

AMENDMENTS TO CHAPTER 21: ZONING ORDINANCE

STAFF COMMENTARY

Section 21-4. Definitions.

Cabin means a habitable structure used for overnight or temporary lodging of a recreational or rental purpose regardless of whether said structure is subject to the NC Building Code. For purposes of this definition, the term does not include a dwelling unit, but is intended to include cottages, huts, treehouses, yurts and other similar structures.

The generic term of "cabin" is to be utilized for structures rented or occupied on a short-term basis. The term would generally apply to structures that are not considered to be a dwelling but may be subject to some aspects of the NC Building Code.

Section 21-60. Conditional use requirements for specific uses.

(7) b. ***Cabins (SIC 7011), Campgrounds*** and recreational vehicle parks (SIC 7033).

Given the setting and occupancy characteristics are similar to that of campgrounds and RV parks, Staff proposes to include the SIC code for tourist cabins and cottages into the existing CUP text.

1. *Minimum lot size.* The minimum lot size is two (2) acres.
2. *Setbacks.*
 - Front50 feet
 - Side street30 feet
 - Side20 feet
 - Rear20 feet
3. *Density.* The minimum size of spaces shall be determined by the county health department.
4. *Interior drives.* Interior drives shall be a minimum of eighteen (18) feet compacted gravel six (6) inches thick.
5. *Parking.* No parking will be allowed on public streets. Off-street parking and loading space shall be provided in sufficient quantity to accommodate all parking and loading on-site. At a minimum, one (1) parking space per ~~trailer~~ space ***or unit*** shall be provided.
6. *Screening and buffering.* ~~Campgrounds~~ ***Land uses in this category*** shall be considered a group 2 use and shall be screened accordingly.

Modified term in the parking criteria to be applicable to all uses in this category and not just recreational vehicles, i.e. trailer.

Similarly, all uses in this CUP category would be considered for screening and buffering as applicable.

lines drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty (130) degrees.

Double frontage lot. (i.e., through lot) Any lot having access by water and street right-of-way or by having access on two (2) street rights-of-way. This does not include corner lots.

Interior lot. A lot other than a corner lot with only one (1) frontage on a street.

Panhandle lot. A lot other than one having access on a cul-de-sac, which contains a narrow strip providing street access.

Reverse frontage lot. A through lot which is not accessible from one (1) of the parallel or nonintersecting street upon which it fronts.

Single-tier lot. A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.

Through lot. See "Double frontage lot."

Utility lot. A lot that serves unmanned utility facilities such as pump / lift stations, wireless facilities and support structures, septic tank drain fields, common areas, open spaces and other similar environmental areas. A utility lot is not to be used as parking, vehicle storage or accommodation for residential or commercial structures.

Sec. 22-79. - Subdivision design.

(a) Lot dimensions.

All new lots in a subdivision shall conform to the following requirements:

(1) Lot area.

a. All lots in a new subdivision shall conform to the zoning requirements of the zoning district in which the subdivision is located. Conformance to zoning requirements means, among other things that the smallest lot in the subdivision must meet all dimensional requirements of [chapter 21](#), article IV of the Rowan County Zoning Ordinance.

b.

1. Lot sizes may be increased on the recommendation of the Rowan County Health Department based on the assessment of soil application rates and subsoil conditions.

Staff proposes to include a definition for the term "utility lot". The term exists in Section 22-79 (d) of the ordinance but is not defined; reference citation on page 4.

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2. *Lots regulated by this chapter that are neither intended nor considered to be utilized for building sites or development may serve the purpose of a utility lot for nonresidential purposes only. Said lots may have access as provided in Section 22-79(d).*
3. Any lot served by a septic tank system shall be large enough to accommodate both a septic tank, its drainage field, plus a reserve drainage area.

(d) Access easements for utilities.

An access easement of at least twenty (20) feet in width may be provided to service nonresidential lots whenever no other reasonable alternative exists. Said easement may only be used to serve unmanned utility facilities such as pump/lift stations, telecommunications towers, septic tank drain fields, common areas, etc.

Any lot created that is not exempt by NCGS is subject to the Subdivision Ordinance. Although subject to the ordinance, Staff proposes that if utility lots are neither intended for development nor building sites, they may only be used for nonresidential purposes as defined in the new definition.

Existing text in the Subdivision Ordinance referencing "utility lots".

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Sec. 21-34. - Economic development districts established for I-85.

(a)The following district are hereby established to preserve, encourage and enhance the economic development opportunities in areas adjacent and near I-85 in accordance to plans adopted by the county board of commissioners. It is recognized that I-85 is uniquely important the future of the county because of the great potential for development of all types that exist along this corridor. Development within these districts shall be of types which maximize the economic benefits to the county while minimizing the potential impacts.

(b)The district are designed to accommodate, as appropriate, uses such as manufacturing, distribution, retail, service industries, corporate parks. Certain individual uses may be allowed as uses by right in some districts, while other more intensive uses may require a higher level of review and approval by the county. The districts encourage and allow more creative design of land development than may be provided on other general zoning districts. This flexibility is provided for planned unit developments.

(c)The district are labeled as 85-ED 1 through 4. "85" represents the relationship to I-85. "ED" represents the economic development designation for the sites.

(1)*85-ED-1*. The purpose of the 85-ED-1 district is to encourage the location of "high capital investment/high wage/low employment/clean" industries. Certain industries shall be allowed as permitted uses standards provided to protect adjacent neighborhoods. Other heavy industries may be allowed as conditional uses. If part of a larger master plan limited accessory and ancillary retail and service uses may be allowed.

a. In the 85-ED-1 district the following uses are permitted by right with a minimum lot size of five (5) acres:

Manufacturing group:

Printing and publishing (SIC 27).

Rubber and miscellaneous plastics products (SIC 30).

Fabricated metal products (SIC 34), except:

 Ammunition, except for small arms (SIC 3483).

 Ordnance and accessories (SIC 3489).

Industrial machinery and equipment (SIC 35).

Electrical and electronic equipment (SIC 36), except:

 Power distribution and specialty transformers (SIC 3612).

 Transportation equipment (SIC 37).

 Instruments and related products (SIC 38).

 Miscellaneous manufacturing industries (SIC 39).

Staff proposes to incorporate uses within the Construction Group SIC in 85-ED-1 and 85-ED-2 as conditional uses. Refer to text on pages 6 and 7.

Transportation, communication, and utilities group:

Ground-mounted solar energy systems 6,000 sq. ft. or less (SIC 491 pt).

b. The following are allowed with the issuance of a conditional use permit:

Construction group:

General Building Contractors (SIC 15)

Special Trade Contractors (SIC 17)

Manufacturing group:

Lumber and wood products (SIC 24).

Furniture and fixtures (SIC 25).

Plastic materials, synthetic resins, etc. (SIC 282).

Drugs (SIC 283).

Paper and allied products (SIC 26).

Stone, clay, glass, and concrete products (SIC 32).

Primary metal industries (SIC 33).

Services group:

Racing, including track operation (SIC 7948).

Transportation, communication, and utilities group:

Communications and telecommunication towers (SIC 48 pt).

(2) *85-ED-2*. In areas where existing conditions such as surrounding development, access etc. may make the area less marketable for uses listed exclusively in the *85-ED-1* district then the *85-ED-2* district may be appropriate. The primary additions to this district are distribution and wholesaling operations.

a. Certain industries shall be allowed as permitted uses with standards provided to protect adjacent neighborhoods. Other heavy industries and distribution and wholesale operations may be allowed as conditional uses. If part of a larger master plan limited accessory and ancillary retail and service uses may be allowed.

Manufacturing group:

Printing and publishing (SIC 27).

Rubber and miscellaneous plastics products (SIC 30).

Fabricated metal products (SIC 34), except:

Ammunition, except for small arms (SIC 3483).

Ordnance and accessories (SIC 3489).

Industrial machinery and equipment (SIC 35).

Electrical and electronic equipment (SIC 36), except:

Staff proposes to include 2 SIC groups w/in the 85-ED-1 district as conditional use permit options. These uses include residential and commercial building contractors in SIC 15 and plumbing, heating and AC contractors, brick masons, electricians, etc. w/in SIC 17.

- Power distribution and specialty transformers (SIC 3612).
- Transportation equipment (SIC 37).
- Instruments and related products (SIC 38).
- Miscellaneous manufacturing industries (SIC 39).
- Service industries group:*
- Engineering and management services (SIC 87).
- Transportation, communication, and utilities group:*
- Ground-mounted solar energy systems 6,000 sq. ft. or less (SIC 491 pt).
- b. The following are allowed with the issuance of a conditional use permit:
- Construction group:***
- General Building Contractors (SIC 15)***
- Special Trade Contractors (SIC 17)***
- Manufacturing group:*
- Lumber and wood products (SIC 24).
- Furniture and fixtures (SIC 25).
- Plastic materials, synthetic resins, etc. (SIC 282).
- Drugs (SIC 283).
- Paper and allied products (SIC 26).
- Stone, clay, glass, and concrete products (SIC 32).
- Primary metal industries (SIC 33).
- Transportation, communication, and utilities group:*
- Communications and telecommunication towers (SIC 48 pt).
- Local and interurban passenger transit (SIC 41).
- Motor freight transportation and warehousing (SIC 42).
- Transportation services (SIC 47).
- Wholesale trade group:*
- Wholesale trade—durable goods (SIC 50).
- Wholesale trade—nondurable goods (SIC 51).
- Services group:*
- Racing, including track operation (SIC 7948).

Staff proposes to include 2 SIC groups w/in the 85-ED-2 district as conditional use permit options. These uses include residential and commercial building contractors in SIC 15 and plumbing, heating and AC contractors, brick masons, electricians, etc. w/in SIC 17.