 acres, from General Commercial - Special Use (GC-SU) to General Commercial (GC). The property is located at 391 NC Highway 24/27, Midland, NC (PIN# 5524-88-2560). Applicant is Larry Wallace Engines.

4. Old Business – Planning Board Function:

Proposed Text Changes - Chapter 3 and the Permitted Use Table

5. Directors Report



Cabarrus County Government – Planning and Development Department

Planning and Zoning Commission Minutes March 13, 2012

Mr. Todd Berg, Chair, called the meeting to order at 7:00 p.m. Members present, in addition to the Chair, were: Ms. Mary Blakene, Ms. Brenda Cook, Mr. Eugene Divine, Mr. Danny Fesperman, Mr. Larry Ensley, 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 January 10, 2012, Planning and Zoning Commission Minutes.

Mr. Danny Fesperman, MOTIONED, SECONDED by Mr. Richard Price to APPROVE the January 10, 2012 minutes. The vote was unanimous.

New Business:

Planning Board Function:

The Chair introduced Petition RZON2012-00001, Request to rezone +/- 5.07 acres, from General Commercial - Special Use (GC-SU) to General Commercial (GC). The property is located at 391 NC Highway 24/27, Midland, NC (PIN# 5524-88-2560). Applicant is Larry Wallace Engines.

Ms. Susie Morris, Planning and Zoning Manager, addressed the Board stating this is a rezoning request. The property is located off of Highway 24/27 adjacent to the City limits of Midland. The existing zoning is General Commercial/Special Use (GC/SU) and it is limited to Office Professional and Building Contractor Storage Yard.

The applicant is asking to remove the special use category because it only allows two uses for the property. They are requesting that it be rezoned to General Commercial (GC). A portion of the site is currently developed as a self-storage facility and, under the current General Commercial/Special Use (GC/SU) designation it is considered a nonconforming use.

Ms. Morris said the General Commercial (GC) designation would bring the site into compliance. The subject property is surrounded by residential, wooded and Limited Industrial (LI) properties. The applicant is currently using a well and septic system and is not asking for any additional utilities.

Planning and Zoning Commission Minutes
March 13, 2012

She said the primary purpose of the General Commercial (GC) district is for large scale commercial activities. The proposed zoning is the same, except it would include the entire list of permitted uses in the General Commercial Zoning District.

Agency Review Comments:

The Town of Midland adopted their own land use plan but they support the map amendment (rezoning).

The Health Alliance is supportive of this as long as the total number of employees does not exceed four (4) and there is nothing but domestic sewage disposal,

Erosion and Stormwater Review - an Erosion and Sediment Control Plan and a Storm Water permit will be required if the applicant disturbs more than one acre.

Ms. Morris said the adopted County Midland Area Land Use Plan designates this property, as well as adjacent properties, as Future Employment. The rezoning as proposed is consistent with the Midland Area Land Use Plan, the County Plan. The rezoning is a Conventional Rezoning request; therefore, no conditions may be attached to the zoning request. All uses permitted in the General Commercial (GC) district would be permitted on the subject property.

Ms. Morris said south of the property is where Aberdeen Carolina Railroad bought the property and is supposed to be moving the Transloading Facility to that property. They are also developing a rail type industrial park there. She said the proposed rezoning would be consistent with what the expected uses are for that Midland property.

Mr. Fesperman asked if there were comments from any of the property owners.

Ms. Morris said no.

There being no further discussion, the Chair asked the applicant to address the Board.

Mr. Larry Wallace, owner of Larry Wallace Engines, 11169 Hickory Ridge Road, Harrisburg, NC addressed the Board. He originally had the property approved for eight buildings; he has put up two. He completed the first two buildings and applied for a permit for the next building and was told they were not in compliance.

The Chair asked if there were any questions for the applicant.

There being no further discussion, Ms. Shannon Frye **MOTIONED, SECONDED** by Mr. Richard Price to **APPROVE Petition RZON2012-00001**; request to rezone +/- 5.07 acres from General Commercial-Special Use (GC-SU) to General Commercial (GC). The vote was unanimous.

CONSISTENCY STATEMENT

Mr. Koch presented the following:

For the reasons stated by the applicant and staff, and for the reasons stated in the staff report the proposed rezoning is consistent with the Midland Area Land Use Plan and is reasonable and in the public interest.

By acclamation, the Board approved the consistency statement 9-0.

Old Business:

Proposed Text Changes to Chapter 3 and the Permitted Use Table

Ms. Morris said these are minor changes to Chapter 3 and the Permitted Use Table. She said the changes are in blue. One of the uses that was not added was for an Auction as a temporary use. We received a call from someone wanting to have a temporary livestock auction just to see how it would work. We added that in only where livestock is permitted. This would also allow someone to get a temporary use permit to have an estate auction or a business to sell off assets.

She said recreational trails, greenways or blue-way connectors were moved from Residential as a Conditional Use to a Permitted Based on Standards Use. They still have to meet the design standards (Appendix E) that we looked at several months ago for trails and for trail heads.

Ms. Morris said those are the two major changes that you will see. Chapter 7 and Chapter 8 will also be amended to reflect these changes and there will be some numbering changes because one was moved out of Chapter 8 as conditional use and into Chapter 7.

She hopes to have those changes next month as well as the definitions section and to hopefully move forward with a complete package.

The Chair asked if there were any questions or concerns with the revisions. The Board made no additional recommendations. It was the consensus of the Board to accept the text changes

Ms. Morris said there was some renumbering to the permitted use table shown in blue. She said there seemed to be some questions about Banquet Halls. The City of Concord did a text amendment and the City of Kannapolis was approached about a text amendment. We have the reception facility, but this will allow a banquet hall in a commercial district or in an office institutional district. If a civic club or church wanted to have a banquet or hall or a rental facility they would be able to have that, and it would also be permitted as a commercial use if someone wanted a rental facility.

Planning and Zoning Commission Minutes
March 13, 2012

She said the other change to the Permitted Use Table is in the temporary uses; adding Auction, Estate or Asset Liquidation and Auction, Livestock, and to move recreational trails, greenway, and the connectors as part of the public use facility; that did not change. She said it is just the connectors that changed and the trail head as a primary use site, which changed from Conditional Use to Permitted Based on Standards.

Ms. Morris said one other change that will be made to this table is in reference to FEMA trailers. Currently, FEMA trailers are allowed in any district. She thinks it needs to be clarified in the language in Chapter 7, that the trailers will be allowed anywhere there is currently a residential use. She said to make it clear that if something happens to your house you can put a FEMA trailer there, but only where a prior residence was located. This is so we don't have folks setting them up in business parking lots or something like that. It should be clarified that it is intended for residential use only.

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

Mr. Price asked for clarification on banquet halls. He asked if Ms. Morris was talking about a stand-alone facility, just for that purpose, or if she is talking about the American Legion and places like that.

Ms. Morris said both; it would allow someone to have a commercial business where it was a banquet hall and it would also allow for a civic type facility that wanted to build a banquet hall or have that as a secondary use; a more commercial type then just them using it as an accessory use. As long as they were in the right zoning district they could. She said the reception facility covers the ones that are out in AO (Agricultural Open Space) or CR (Countryside Residential) where maybe it is a historic house or a barn that they want to use. This is geared more toward commercial districts

Director Report

Ms. Morris said we received information from the Supreme Court for this month and there is still no word on the APFO. The next release date is mid-April, which will be after our April meeting.

She said the Wayne Brothers case that was denied here at the county and was annexed into the City of Kannapolis was appealed by Mr. Wally and some of the neighbors. The Supreme Court actually ruled in favor of the neighbors. The case was reversed and remanded. They made it through the Appellate Court and it said that Kannapolis did what they should have done. The Supreme Court has made their decision, and essentially it got down to process because they did not approve the Consistency Statement.

Mr. Koch said there were two issues, one had to do with the Consistency Statement and the other had to do with a contention that it was Spot Zoning. But since they decided that their failure to adopt a Consistency Statement was a fatal error in the process, the Supreme Court did not get to the issue of Spot Zoning. He said they have sent it back

Planning and Zoning Commission Minutes

March 13, 2012

down to the Superior Court with instructions to send it back to their Planning Board. It basically voided that zoning; a failure to comply with process voided the zoning.

He said they had a number of different arguments as to why they did not need the Consistency Statement. They got the Court of Appeals to buy the arguments, they did not get the Supreme Court to do that and that is the one that ultimately matters. They are right back where they started.

Ms. Morris said the Appellate Court made some decisions on E-Gaming, but they did not rule on whether or not the gaming itself was legal or not legal. They ruled on the Statute that was adopted that talked about those things and how they were presented. Essentially it talked about constitutionality and freedom of speech, not whether they were permitted or not permitted in North Carolina.

Mr. Koch said they threw out the entire Statute and declared the whole thing unconstitutional instead of one part of it, which had been done at the lower court.

Ms. Morris said there was a dissenting vote on it, so it automatically gets appealed to the Supreme Court. Hopefully, they will give us some direction, but at this point, we will not be making any changes to our Ordinance pending a final decision.

Mr. Koch updated the Board on the Ben Small case. We filed a lawsuit; a request for an injunction to get the Superior Court to order the building be torn down.

Mr. Koch informed the Board that the Superior Court dismissed Bruton Smith's case against the County for the so called alleged Economic Development Agreement and the 80 million dollars that he was suing the county for. He said it was dismissed on a motion to dismiss. That case, unless they appeal it to the Court of Appeals, is over.

There being no further discussion, Mr. Larry Ensley MOTIONED, SECONDED BY Mr. James Litaker to ADJOURN the meeting. The meeting ended at 7:23 p.m.

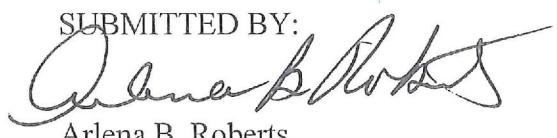
Planning and Zoning Commission Minutes
March 13, 2012

APPROVED BY:

A blue ink signature of the name Todd Berg.

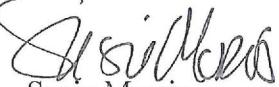
Todd Berg, Chairman

SUBMITTED BY:

A black ink signature of the name Arlena B. Roberts.

Arlena B. Roberts

ATTEST BY:

A black ink signature of the name Susie Morris.

Susie Morris
Planning and Zoning Manager

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
03/13/2012

Staff Use Only:
Approved: _____
Denied: _____
Tabbed: _____

Petition: RZON2012-00001 Rezoning

Applicant Information: Larry Eugene Wallace
Larry Wallace Engines, LLC
11169 Hickory Ridge Road
Harrisburg, NC 28075

Owner Information: Larry Wallace Engines, LLC
11169 Hickory Ridge Road
Harrisburg, NC 28075

Existing Zoning: GC-SU (General Commercial – Special Use)

Proposed Zoning: GC (General Commercial)

Permitted Uses
Current: Under the current GC-SU zoning designation, the subject property is limited to Office-Professional and Building Contractor Storage Yard.

Proposed: All uses permitted in the GC - General Commercial zoning district.
(See attached)

PIN#: 5524-88-2560

Area in Acres: 5.07

Site Description: A portion of the site is developed as a self-service storage facility.
Under the current GC-SU zoning designation, this use is considered a non-conforming use.

Adjacent Land Use: The subject property is surrounded by residential and wooded properties to the north, south and western sides. Property to the east is zoned Limited Industrial-Special Use and is currently used by a grading company, W.D. Smith Grading, Inc.

Surrounding Zoning: North: OI (Office Institutional)
East: Cabarrus County LI-SU (Limited Industrial-Special Use)
South: OI (Office Institutional)/ Town of Midland IND
(Industrial)
West: OI (Office Institutional)

Utility Service Provider: The property is currently being served by private well and septic.

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
03/13/2012

Staff Use Only:
Approved: _____
Denied: _____
Revised: _____

Exhibits

1. Zoning Map - Submitted by Staff
2. Future Land Use Map - Submitted by Staff
3. Aerial Map - Submitted by Staff
4. Town of Midland 'Town Plan 2030' Map - Submitted by Staff
5. List of Permitted Uses in GC (General Commercial) - Submitted by Staff
6. List of Adjacent Property Owners - Submitted by Staff
7. Copy of Newspaper Ad-Submitted by Staff
8. Copy of Letter to Adjacent Owners-Submitted by Staff

Intent of Zoning Districts

Existing Zoning - General Commercial: The primary purpose of this zone 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 will accommodate a wide variety of office, retail and lodging land uses. General commercial may border the other less intense commercial zone or either of the two industrial zones. A general commercial zone may border a higher density residential zone but care should be taken to assure a buffer between the two.

Proposed Zoning - General Commercial: The primary purpose of this zone 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 will accommodate a wide variety of office, retail and lodging land uses. General commercial may border the other less intense commercial zone or either of the two industrial zones. A general commercial zone may border a higher density residential zone but care should be taken to assure a buffer between the two.

Agency Review Comments

NCDOT Review: No Comments

Utility Review: No Comments

EMS Review: No Comments

Sheriff Review: No Comments

Engineering Review: No Comments

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
03/13/2012

Staff Use Only:
Approved: _____
Denied: _____
Filed: _____

Town of Midland Review: Comments, By Richard Flowe
The Town of Midland supports the map amendment (rezoning).

Health Alliance: No Comments, By David Troutman

The file I have (Case#95-596) indicates that there is a shop that was part of the existing office and the system was sized for 4 employees. As long as the total number of employees does not exceed four (4) and there is nothing but domestic sewage disposal then Environmental Health has no comments.

Soil and Water Conservation: No Comments

Schools Review: No Comments

Fire Review: No Comments

Erosion Review: Comments, By Tamera Eplin

If the applicant proposes to disturb more than one acre, an erosion and sediment control plan will be required to be submitted and approved by this office (NCDENR) prior to construction.

Stormwater Review - Local: No Comments

Stormwater Review - State: General

Stormwater permits will be required if the project includes a total disturbed area of more than one acre.

Land Use Plan Analysis

The Midland Area Land Use Plan, adopted in September 2004, designates this property, as well as adjacent properties, as Future Employment. The plan states that Future Employment areas are reserved for future employment growth, for the development of industrial, research, large office and warehouse/distribution uses. This designation allows for some flexibility to account for market demand. On a limited basis, the Future Employment district may be used for the development of mixed use residential and employment developments.

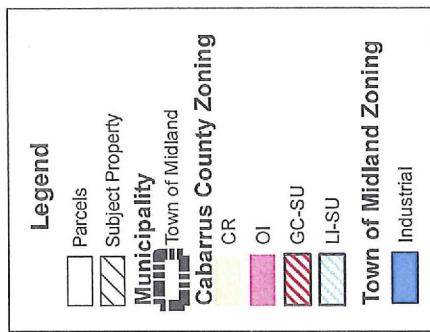
Conclusions

The rezoning, as proposed, is consistent with the Midland Area Land Use Plan. The rezoning is a conventional rezoning request. Therefore, no conditions may be attached to the rezoning request. All uses permitted in the GC district would be permitted on the subject property.

The Planning and Zoning Commission should consider the information provided and determine if the proposed rezoning meets the Commissions vision for this area of Cabarrus County.

Zoning Map

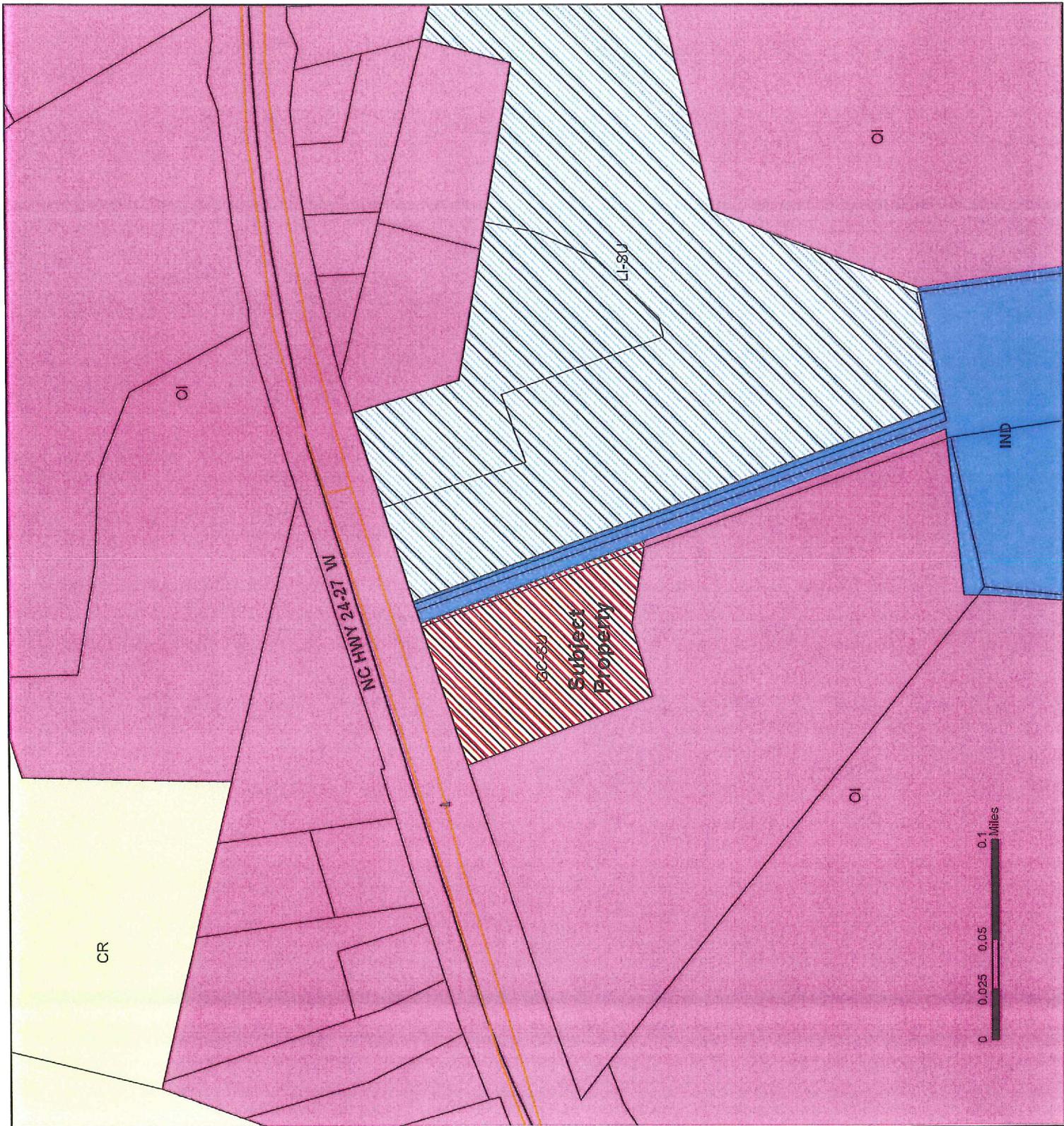
Petitioner: Larry Wallace Engines, LLC
Petition #: RZON2012-00001
Existing Zoning: GC-SU
(General Commercial - Special Use)
Proposed Zoning: GC (General Commercial)
Parcel ID# 5524-88-2560



N

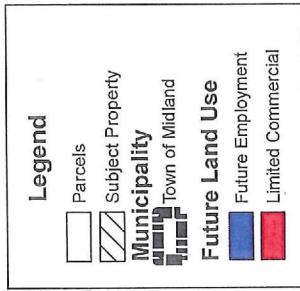
Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning Services, February 2012.

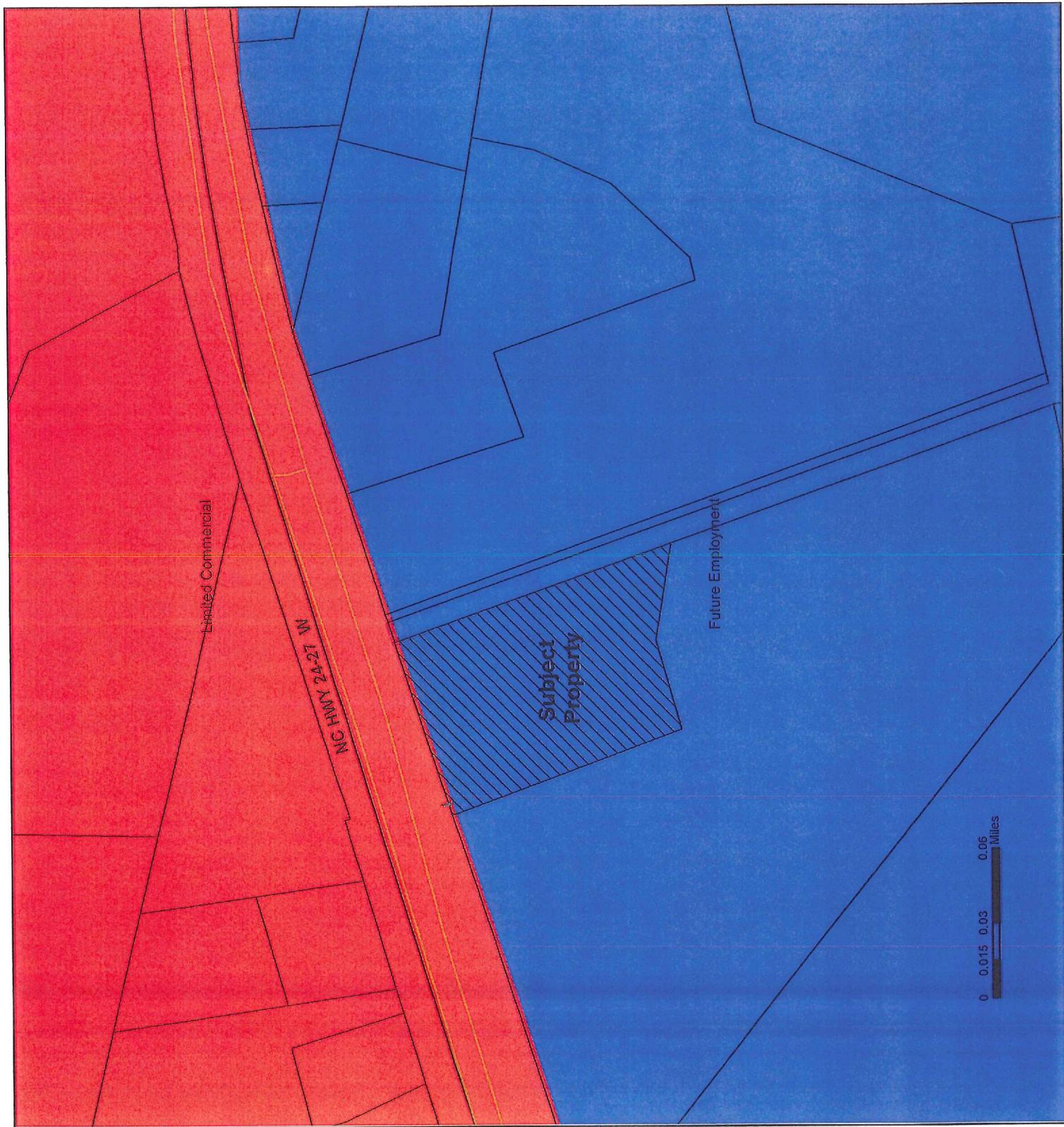


Future Land Use Map

Petitioner: Larry Wallace Engines, LLC
Petition #: RZON2012-00001
Existing Zoning: GC-SU
(General Commercial - Special Use)
Proposed Zoning: GC (General Commercial)
Parcel ID #: 5524-88-2560

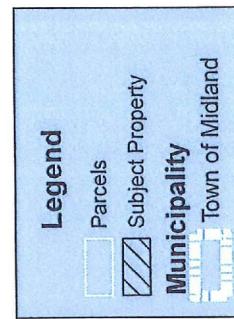


Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data. Map Prepared by Cabarrus County Planning Services, February 2012.



Aerial Map

Petitioner: Larry Wallace Engines, LLC
Petition: RZON2012-00001
Existing Zoning: GC-SU
(General Commercial - Special Use)
Proposed Zoning: GC (General Commercial)
Parcel ID# 5524-88-2560

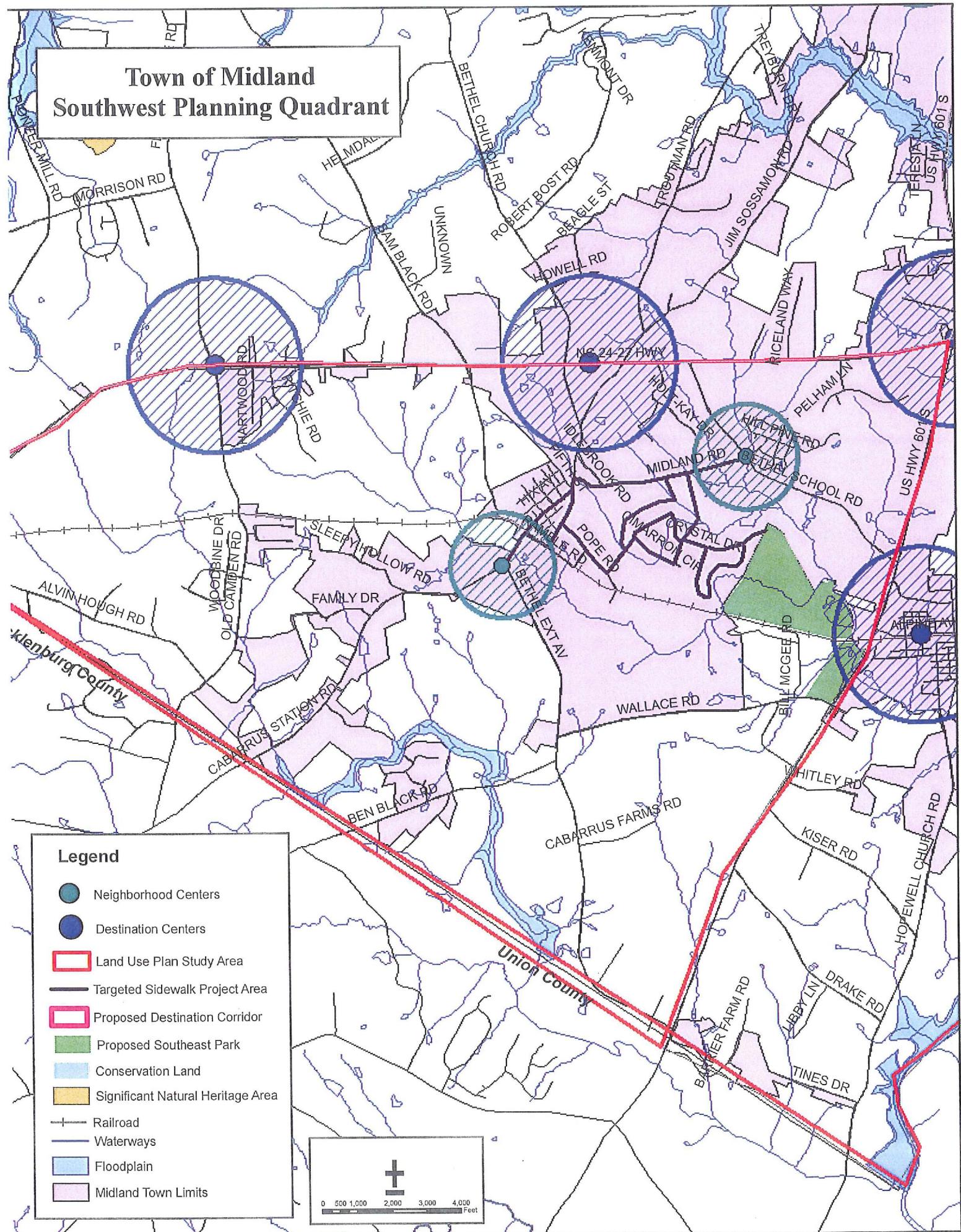


Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning Services, February 2012.



Town of Midland Southwest Planning Quadrant



USES IN THE GENERAL COMMERCIAL ZONE:

Permitted Uses

Auction house
Automobile rental
Automobile sales/new, used
Automobile supplies
Bank/financial institution/ATM
Barber and beauty shops
Bed & breakfast
Boat works and sales
Building equipment sales/indoor storage only
Building equipment sales/outdoor storage
Bus terminal
Car wash
Catering service
Civic organization facility
Colleges & universities
Contractor's storage yard
Convenience store with petroleum sales
Convenience store without petroleum sales
Drive-in theater
Drugstore
Dry cleaning/laundry plant
Dry cleaning/pick-up station
Freezer/ice plant
Funeral home
Gas station
Hospital/medical facility
Hotels, motels & inns
Laundromat
Locksmith/gunsmith
Mobile home retail sales
Movie theater
Multimedia production & distribution complex
Nursery/greenhouse
Office, professional
Parking lot, commercial or private
Pet shop/pet grooming (enclosed)
Photographic studio
Printing and reprographic facility
Public cultural facility
Public use facility
Race shop/complex
Radio and television studio
Recreational facility, indoor
Religious institution (with a total seating capacity of 350 or less)

Religious institution (with a 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
Tattoo Studio
Taxi stand
Warehouse, enclosed storage

Permitted based on Standards (PBS)

Accessory apartment
Communications tower
Landfill, demolition (one acre or less)
Machine welding shop
Mobile office, temporary
Nursery/daycare center
Recyclable materials drop-off
Restaurant with drive-thru facility
Self-service storage facilities

Conditional Uses

Adult use
Airport, commercial
Airstrip
Coliseum/stadium
Mobile Home, Class I
Public service facility
Recreational facility, outdoor
Retail sales - shopping centers greater than 100,000 square feet
Single-family detached residential
Trade and vocational schools
Truck stop/truck terminal
Trucking and heavy equipment, sales & service
Veterinarian/animal hospital/commercial kennel

Adjacent Property Owners

Deloria P. Rowell
501 NC Hwy 24/27 W
Midland, NC 28107
PIN# 5524-87-3928

Gladstone Development, LLC
375 NC Hwy 24/27 W
Midland, NC 28107
PIN# 5524-96-2486

William Dale Smith Jr.
261 NC Hwy 24/27 W
Midland, NC 28107
PIN# 5524-98-4253

Beatrice Flow Biggers
376 NC Hwy 24/27 W
Midland, NC 28107
PIN# 5524-89-2069

Larry Wallace Engines, LLC
1169 Hickory Ridge Rd.
Harrisburg, NC 28075
PIN# 5524-88-2560



February 24, 2012

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property adjacent to yours. The specifics of the petition are listed below.

The Cabarrus County Planning and Zoning Board will consider this petition at their meeting on Tuesday, March 13, 2012 at 7:00 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

<u>Petitioner</u>	Larry Wallace Engines, LLC
<u>Petition Number</u>	RZON2012-00001 Zoning Map Amendment
<u>Property Location</u>	391 NC Hwy 24/27, Midland
<u>Parcel ID Number</u>	5524-88-2560
<u>Existing Zoning</u>	GC-SU- General Commercial – Special Use
<u>Proposed Zoning Map Change</u>	GC – General Commercial

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning Services at (704) 920-2141.

Sincerely,

Kassie G. Watts, AICP, CZO
Senior Planner
Cabarrus County Planning Services
kgwatts@cabarruscounty.us

LEGAL NOTICES

AND FOR INFORMATIONAL PURPOSES AND IS NOT INTENDED AS AN ATTEMPT TO COLLECT A DEBT OR AS AN ACT TO COLLECT, ASSESS, OR RECOVER ALL OR ANY PORTION OF THE DEBT FROM YOU PERSONALLY.

This the 20th day of February, 2012.

The Caudle Law Firm, P.A.,
Substitute Trustee
By: David R. Caudle
President & Attorney at Law
State Bar Number 6075
2101 Rexford Road, Suite 165W
Charlotte, North Carolina 28211
<http://www.caudlelawfirm.com>

11-SP-723
PUBLISH:

**Public Hearing Notice****Cabarrus County Planning and Zoning Commission**

Tuesday, March 13, 2012 @7:00 P.M.
Commissioners Meeting Room, 2nd Floor
65 Church St. S.E. Concord, NC 28026

Petition RZON2012-00001 - Request to rezone +/- 5.01 acres, from General Commercial - Special Use (GC-SU) to General Commercial (GC), located at 391 NC Highway 24/27, Midland, NC (PIN# 5524-88-2560). Applicant is Larry Wallace Engines. For information, contact Planning and Development at 704-920-2141. If reasonable accommodations are needed, please contact the ADA Coordinator at 704-920-2100 at least 48 hours prior to the public hearing.

PUBLISH: Wednesday, February 29th and Wednesday, March 7th, 2012

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

**IN THE GENERAL COURT OF JUSTICE
BEFORE THE CLERK**

In the Matter of the foreclosure of a Deed of Trust executed by Steven Mark Statham (Steven Mark Statham, deceased) (Heirs of Steven Mark Statham; James F. Statham, Linda N. Statham and Unknown Heirs of Steven Mark Statham) in the original amount of \$63,050.00 dated July 31, 2002, recorded in Book 3933, Page 227, Cabarrus County Registry. Substitute Trustee Services, Inc., Substitute Trustee

**NOTICE OF SERVICE OF PROCESS
BY PUBLICATION**

12 SP 84

TO: James F. Statham, Linda N. Statham and Unknown Heirs of Steven Mark Statham who previously resided at 2403 Pennsylvania Avenue, Indianapolis, NC 28083 and deceased on June 22, 2011.

Take Notice that the pleading seeking relief against you has been filed in the above entitled action.

The nature of the relief sought is as follows:

The Plaintiff in the above entitled action has filed an Intent to Foreclose.

You are required to make defense to such pleading not later than March 23, 2012, and upon your failure to do so the party seeking service against you will apply to the court for the relief sought.

This 24th day of January, 2012.

SUBSTITUTE TRUSTEE SERVICES, INC.
SUBSTITUTE TRUSTEE

BY:
The Law Firm of Hutchens, Senter & Britton, P.A.
Attorneys for Substitute Trustee Services, Inc.

Post Office Box 1028
Fayetteville, NC 28302
Telephone: (910) 864-3068

HSB Case No: 1068536
PUBLISH: February 15, 2012 Wednesday
February 22, 2012 Wednesday
February 29, 2012 Wednesday

LEGAL NOTICES**STATE OF WISCONSIN
MILWAUKEE COUNTY****CIRCUIT COURT**

Ocwen Loan Servicing, LLC as servicer for HSBC Bank USA, N.A. as Indenture Trustee for the registered Noteholders of Renaissance Home Equity Loan Trust 2008-4 1661 Worthington Road, Suite 100 West Palm Beach, FL 33405 Plaintiff vs Christopher T. Webb 1573 Trippett Street NW Concord, NC 28027

Victoria L. Webb
1573 Trippett Street NW
Concord, NC 28027

Unknown Tenants
7713 West Beechwood Avenue
Milwaukee, WI 53223
Defendants

SUMMONS
Real Estate Mortgage Foreclosure
Case No. 11 CV 17930
Honorable Dominic S. Amato
Case Code: 30404

THE STATE OF WISCONSIN
To the following party named as a defendant herein: Christopher T. Webb and Victoria L. Webb

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. Within 40 days after February 22, 2012, you must respond with a written demand for a copy of the complaint. The demand must be sent or delivered to the court, whose address is:

Milwaukee County Clerk of Circuit Court
901 North 9th Street
Milwaukee, WI 53233

and to Matthew V. Plummer /Blommer Peterman, S.C., plaintiff's attorney, whose address is:
Blommer Peterman, S.C.
165 Bishops Way, Suite 100
Brookfield, WI 53005

You may have an attorney help or represent you.

If you do not demand a copy of the complaint within 40 days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 16th day of February, 2012
Matthew V. Plummer / Blommer Peterman, S.C.
State Bar No. 1072716
165 Bishops Way, Suite 100
Brookfield, WI 53005
262-790-5719

Blommer Peterman, S.C. is the creditor's attorney and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

Publish: February 22, 29; March 7, 2012.

**Looking
for Love
in all the
Wrong Places?**

Find your answer in the
Carolina Classifieds—
in print and online!

Legals**Legals**

2011 PROPERTY TAXES
that remain unpaid on
Friday, March 9, 2012
will be advertised in the
Independent Tribune on
SUNDAY, MARCH 25, 2012

Harrisburg

PUBLIC HEARING NOTICE
Harrisburg Town Council
Monday, March 12, 2012 @7:00pm
Harrisburg Town Hall
4100 Main Street, Town Center
Harrisburg, NC 28075

Harrisburg Town Code - Addition of Chapter 100: Urban Archery Deer Season and Amendment of Chapter 130: Weapons. Applicant - Town of Harrisburg - Request for the addition of Chapter 100: Urban Archery Deer Season to allow deer hunting within the Town limits following the season time-lines established by the North Carolina Wildlife Resources Commission Regulations Digest and supplemental requirements set forth in Chapter 100 of the Harrisburg Town Code. Request to amend Chapter 130: Weapons -- Allow the discharge of bows and arrows and crossbows during the Urban Archery Deer Season only on approved parcels, discharge height and with permission from landowner to hunt on the parcel.

PUBLISH: Wednesday, February 29, 2012.

**NOTICE OF PUBLIC HEARING
MARCH 12, 2012**

The public will take notice that Town Council of the Town of Harrisburg has called a public hearing at 7:00 p.m. on March 12, 2012 at Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg, N.C., on the question of annexing the following described contiguous property:

LYING AND BEING IN NUMBER ONE TOWNSHIP, CABARRUS COUNTY, NORTH CAROLINA, ON THE NORTH SIDE OF STALLINGS ROAD, BEING A PART OF THE PROPERTY OF MARGARET ANN STALLINGS (BOOK 2970, PAGE 304, TRACT 2), AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONTROL CORNER NORTH OF BUT NOT ADJACENT TO STALLINGS ROAD (SAID CONTROL CORNER BEING DESIGNATED AS N.C. GRID COORDINATE N: 573,478.71 FEET, E: 1,512,534.54 FEET) (SAID BEGINNING POINT ALSO BEING SOUTH 27-57-21 EAST 3408.44 FEET FROM NCGS "ROBERT" NAD 83 S: 576,894.91 FEET, E: 1,510,894.50 FEET; CONV. -0 56° 47.16" SCALE F: 0.9998734) THREE (3) NEW LINES AS FOLLOWS: FIRST, SOUTH 63-09-02 EAST 100.00 FEET TO A NEW IRON PIN, A NEW CORNER, AND ON THE WEST SIDE OF THE PROPOSED STREET TO BE KNOWN AS RAGING RIDGE ROAD, A 90.0 FOOT RIGHT OF-WAY; THENCE SECOND, SOUTH 63-02-10 EAST 100.00 FEET TO A NEW IRON PIN, A NEW CORNER, AND ON THE WEST SIDE OF SAID PROPOSED STREET, A NEW CORNER WITH THE NORTH SIDE OF STALLINGS ROAD, A NEW CORNER; THENCE WITH THE NORTH SIDE OF STALLINGS ROAD THREE (3) LINES AS FOLLOWS: FIRST, NORTH 63-02-10 WEST 100.00 FEET TO A NEW IRON PIN; THENCE SECOND, NORTH 63-09-02 WEST 100.00 FEET TO A NEW IRON PIN; THENCE THIRD, NORTH 63-14-03 WEST 100 FEET TO A NEW IRON PIN ON THE NORTH SIDE OF STALLINGS ROAD, A NEW CORNER; THENCE TWO (2) NEW LINES AS FOLLOWS: FIRST, NORTH 26-23-38 WEST 200.00 FEET TO A NEW IRON PIN ON THE NORTH SIDE OF STALLINGS ROAD, A NEW CORNER; THENCE WITH THE NORTH SIDE OF STALLINGS ROAD THREE (3) LINES AS FOLLOWS: FIRST, NORTH 63-02-10 WEST 100.00 FEET TO A NEW IRON PIN; THENCE SECOND, NORTH 63-09-02 WEST 100.00 FEET TO A NEW IRON PIN; THENCE THIRD, NORTH 63-14-03 WEST 100 FEET TO A NEW IRON PIN ON THE NORTH SIDE OF STALLINGS ROAD, A NEW CORNER; THENCE TWO (2) NEW LINES AS FOLLOWS: FIRST, NORTH 26-23-38 WEST 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.38 ACRES, MORE OR LESS, AS SURVEYED AND PLATTED BY JAMES T. WEST, P.L.S. FOR HARRISBURG SURVEYING, NOVEMBER 30, 2011; SAID PROPERTY BEING KNOWN AS 3500 STALLINGS ROAD, HARRISBURG, NC 28075.

TOGETHER WITH:

LYING AND BEING IN NUMBER (1) TOWNSHIP OF CABARRUS COUNTY, NORTH CAROLINA, ON THE SOUTH SIDE OF STALLINGS ROAD, BEING A PART OF THE PROPERTY OF MARGARET ANN STALLINGS (BOOK 2970, PAGE 304, TRACT 2), ADJOINING THE PROPERTY OF QUENTIN N. MAVER, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONTROL CORNER ON THE SOUTH SIDE OF STALLINGS ROAD, A CORNER IN THE LINE OF QUENTIN N. MAVER (BOOK 1899, PAGE 80) (SAID CONTROL CORNER BEING DESIGNATED AS N.C. GRID COORDINATE N: 573,405.34 FEET, E: 1,512,139.83 FEET) (SAID BEGINNING POINT ALSO BEING SOUTH 21-47-03 EAST 3408.47 FEET FROM NCGS "ROBERT" NAD 83 S: 576,5978.91 FEET, E: 1,510,894.50 FEET; CONV. -0 56° 47.16" SCALE F: 0.9998734) (SAID BEGINNING POINT ALSO BEING SOUTH 25-59-50 WEST 25.00 FEET FROM A POINT IN OR NEAR THE CENTERLINE OF STALLINGS ROAD, THE NORTHEASTERN CORNER OF MAVER) AND RUNS THENCE WITH THE SOUTH SIDE OF STALLINGS ROAD TWO (2) LINES AS FOLLOWS: FIRST, SOUTH 63-04-54 EAST 100.01 FEET TO A NEW IRON PIN; THENCE SECOND, SOUTH 63-04-54 EAST 100.01 FEET TO A NEW IRON PIN ON THE SOUTH SIDE OF STALLINGS ROAD, A NEW CORNER; THENCE A NEW LINE SOUTH 25-55-50 WEST 389.43 FEET (PASSING A NEW IRON STAKE IN LINE AT 200.00 FEET) TO A COMPUTED POINT IN OR NEAR THE CENTERLINE OF BACK CREEK, A NEW CORNER; THENCE GENERALLY WITH THE CENTERLINE OF BACK CREEK FOUR (4) LINES AS FOLLOWS: FIRST, SOUTH 48-30-52 WEST 15.68 FEET TO A POINT; THENCE SECOND, NORTH 49-58-16 WEST 113.47 FEET TO A POINT; THENCE THIRD, NORTH 58-09-11 WEST 58.84 FEET TO A POINT; THENCE FOURTH, SOUTH 86-47-17 WEST 29.08 FEET TO A POINT IN OR NEAR THE CENTERLINE OF BACK CREEK, THE SOUTHEASTERN CORNER OF MAVER; THENCE WITH THE LINE OF MAVER NORTH 25-55-50 EAST 387.86 FEET (PASSING IRON STAKES IN LINE AT 30.00 FEET, AND AT 187.83 FEET) TO THE POINT OF BEGINNING, CONTAINING 1.77 ACRES, MORE OR LESS, AS SURVEYED AND PLATTED BY JAMES T. WEST, P.L.S. FOR HARRISBURG SURVEYING, NOVEMBER 30, 2011; SAID PROPERTY BEING KNOWN AS 3601 STALLINGS ROAD, HARRISBURG, NC 28075.

PUBLISH: February 29, 2012

Memo

To: Planning and Zoning Commission
From: Susie Morris, AICP, CZO, Planning and Zoning Manager
CC: File
Date: 3/6/2012
Re: Proposed Text Changes (Chapter 3 and Permitted Use Table)

Attached please find the following:

Draft 2 Chapter 3

Draft Permitted Use Table (DRAFT 2)

- 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 document has been edited since it was last presented.
- The DRAFT Permitted Use Table is also attached. This document has also been edited.
- 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.

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 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 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 effect 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 can not 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.

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, 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:

1. 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

Auction, Estate or Asset Liquidation, Temporary Use

Auction, Livestock, Temporary Use

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

♦Chapter 3, Establishment of Zoning Districts

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

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

Recreational Trail, Greenway, or Blueway Connectors

Religious Institution (Total Seating Capacity 350 or Less)

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

RESIDENTIAL DISTRICTS:

1. 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 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 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

Auction, Estate or Asset Liquidation, Temporary Use

Auction, Livestock, Temporary Use

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

Conditional Uses

Animal Hospital

Animal Shelter

College, University

Communications Tower, 911 Communications 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)

Religious Institution (Total seating capacity 351 or more)

Religious Institution with School

Rest/Convalescent Home with More Than 10 Beds

Shooting Range with Outdoor Target Practice

Slaughter House, Meat Packing

Sports and Recreation Instruction or Camp

Veterinarian

Wireless Telecommunications Services

2. (2) Low Density Residential

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 are located where public utilities either are available or are envisioned available within the next two to five years.

Rationale

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

USES IN LOW DENSITY RESIDENTIAL USES:

Permitted Uses

Agriculture Excluding Livestock

Agritourism, Accessory to Agriculture

Family Care Home

Group Care Facility

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

Nursery/Greenhouse	Dumpsters, Commercial Waste Containers, Temporary Use
Semi-Attached House	Ethanol Fuel Production (Residential District, Private Use Only), Accessory Use
Single Family Detached Residential	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use
Wireless Telecommunications Services, Stealth Antennae, 65 feet or less	For Profit Temporary Sign, Temporary Use
<u>Permitted based on Standards (PBS)</u>	
Accessory Apartment	Gas station
Accessory Building	Golf Course, Public or Private
Agriculture-Female Chickens, Limited Number, Less than 5 Acres	Home Occupation, General
Agriculture, Including Livestock	Home Occupation, Rural
Auction, Estate or Asset Liquidation, Temporary Use	Ice Production, Dispensing, Accessory to Convenience Store
Auction, Livestock, Temporary Use	Ice Production, Dispensing, Accessory to Gas Stations
Automated Teller Machine, As Accessory	Itinerant Merchant, Temporary Use
Bank/Financial Institution/Automated Teller Machine	Landfill, Demolition (less than one acre)
Barn, Greenhouse as Primary Structure	Mobile home class-I
Bed and Breakfast	Mobile office, temporary
Cemetery	Mobile Personal Storage Unit, Renovation, Temporary Use
Civic Organization Facility	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Community Garden, Accessory Use	Nursery, Daycare Center
Contractor Office, Construction Equipment Storage, Temporary Use	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)
Convenience Store with Petroleum Sales	Public Cultural Facility
Convenience Store without Petroleum Sales	
Country Club with Golf Course	

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

3. {3} 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

include a variety of housing types, including townhouses. These zones are 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.

USES IN THE MEDIUM DENSITY RESIDENTIAL ZONE:

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

Auction, Estate or Asset Liquidation, Temporary Use

Auction, Livestock, Temporary Use

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	Swim Club, Tennis Club, Country Club
Itinerant Merchant, Temporary Use (Existing Business)	Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use
Ice Production, Dispensing, Accessory to Convenience Store	Temporary Construction Sign, Temporary Use
Landfill, Demolition (less than one acre)	Temporary Dwelling for Large Construction Projects, Temporary Use
Mobile office, temporary	Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use
Mobile Personal Storage Unit, Renovation, Temporary Use	Townhouses
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Trail Head, Accessory Use
Nursery, Daycare Center	Trail Head, Primary Use
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	Wind Energy Facility, Accessory Use, On Site Use Only
Public Cultural Facility	Wireless Telecommunications Services, Co-location
Real Estate Office in Construction Trailer or Modular Unit Commercial /Mixed Use Projects, Temporary Use	<u>Conditional Uses</u>
Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use	College, University
Real Estate Office in Model Home, Temporary Use	Communications Tower, 911 Communications Tower
Recreational Trail, Greenway, or Blueway Connectors	Elementary, & secondary Middle and High Schools
Religious Institution (Total seating capacity 350 or less)	Public Service Facility
Rest/Convalescent Home with 10 Beds or Less	Public Use Facility
Restaurant, Excluding Drive-Thru	Recreational Facility, Outdoor
Scientific Research and Development, Accessory to Agriculture	Religious Institution (Total seating capacity 351 or more)
	Religious Institution with School

Rest/Convalescent Home with More Than 10 Beds	Restaurant with drive-thru facility
	Wireless Telecommunications Services

4. (4) 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 will develop typically 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.

USES IN THE HIGH DENSITY RESIDENTIAL/MIXED USE ZONE:

<u>Permitted Uses</u>	Retail Sales - Shopping Centers 10,000 Square Feet and Less
Agriculture, Excluding Livestock	Semi-Attached House
Agritourism, Accessory to Agriculture	Single Family Detached Residential
Barber, Beauty, Tanning, Nail or Skin Care Salon	Wireless Telecommunications Services, Stealth Antennae, 65 feet or less
Drug Store	<u>Permitted based on Standards (PBS)</u>
Dry Cleaning Pick-Up Station	Accessory Apartment
Family Care Home	Accessory Building
Group Care Facility	Auction, Estate or Asset Liquidation, Temporary Use
Laundromat	Automated Teller Machine as Accessory
Mobile Home Park (Overlay District Only)	Bank/Financial Institution/Automated Teller Machine
Manufactured Home (In Manufactured Home Overlay District Only-See Chapter 4)	Bed and Breakfast
Movie Theater	Cemetery
Pet Shop, Grooming, Enclosed Facility	Civic Organization Facility

Community Garden, Accessory Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
Contractor Office, Construction Equipment Storage, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use
Convenience Store without Petroleum Sales	Real Estate Office in Model Home, Temporary Use
Country Club with Golf Course	Recreational Facility, Indoor
Dumpsters, Commercial Waste Containers, Temporary Use	Recreational Trail, Greenway, or Blueway Connectors
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Religious Institution (Total seating capacity 350 or less)
For Profit Temporary Sign, Temporary Use	Rest/Convalescent Home with 10 Beds or Less
Golf Course, Public or Private	Restaurant, Excluding Drive-Thru
Home Occupation, General	Scientific Research and Development, Accessory to Agriculture
Itinerant Merchant, Temporary Use (Existing Business)	Self-Service Storage Facilities
Ice Production, Dispensing, Accessory to Convenience Store	Swim Club, Tennis Club, Country Club
Landfill, Demolition (less than one acre)	Temporary Agricultural Sign (Seasonal Sales on Site), Temporary Use
Mobile office, temporary	Temporary Construction Sign, Temporary Use
Mobile Personal Storage Unit, Renovation, Temporary Use	Temporary Dwelling for Large Construction Projects, Temporary Use
Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use
Multifamily Residential	Townhouses
Nursery, Daycare Center	Trail Head, Accessory Use
Office, Professional Less Than 5,000 SF	Trail Head, Primary Use
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	
Public Cultural Facility	

Wireless Telecommunications Services, Co-location	Public Use Facility
	Recreational Facility, Outdoor
<u>Conditional Uses</u>	
College, University	Religious Institution (Total seating capacity 351 or more)
Communications Tower, 911 Communications Tower	Religious Institution with School
Elementary, & secondary Middle and High Schools	Rest/Convalescent Home with More Than 10 Beds
Public Service Facility	Restaurant with Drive-Thru Facility
	Wireless Telecommunications Services

OFFICE/INSTITUTIONAL DISTRICT:

Office/Institutional

This district is intended to accommodate relatively low intensity office and institutional uses at an intensity 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 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, light industrial or mixed use zones. When bordering residential zones, 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.

USES IN THE OFFICE/ INSTITUTIONAL ZONE:

<u>Permitted Uses</u>	Barber, Beauty, Tanning, Nail or Skin Care Salon
Bank/financial institution/ATM/Freestanding ATM	Civic Organization Facility
Banquet Hall	College, University
	Farmer's Market

Funeral Home	Duplex, Commercial Use, Individual Lots
Group Care Facility	Event, Tent or Temporary Structure, Temporary Use
Hospital, Ambulatory Surgical Care Facility, Medical Facility	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use
Office, Professional Less Than 30,000 Square Feet	For Profit Temporary Sign, Temporary Use
Office, Professional Greater Than 30,000 Square Feet or more	Golf Course, Public or Private
Parking Lot, Parking Garage, Commercial or Private	Home Occupation, General
Printing & Reprographic Facility	Mobile office, temporary
Public Cultural Facility	Mobile Personal Storage Unit, Renovation, Temporary Use
Public Use Facility	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Wireless Telecommunications Services, Stealth Antennae, 65 feet or less	Multifamily Residential
<u>Permitted based on Standards (PBS)</u>	Nursery, Daycare Center
Accessory Building	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)
Auction, Estate or Asset Liquidation, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
Automated Teller Machine As Accessory	Recreational Facility, Indoor
Bank/Financial Institution/Automated Teller Machine	Recreational Trail, Greenway, or Blueway Connectors
Catering Service	Recyclable Materials Drop Off
Community Garden, Accessory Use	Religious Institution (Total seating capacity of 350 or less)
Contractor Office, Construction Equipment Storage, Temporary Use	Rest/Convalescent Home (10 Beds or Less)
Country Club with Golf Course	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)
Dumpsters, Commercial Waste Containers, Temporary Use	

Scientific Research and Development	Communications tower, 911 Communications Tower
Swim Club, Tennis Club, Country Club	Convention Center Facility
Temporary Amusement Enterprise, Temporary Use	Elementary and secondary Middle and High Schools
Temporary Construction Sign, Temporary Use	Public Service Facility
Temporary Dwelling for Large Construction Projects, Temporary Use	Recreational Facility, Outdoor
Townhouses	Religious Institution (Total seating capacity of 351 or more)
Trail Head, Accessory Use	Religious Institution with School
Trail Head, Primary Use Site	Rest/Convalescent Home (More than 10 beds)
Wireless Telecommunications Services, Co-location	Trade & Vocational Schools
<u>Conditional Uses</u>	Wireless Telecommunication Services

COMMERCIAL DISTRICTS:

Office/Limited Commercial

This district is intended to accommodate relatively small scale commercial and office development at intensity 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, light industrial, or high density residential mixed use zones. When bordering residential zones, care should be taken to assure natural or manmade buffering so that the nonresidential activities are not a nuisance to residential use.

USES IN THE OFFICE/LIMITED COMMERCIAL ZONE:

Permitted Uses

Arcade, Game Room

Automobile **Parts, Tires, Accessories** supplies

Bank/financial institution/ATM/Freestanding ATM

Banquet Hall

Barber, Beauty, Tanning, Nail or Skin Care Salon	Movie Theater
Car Wash, Detail Service	Nursery/Greenhouse
Catering Service	Office, professional, less than 30,000 square feet
Civic Organization Facility	Parking Lot, Parking Garage, Commercial or Private
College, University	Pawn Shop
Convenience Store with Petroleum Sales	Pet shop, grooming (enclosed)
Convenience Store without Petroleum Sales	Photographic studio
Drug store	Printing and Reprographic Studio
Dry cleaning/pick up station	Public cultural facility
Equipment Sales and Service	Public use facility
Family care home	Religious institution (Total seating capacity of 350 or less)
Farm Supply Sales	Religious institution (Total seating capacity of 351 or more)
Farmer's Market	Restaurant, excluding drive-thru
Flea Market, Indoor Vendors Only	Retail sales - shopping centers 10,000 - 50,000 square feet
Funeral home	Retail sales - shopping centers 10,000 square feet and less
Group care facility	Single family residential detached
Gunsmith	Tattoo Studio
Health Club, Fitness Center	Taxidermy Studio, No Outdoor Processing
Hospitals, Ambulatory Surgical Care Center, Medical Facilities	Towing Service, No Vehicle Storage Lot, Office Only (Storage of Tow Truck, Car Haulers Permitted on Site)
Hotels, motels, inns	Taxi stand
Laundromat	
Lawn and Garden Supply	
Locksmith	
Lumber and Construction Materials	
Mobile Home Retail Sales	

Wireless Telecommunications Services, Stealth Antennae, 65 feet or less

Permitted based on Standards (PBS)

Accessory Apartment

Accessory Building

Auction, Estate or Asset Liquidation, Temporary Use

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 Communications 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

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	Temporary Amusement Enterprise, Temporary Use
Real Estate Office in Model Home, Temporary Use	Temporary Construction Sign, Temporary Use
Recreational Facility, Indoor	Townhouses
Recreational Trail, Greenway, or Blueway Connectors	Trail Head, Accessory Use
Recyclable Materials Drop Off	Trail Head, Primary Use Site
Repair Garage, Automobile	Wireless Telecommunications Services, Co-location
Repair Shop, Small Engine	<u>Conditional Uses</u>
Restaurant with Drive-Thru Facility	Animal Hospital
Scientific Research and Development	Animal Shelter
Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)	Kennel, Commercial
Self-Service Storage Facility	Public service facility
Shooting Range, Indoor	Recreational facility, outdoor
Sports and Recreation Instruction or Camp	Trade & vocational schools
Storage Building Sales, with Display Area	Veterinarian
Swim Club, Tennis Club, Country Club	Wireless Telecommunications Services

General Commercial District

The primary purpose of this zone 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 will accommodate a wide variety of office, retail and lodging land uses. General commercial may border the other less intense commercial zone or either of the two industrial zones. A general commercial zone may border a higher density residential zone 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.

USES IN THE GENERAL COMMERCIAL DISTRICT:

Permitted Uses

Arcade, Game Room	Drive In Theater
Auction House	Drug store
Automobile Parts, Tires, Accessories supplies	Dry cleaning/pick up station
Automobile Rental	Dry Cleaning/Laundry Plant
Automobile Sales, New and Used	Equipment Sales and Service
Bank/financial institution/ATM/Freestanding ATM	Equipment Sales and Service with Outdoor Storage
Banquet Hall	Family care home
Barber, Beauty, Tanning, Nail or Skin Care Salon	Farm Supply
Boat Works and Sales, with Sales Lot	Farm Supply with Outdoor Storage
Building Equipment sales/indoor storage only	Farmer's Market
Building Equipment sales/outdoor storage	Flea Market, Indoor Vendors Only
Building Contractor's Storage Yard	Freezer/Ice Plant
Building Contractor Supply	Funeral home
Bus Terminal, Bus Station	Gas Station
Car Wash, Detail Service	Group care facility
Catering Service	Gunsmith
Charter Bus Company, Travel Agency with On Site Bus Storage	Health Club, Fitness Center
Civic Organization Facility	Hospitals, Ambulatory Surgical Care Center, Medical Facilities
College, University	Hotels, motels, inns
Convenience Store with Petroleum Sales	Janitorial Service, Outdoor Storage
Convenience Store without Petroleum Sales	Laundromat
	Lawn and Garden Supply

Lawn and Garden Supply with Outdoor Storage	Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot
Locksmith	Religious institution (Total seating capacity of 350 or less)
Lumber and Construction Materials	Religious institution (Total seating capacity of 351 or more)
Lumber and Construction Materials with Outdoor Storage	Repair Garage, Automobile
Machine Shop	Repair Shop, Small Engine
Mobile home retail sales	Restaurant, excluding drive-thru
Motorcycle Sales, New and Used	Retail sales - Shopping Centers 10,000 - 50,000 Square Feet
Movie Theater	Retail Sales - Shopping Centers 10,000 Square Feet and Less
Multimedia Production and Distribution Complex	Retail Sales - Shopping Centers 50,000-100,000 Square Feet and Less
Nursery/Greenhouse	Tattoo Studio
Office, Professional, less than 30,000 SF	Taxi Service, Dispatch and Taxi Storage
Office, Professional, 30,000 SF or more	Taxidermy Studio, No Outdoor Processing
Parking Lot, Parking Garage , Commercial or Private	Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers Permitted on Site)
Pawn Shop	Taxi stand
Pet Shop, Grooming, Enclosed	Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot
Pharmaceutical Supply	Warehouse, Enclosed Storage
Photographic Studio	Welding Shop
Printing and Reprographic Studio	Wireless Telecommunications, Stealth Antennae, 65 Feet or Less
Public Cultural facility	<u>Permitted based on Standards (PBS)</u>
Public Use facility	
Race Shop/Race Team Complex	
Radio and Television Studio	
Rail Passenger Station	
Recreational Facility, Indoor	

Accessory Apartment	Ice Production, Dispensing, Accessory to Gas Station
Accessory Building	Itinerant Merchant, Temporary Use (Existing Business)
Auction, Estate or Asset Liquidation, Temporary Use	Landfill, Demolition (less than one acre)
Automated Teller Machine as Accessory	Mobile office, temporary
Bank/Financial Institution/Automated Teller Machine	Mobile Personal Storage Unit, Renovation, Temporary Use
Community Garden, Accessory Use	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Communications Tower, 911 Communications Tower	Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility
Contractor Office, Construction Equipment Storage, Temporary Use	Moving Van, Truck or Trailer Rental
Country Club with Golf Course	Nursery, Daycare Center
Day Camp, Summer Camp, Civic Group Camp Facility	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)
Dumpsters, Commercial Waste Containers, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
Duplex, Commercial, Individual Lot	Recreational Trail, Greenway, or Blueway Connectors
Event, Tent or Temporary Structure, Temporary Use	Recyclable Materials Drop Off
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Restaurant with Drive-Thru Facility
Fireworks Stand, Temporary Use	Scientific Research and Development
For Profit Temporary Sign, Temporary Use	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins)
Golf Course, Public or Private	Self-Service Storage Facility
Government Buildings, Storage Only	Shooting Range, Indoor
Government Buildings, Storage Only, Outdoor	Sports and Recreation Instruction or Camp
Ice Production, Dispensing, Accessory to Convenience Store	

Storage Building Sales, with Display Area	Animal Hospital
Swim Club, Tennis Club, Country Club	Animal Shelter
Temporary Amusement Enterprise, Temporary Use	Coliseum, Stadium
Temporary Construction Sign, Temporary Use	Convention Center Facility
Temporary Dwelling for Large Construction Projects, Temporary Use	Kennel, Commercial
Towing Service, Accessory to Automobile Repair	Mobile Home, Class I Manufactured Home, Single Section
Towing Service, with Towed Vehicle Storage Yard (No Salvage or Part Sales)	Public Service Facility
Trail Head, Accessory Use	Recreational Facility, Outdoor
Trail Head, Primary Use Site	Retail Sales - Shopping Centers Greater Than 100,000 Square Feet
Wireless Telecommunications Services, Co-location	Single-Family Detached Residential
<u>Conditional Uses</u>	Trade and Vocational Schools
Adult use	Truck stop or Truck Terminal
Airport, commercial	Trucking and Heavy Equipment, Sales & Service
Airstrip	Trucking Company, Heavy Equipment Dispatch Facility with Storage
Amusement, Outdoor	Veterinarian
Amusement, Outdoor	Wireless Telecommunications Services

INDUSTRIAL ZONES:

1. 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 may border higher density residential zones 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 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:

Permitted Uses

Automobile Rental	Convenience Store without Petroleum Sales
Automobile Parts, Tires, Accessories supplies	Dairy Processing
Bank/Financial Institution/ATM/ Freestanding ATM	Dry Cleaning/Laundry Plant
Boat Works and Sales, with Sales Lot	Equipment Sales and Service
Bottling Works	Equipment Sales and Service, with Outdoor Storage
Building equipment sales/indoor storage	Farm Supply Sales with Outdoor Storage
Building equipment sales/open storage	Farm Machinery Repair (duplicate)
Building Contractor's Storage Yard	Freezer/Ice Plant
Building and Contractor Supply	Gas Station
Building and Contractor Supply, with Outdoor Storage	Hatchery
Bulk Grain Storage	Hotels, Motels and Inns
Bus Terminal, Bus Station	Janitorial Service with Outdoor Storage
Cast Concrete Production, Distribution and Storage	Lawn and Garden Supply with Outdoor Storage
Catering Service	Lumber and Construction Materials with Outdoor Storage
Charter Bus Company, Travel Agency with on Site Bus Storage	Machine Shop
Contractor's storage yard	Manufacturing/processing
Convenience Store with Petroleum Sales	Metal Works, Metal Processing, Fabrication
	Multimedia Production & Distribution Complex

Nursery, Greenhouse	Tire Recapping
Office, Professional, 30,000 Square Feet or Less	Towing Service, with Towed Vehicle Storage Yard (No Salvage or Parts Sales)
Office, Professional, 30,000 Square Feet or More	Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers Permitted)
Parking Lot, Parking Garage, Commercial or Private	Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot
Pharmaceutical Supply	Vending Machine Operator
Pharmaceutical Supply with Outdoor Storage	Warehouse, Enclosed Storage
Printing and Reprographic Facilities	Welding Shop
Public Use Facility	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Race Shop, Race Team Complex	<u>Permitted based on Standards (PBS)</u>
Radio and Television Studios	Accessory apartment
Railroad Passenger Station and	Accessory Building
Rail Storage Yard	Automated Teller Machine as Accessory
Rail Transfer Station	Bank/Financial Institution/Automated Teller Machine
Recreational Facility, Indoor	Auction, Estate or Asset Liquidation, Temporary Use
Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot	Communications Tower, 911 Communications Tower
Repair Garage, Automobile	Contractor Office, Construction Equipment Storage, Temporary Use
Repair Shop, Farm Machinery	Dumpsters, Commercial Waste Containers, Temporary Use
Repair Shop, Small Engine	Event, Tent or Temporary Structure, Temporary Use
Restaurant, Excluding Drive-Thru	Taxi Service, Dispatch and Taxi Storage
Sawmill	Taxidermy Studio, No Outdoor Processing
Slaughter House, Meat Packing	
Taxi Service, Dispatch and Taxi Storage	
Taxidermy Studio, No Outdoor Processing	

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Seasonal Sale of Agriculture Products (Includes Christmas Trees and Pumpkins), Temporary Use
For Profit Temporary Sign, Temporary Use	Self-Service Storage Facilities
Government Buildings, Storage Only	Shooting Range, Indoor
Government Buildings, Storage Only, Outdoor Only	Sports and Recreation Instruction or Camp
Ice Production, Dispensing, Accessory to Convenience Store	Storage Building Sales, with Display Area
Ice Production, Dispensing, Accessory to Gas Stations	Temporary Amusement Enterprise, Temporary
Landfill, Demolition (less than one acre)	Temporary Construction Sign, Temporary
Mobile office, temporary	Temporary Dwelling for Large Construction Projects, Temporary
Mobile Personal Storage Unit, Renovation, Temporary Use	Towing Service, Accessory to Automobile Repair
Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use	Trail Head, Accessory
Moving Van, Truck or Trailer Rental	Trail Head, Primary Use Site
Moving Van, Truck or Trailer Rental, Accessory to Self Service Storage	Warehouse with Outside Storage
Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use (Existing Business)	Wireless Telecommunications Services, Co-location
Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary	<u>Conditional Uses</u>
Recreational Trail, Greenway or Blueway, Connector	Airport, commercial
Recyclable materials drop-off	Airstrip, as Accessory Use
Restaurant with drive-thru facility	Animal Hospital
Scientific Research and Development	Animal Shelter
	Coliseum, Stadium
	Correctional Facility
	Kennel, Commercial
	Landfill, Demolition (one acre or more)
	Landfill, Sanitary

Mobile Home, Class I Manufactured Home, Single Section	Trade and Vocational Schools
Nursery, Daycare Center	Trucking and Heavy Equipment, Sales & Service
Public Service Facility	Trucking Company, Heavy Equipment Dispatch Facility with Storage
Race Track, Animal or Mechanical	Truck Stop or Truck Terminal
Recreational Facility, Outdoor	Veterinarian
Shooting Range with Outdoor Target Practice Areas	Wireless Telecommunications Services
Single-Family Detached Residential	

2. General Industrial

While this zone 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 indoors and outdoors, 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 are compatible neighbors with both light industrial and general commercial zones. Care should be taken to site this zone on major roadways or near other forms of transportation.

USES IN THE GENERAL INDUSTRIAL ZONE

Permitted Uses

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

Charter Bus Company, Travel Agency with Outdoor Bus Storage	Office, Professional, 30,000 Square Feet or More
Chemical Manufacturing	Parking Lot, Parking Garage , Commercial or Private
Contractor's storage yard	Pharmaceutical Supply, Outdoor Storage
Convenience Store without Petroleum Sales	Printing and Reprographic Facilities
Dairy Processing	Public Use Facility
Dry Cleaning/Laundry Plant	Race Shop, Race Team Complex
Equipment Sales and Service	Radio and Television Studios
Equipment Sales and Service with Outdoor Storage	Railroad Passenger Station and
Farm Supply Sales with Outdoor Storage	Rail Storage Yard
Foundry, Iron Works, Steel Mill	Rail Transfer Station
Freezer/Ice Plant	Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot
Gas Station	Repair Shop, Farm Machinery
Hatchery	Restaurant, Excluding Drive-Thru
Hotels, Motels and Inns	Sawmill
Janitorial Service with Outdoor Storage	Slaughter House, Meat Packing
Lawn and Garden Supply with Outdoor Storage	Taxi Service, Dispatch and Taxi Storage
Lumber and Construction Materials, Outdoor Storage	Tire Recapping
Machine Shop	Towing Service, with Towed Vehicle Storage Yard (No Salvage or Parts Sales)
Manufacturing/ processing	Towing Service, No Towed Vehicle Storage Lot, Office Only (Storage of Tow Trucks and Car Haulers permitted on site)
Metal Works, Metal Processing, Fabrication	Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot
Moving Van, Truck or Trailer Rental	Trucking Company, Heavy Equipment, Dispatch with On-Site Storage
Multimedia Production & Distribution Complex	
Nursery, Greenhouse	
Office, Professional, 30,000 Square Feet or Less	

Truck Stop, Truck Terminal	Government Buildings, Storage Only, Outdoor Only
Vending Machine Operator	Ice Production, Dispensing, Accessory to Convenience Store
Warehouse, Enclosed	Ice Production, Dispensing, Accessory to Gas Stations
Warehouse, Volatile Materials	Landfill, Demolition (less than one acre)
Welding Shop	Mobile office, temporary
Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less	Mobile Personal Storage Unit, Renovation, Temporary Use
<u>Permitted based on Standards (PBS)</u>	Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use
Accessory Buildings	Promotional Activities Involving the Display of Goods or Merchandise, Temporary
Automated Teller Machine as Accessory	Public Use Facility
Bank/Financial Institution/Automated Teller Machine	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Recreational Trail, Greenway or Blueway, Connector
Communications tower, 911 Communications Tower	Recyclable Materials Drop-Off
Contractor Office, Construction Equipment Storage, Temporary Use	Restaurant with Drive-Thru Facility
Dumpsters, Commercial Waste Containers, Temporary Use	Salvage Yard
Ethanol Fuel Production Plant, Small Plant	Sports and Recreation Instruction or Camp
Ethanol Fuel Production Plant, Medium Plant	Temporary Amusement Enterprise, Temporary Use
Event, Tent or Temporary Structure, Temporary Use	Temporary Construction Sign, Temporary Use
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Temporary Dwelling for Large Construction Projects, Temporary Use
For Profit Temporary Sign, Temporary Use	Towing Service, with Salvage
Government Buildings, Storage Only	

Towing Service, Accessory to Salvage Yard	Landfill, Demolition (one acre or more)
Trail Head, Accessory	Landfill, Sanitary
Trail Head, Primary Use Site	Mobile Homes, Class I Manufactured Home, Single Section
Warehouse with Outside Storage	Nursery, Daycare
Wireless Telecommunications Services, Co-location	Public Service Facility
<u>Conditional Uses</u>	Race Track, Animal or Mechanical
Airport, Commercial	Recreational Facility, Outdoor
Airstrip, as Accessory	Shooting Range with Outdoor Target Practice
Coliseum, Stadium	Single Family Detached Residential
Correctional Facility	Trade and Vocational Schools
Extraction of Earth Products	Wireless Telecommunications Services

FLOATING ZONES:

1. 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 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 be calculated as indicated in Section 5-8.

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 be included.

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, shale, 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. No adjacent home should contain the same elevation.
- Residential design guidelines are provided, which include a variety of conceptual standard plans, and may include: variation in building setbacks, detached garages, recessed garages if attached to the principal building and fencing alternatives.
- 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 45% of single story houses.

Recreation elements

- Not less than 20 percent (20%) of the residential units in medium and high density areas are located within 660 feet of a pedestrian, equestrian and 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 Management Standards of this Ordinance. 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 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
- Strongly encouraged. Existing trees should be retained wherever possible, especially around the perimeter and along creeks and streams.

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

Submittal Requirements

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

- Completed Cabarrus County Rezoning Application with associated fees. (A PUD rezoning will adhere to the fee schedule for a non-residential/mixed use rezoning.) This application will contain a list of permitted uses to be considered in the PUD rezoning.
- Completed Cabarrus County Preliminary Subdivision Application with associated fees.
- Preliminary Site Plan. In addition to the requirements of Section 13-11, a preliminary site plan submittal must include the following:
 - Boundary lines and dimensions of the subject site.
 - Existing and proposed easements - general purpose and width.
 - Utility extensions of water lines, sanitary sewers, and storm sewers.
 - Land use designations for the subject site.

- 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 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.

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 modifications in writing provided that they meet the requirements of Chapter 13, Part V Section 13-17.

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

Temporary Uses

Transportation Related

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	P	P	P											
Group Care Facility	P	P	P	P	P	P	P	P	P											
Mobile Home, Type-I Manufactured Home, Single Section	Permitted in Manufactured Home Overlay District Only – see Chapter 4																			
Mobile Home, Type-II Manufactured Home, Multi-Section	Permitted in Manufactured Home Overlay District Only – see Chapter 4																			
Manufactured Home Park (8-4, 14)	Permitted in Manufactured Home Park/Manufactured Home Overlay District Only – see Chapter 4																			
NOTE: All manufactured homes subject to installation requirements outlined in Chapter 4																				
Multifamily Residential (7-3, 33)	P	P	P	P	P	P	P	PBS												
Semi-Attached House	P	P	P	P	P	P	P	P												
Single Family Detached Residential	Permitted in Manufactured Home Overlay District Only – see Chapter 4																			
Single Family Detached Residential (8-4, 29)	Permitted in Manufactured Home Park/Manufactured Home Overlay District Only – see Chapter 4																			
Manufactured Home, Single Section (8-4, 29)	Permitted in Manufactured Home Park/Manufactured Home Overlay District Only – see Chapter 4																			
Townhouses (7-3, 61)	Permitted in Manufactured Home Park/Manufactured Home Overlay District Only – see Chapter 4																			
AO CR LDR MDR HDR OI LC GC LI GI																				
AGRICULTURAL USES																				
Agriculture, Including Livestock (7-3,2A)	P	P	PBS																	
Agriculture, Female Chickens, limited number, less than 5 acres (7-3,2B)	P	P	P	P	P	P	P	P	P											
Agriculture Excluding Livestock	P	P	P	P	P	P	P	P	P											
Agritourism, Accessory to Agriculture	P	P	P	P	P	P	P	P	P											
Barn, Greenhouse, As Primary Structure (7-3, 7)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
Bulk Grain Storage	P	P	P	P	P	P	P	P	P											
Dairy Processing	P	P	P	P	P	P	P	P	P											
Hatchery	P	P	P	P	P	P	P	P	P											
Livestock Sales	P	P	P	P	P	P	P	P	P											
Nursery, Greenhouse	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
Scientific Research and Development, Accessory to Agriculture (7-3, 51)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
AO CR LDR MDR HDR OI LC GC LI GI																				
ACCESSORY USES																				
Accessory Apartment (7-3,1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
Accessory Building (lot less than 2 acres) (7-3, 1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
Accessory Building (lot 2 acres or greater) (7-3, 1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS											
Airstrip (8-4, 3)	C						C	C	C											
Automated Teller Machine (7-3, 6, b)	Permitted Use Table	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									
Ethanol Fuel Production (Residential District, Private Use Only) (7-3, 20)		PBS									
Home Occupation, General (7-3, 27)		PBS									
Home Occupation, Rural (7-3, 28)		PBS									
Ice Production, Dispensing, Accessory to Gas Station (7-3, 29)		PBS									
Ice Production, Dispensing, Accessory to Convenience Store (7-3, 30)		PBS									
Kennel, Private (7-3, 31)											
Moving Van, Truck or Trailer Rental, Accessory to Self Storage (7-3, 34, 53)		PBS									
Towing Service, Accessory to Automobile Repair (7-3, 60, a-c)											
Towing Service, Accessory to Salvage Yard (7-3, 59, a-c)		PBS									
Trail Head, Accessory (7-3, 62)		PBS									
Wind Energy Facility, Accessory Use, On Site Use Only (7-3, 65)											
		AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
COMMERCIAL, RETAIL AND OFFICE USES											
Adult Use (8-4, 1)											
Amusement, Outdoor (8-4, 4)		C	C								
Animal Hospital (8-4, 39)											
Arcade, Game Room		PBS	PBS								
Auction House (7-3, 3)											
Automobile Parts, Tires, Accessories											
Automobile Rental (7-3, 4)											
Automobile Sales, New & Used (7-3, 5)		PBS									
Bank, Financial Institution, Automated Teller Machine (7-3, 6)											
Banquet Hall											
Barber, Beauty, Tanning, Nail or Skin Care Salon		PBS									
Bed and Breakfast (7-3, 8)											
Boat Works & Sales, With Sales Lot											
Building Contractor's Storage Yard											
Building & Contractor Supply											
Building & Contractor Supply with Outdoor Storage											
Car Wash, Detail Service											
Catering Service (7-3, 9)		PBS									
Contractor or Trade Shops (7-3, 17)		PBS									
Convenience Store with Petroleum Sales (7-3, 14)		PBS									
Convenience Store without Petroleum Sales (7-3, 15)	Permitted Use	PBS									
Country Club with Golf Course (7-3, 16)											

PERMITTED USE TABLE (DRAFT 1)

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

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Day Camp, Summer Camp, Civic Group Camp Facility (8-4, 10)	C	C							PBS	PBS
Day Camp, Summer Camp, Civic Group Camp Facility (7-3, 18)									P	
Drive-in Theater					P				P	
Drug Store							P		P	
Dry Cleaning/Laundry Plant				P					P	
Dry Cleaning/Pick up Station			PBS	PBS	PBS					
Duplex, Commercial Use, Individual Lots (7-3, 19)				P	P			P	P	
Equipment Sales and Service							P		P	
Equipment Sales with Outdoor Storage Area			P						P	
Farmer's Market			P					P	P	
Farm Supply Sales						P		P	P	
Farm Supply Sales with Outdoor Storage Area			P	PBS	PBS			P	P	
Flea Market, Indoor Vendors Only		PBS	PBS	PBS	PBS			P	P	
Gas Station (7-3, 23)		PBS	PBS	PBS	PBS			P	P	
Golf Course (Public or Private) (7-3, 24)				P	P			P	P	
Gunsmith				P	P			P	P	
Health Club or Fitness Center				P	P			P	P	
Hotels, Motels, & Inns				P	P			P	P	
Janitorial Services with Outdoor Storage	C	C				C	C			
Kennel, Commercial (8-4, 37)			P			P		P	P	
Laundromat						P		P	P	
Lawn and Garden Supply						P		P	P	
Lawn and Garden Supply with Outdoor Storage						P		P	P	
Locksmith						P		P	P	
Lumber and Construction Materials						P		P	P	
Lumber and Construction Materials with Outdoor Storage Area						P		P	P	
Mobile Home Retail Sales		PBS	PBS	PBS	PBS			PBS	PBS	
Motorcycle Sales, New & Used (7-3, 5)						PBS		PBS	PBS	
Movie Theater						P		P	P	
Moving Van, Truck or Trailer Rental (7-3, 34)	PBS	PBS	PBS	PBS	PBS			PBS	PBS	
Nursery, Daycare Center (7-3, 35)								C	C	
Nursery, Daycare Center (8-4, 16)										
Office Professional, Less than 5,000 SF (7-3, 36)						PBS		P	P	
Office professional, Less than 30,000 square feet						P		P	P	
Office professional, 30,000 Square Feet or More						P		P	P	
Parking Lot, Parking Garage, Commercial or Private						P		P	P	
Permitted Use Table						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	P	P	
Pharmaceutical Supply, Indoor Storage					P	P	P	P	P	P
Pharmaceutical Supply, Outdoor Storage					P	P	P	P	P	P
Photographic Studio	C				P	P	P	P	P	
Printing and Reprographic Facility					P	P	P	P	P	P
Race Shop, Race Team Complex (8-4, 19)					P	P	P	P	P	P
Race Shop, Race Team Complex					P	P	P	P	P	P
Radio and Television Studio	C	C			PBS	PBS	PBS	P	P	P
Reception Facilities (8-4, 21)					C	C	C	C	C	C
Recreational Facility, Indoor (7-3, 38)	C	C	C		C	C	C	C	C	C
Recreational Facility, Outdoor (8-4, 22)	C	C	C		P	P	P	P	P	P
Recreational Therapy Facility (Rural Setting) (8-4, 23)					PBS	PBS	PBS	PBS	PBS	PBS
Recreational Vehicle Sales, With Outdoor Storage or Sales Lot					PBS	PBS	PBS	PBS	PBS	PBS
Recyclable Materials Drop Off (7-3, 40)					PBS	PBS	PBS	P	P	P
Repair Garage, Automobile (7-3, 42)					PBS	PBS	PBS	P	P	P
Repair Shop, Farm Machinery (7-3, 43)					PBS	PBS	PBS	P	P	P
Repair Shop, Small Engine (7-3, 44)					PBS	PBS	PBS	P	P	P
Restaurant, Excluding Drive-thru (7-3, 46)					PBS	PBS	PBS	PBS	PBS	PBS
Restaurant with Drive-thru Facility (7-3, 47)					C	C				
Restaurant with Drive-thru Facility (8-4, 27)					PBS	PBS	PBS	P	P	P
Retail Sales, Shoppers' Goods (7-3, 48)						P	P	P	P	P
Retail Sales, Shopping Centers, 10,000 square feet and less						P	P	P	P	P
Retail Sales, Shopping Centers, 10,000 – 50,000 square feet						P	P	P	P	P
Retail Sales, Shopping Centers, 50,000 – 100,000 square feet						C	C	C	C	C
Retail Sales, Shopping Centers, 100,000 square feet or more (8-4, 28)					PBS	PBS	PBS	P	P	P
Sawmill (7-3, 50)					PBS	PBS	PBS	PBS	PBS	PBS
Scientific Research and Development (7-3, 52)					PBS	PBS	PBS	PBS	PBS	PBS
Self-service Storage Facilities (7-3, 53)					PBS	PBS	PBS	PBS	PBS	PBS
Shooting Range, Indoor (7-3, 54)	C	C				C	C	C	C	C
Shooting Range, with Outdoor Target Practice (8-4, 30)										
Signs, Off-Premise										
Signs, On-Premise	C	C								
Sports and Recreation Instruction or Camps (8-4, 31)										
Sports and Recreation Instruction or Camps (7-3, 56)										
Stables, Commercial (7-3, 57)	P	PBS	PBS							
Storage Building Sales, with Display Area (7-3, 55)	Permitted Use	PBS								
Swim Club, Tennis Club, Country Club (7-3, 58)										

37/6/2012

DRAFT

See Chapter Eleven, Table Six for Regulations

PERMITTED USE TABLE (DRAFT 1)

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

	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Tattoo Studio									P	P
Taxidermy Studio, No Outdoor Processing									P	P
Towing Service, with towed vehicle storage yard (no salvage or part sales) (7-3, 60)	PBS								PBS	P
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, 37)	C	C					C	C	C	C
Wireless Telecommunications Services (8-4, 36)	C	C	C	C	C	C	C	C	C	C
Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less (8-4, 36)	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
INSTITUTIONAL, CIVIC AND PUBLIC USES										
Animal Shelter (8-4, 37)	C	C					C	C	C	C
Cemetery (7-3, 10)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Civic Organization Facility (7-3,11)	PBS	PBS	PBS	PBS	PBS	PBS	P	P	P	P
Coliseum, Stadium (8-4, 5)							C	C	C	C
College, University (8-4, 6)	C	C	C	C	C	C	P	P	P	P
College, University							PBS	PBS	PBS	PBS
Communications Tower, 911 Communications Tower (7-3, 12)							C	C	C	C
Communications Tower, 911 Communications Tower (8-4, 7)							C	C	C	C
Convention Center Facility (8-4, 8)	C									
Correctional Facility (8-4, 9)										
Elementary, Middle and High Schools (8-4,11)	C	C	C	C	C	C	P	P	P	P
Funeral home										
Government, Excluding Correctional Facilities										
Government Buildings, Storage Only (7-3, 25)									PBS	PBS
Government Buildings, Storage Only with Outdoor Storage Area (7-3, 26)									PBS	PBS
Hospital, Ambulatory Surgical Care Facility, Medical Facility							P	P	P	P
Public Cultural Facility (7-3, 37)	PBS	PBS	PBS	PBS	PBS	PBS	P	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)	Permitted Use Table	C	C	C	C	C	C	C	C	C

PERMITTED USE TABLE (DRAFT 1)

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

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

PERMITTED USE TABLE (DRAFT 1)

<i>"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards</i>											
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GL	
Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot								P	P	P	P
Public Utilities											
Vending Machine Operators											
Warehouse, Enclosed Storage								P	P	P	P
Warehouse with Outside Storage (7-3, 64)								PBS	PBS	PBS	PBS
Warehouse, Volatile Materials								P	P	P	P
Welding Shop								P	P	P	P
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GL	
	PBS										
	PBS										
<i>See Chapter 7 Section 7-3, #67 for Specific Standards Related to Temporary Uses and Zoning Districts Where Permitted</i>											
TEMPORARY USES											
Auction, Estate or Asset Liquidation											
Auction, Livestock											
Contractor Office, Construction Equipment Storage											
Dumpsters, Commercial Waste Containers											
Events, Tent or Temporary Structure											
FEMA Trailers, Natural Disaster or Significant Weather Event											
For Profit Temporary Sign											
Fireworks Stands											
Itinerant Merchants at Existing Business											
Mobile Personal Storage Unit, Vacate or Occupy Premise											
Mobile Personal Storage Unit, Renovation											
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)											
Similar and Compatible Uses Not Specified											
Special Events and Activities											
Temporary Agricultural Sign (Seasonal Sales on Site)											
Temporary Amusement Enterprise											
Temporary Construction Sign											
Temporary Dwelling for Large Construction Projects											
<i>Permitted Use Table</i>											

PERMITTED USE TABLE (DRAFT 1)										
"P" – Permitted, "C" – Conditional, "PBS" – Permitted based on standards										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
Temporary Residence in Mobile Home During Construction of New Home on Same Site	PBS	PBS	PBS	PBS	PBS					
TRANSPORTATION RELATED										
Airport, Commercial (8-4, 2)	C									
Airstrips (8-4,3)										
Bus Terminal, Bus Station										
Charter Bus Company, Travel Agency with On-Site Bus Storage										
Rail Passenger Station								P	P	P
Rail Storage Yard								P	P	P
Rail Transfer Station								P	P	P
Taxi Service, Dispatch and Storage								P	P	P
Trucking Company, Heavy Equipment Company, Dispatch Facility With Storage (8-4, 36)								C	C	P
Truck Stop, Truck Terminal (8-4, 37)								C	C	P

As Accessory Use