

PLANNING BOARD MEETING

Wednesday, May 1, 2024

6:00 PM

City Hall Council Chambers

300 West Crowell Street

Monroe, NC

AGENDA

- Item 1.** **Call to Order – Roll Call**
- Item 2.** **Pledge of Allegiance and Moment of Silence**
- Item 3.** **Conflicts of Interest**
- Item 4** **Zoning Map Amendment for property located at 2815 Bravo Place, further identified as tax parcel # 09-112-016. The request is to rezone the property from General Industrial (GI) to Heavy Industrial (HI).**
- Item 5.** **Zoning Map Amendment for property located at 511 Fowler Road, further identified as tax parcel # 09-210-003F. The request is to rezone the property from Regional Corridor Mixed-Use (RC-MX) to Residential Low Density (RLD).**
- Item6.** **Planning Board is requested to consider a zoning map amendment for the property located at 431 Morgan Mill Road and further identified as tax parcel 09-189-038 from Office Medical (OM) to General Business (GB).**
- Item 7.** **Zoning Text Amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11 Definition of Terms.**
- Item 8.** **Unified Development Ordinance (UDO) Discussion**
- Item 9.** **Next Meeting: June 5, 2024**
- Item 10.** **Adjournment**

ATTENTION BOARD MEMBERS:

**Please contact Heidi Bumgarner at 704.282.4527 or Lisa Stiwinter at 704.282.4569 to confirm your attendance.
Thank you.**

cc: **Planning Staff
Terry Sholar
Richard Long**



STAFF REPORT

TO: Planning Board

DATE: May 1, 2024

FROM: Lisa Stiwinter, Director of Planning and Development

PREPARED BY: Megan Brightharp, Planner

SUBJECT: Zoning Map Amendment for the property identified as 2815 Bravo Place (tax parcel 09-112-016).

SUMMARY STATEMENT

This item was tabled at the April 3, 2024 Planning Board meeting to allow the applicant to update their LLC information. Planning Board is requested to consider a zoning map amendment to rezone the property located at 2815 Bravo Place and further identified as tax parcel 09-112-016 from General Industrial (GI) to Heavy Industrial (HI).

REVIEW

The City of Monroe has received a request from Perry Crooke of Kirby M. & Perry M. Crooke, LLC to rezone the subject property from General Industrial to Heavy Industrial. The Heavy Industrial (HI) district is intended to permit industrial uses, including heavy industrial uses. Examples of heavy industrial uses include junk yards, concrete plants, lumberyards, and towing yards for vehicles. The property is currently undeveloped.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Residential	RMD, Residential Medium Density
East	Vacant	GI, General Industrial
South	Industrial	GI, General Industrial
West	Industrial	GI, General Industrial

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is Manufacturing, Logistics, and Aerospace. This designation supports manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage, and utilities. Manufacturing, Logistics, and Aerospace areas are found near major transportation assets (e.g., highway, rail, and/or air) and generally are buffered from surrounding development.

Planning staff believes the request is consistent with the Land Use and Transportation Plan because the proposed rezoning to Heavy Industrial (HI) will establish an industrial use in an area designated for industrial development.

PUBLIC NOTIFICATION

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning Staff recommends approval of the rezoning.

Approval Actions

1. Motion to recommend adoption of a Resolution *Approving* Land Use and Transportation Plan Compliance.
2. Motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map.

Denial Actions

1. Motion to recommend adoption of the Resolution *Denying* Land Use and Transportation Plan Compliance, authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign the resolution.
2. Motion to recommend denial of the zoning map amendment

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Future Land Use Map
Attachment 4-FLUM Description
Attachment 5-R-2024-XX Approval
Attachment 6-R-2024-XX Denial
Attachment 7-O-2024-XX Section 157.1.2.1

Ortho Map

Case #: PLMA-2024-00168

Legend

-  Centerlines
-  City Limits
-  Parcels
-  Subject Property

Owner:
Kirby M. & Perry M. Crooke LLC

Acres: 9.64



0 200 400
 Feet

Attachment 1

Zoning Map

Case #: PLMA-2024-00168

Legend

— Centerlines

--- City Limits

▭ Parcels

Zoning Districts

■ GI

■ RMD

▭ Subject Property

Owner:
Kirby M. & Perry M. Crooke LLC

Acres: 9.64



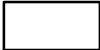
0 200 400
Feet

Attachment 2

FLUM Map

Case #: PLMA-2024-00168

Legend

-  Centerlines
-  City Limits
-  Parcels
- Future Land Use Character Area**
 -  Industrial
 -  Suburban
-  Subject Property

Owner:
Kirby M. & Perry M. Crooke LLC

Acres: 9.64



0 200 400
 Feet

Attachment 3

Land Use and Transportation Plan Description

The Land Development Plan indicates this area is Manufacturing, Logistics and Aerospace. The Manufacturing, Logistics, and Aerospace designation includes the city's existing base of industrial centers. These areas support manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage, and utilities. Manufacturing, Logistics, and Aerospace areas are found near major transportation assets (e.g., highway, rail, and/or air) and generally are buffered from surrounding development. Clusters of uses that support or serve similar industrial uses typically locate nearby.

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 2815 Bravo Place further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Manufacturing, Logistics and Aerospace where industrial is a priority use. The proposed rezoning to the Heavy Industrial (HI) designation would allow industrial uses which would be consistent with the Plan. The proposed rezoning is a reasonable use and in the public interest because the surrounding parcels are zoned General Industrial (GI) and many uses in this district are also permitted in the HI district.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of a Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for property with Union County Tax Parcel Number: 09-112-016.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Megan Brightharp, Planner

**RESOLUTION DENYING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 2815 Bravo Place further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Manufacturing, Logistics and Aerospace where industrial is a priority use. The proposed rezoning to the Heavy Industrial (HI) designation would allow industrial uses which would be consistent with the Plan. However, this proposal is not a reasonable use or in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning map amendment denial, the Land Use and Transportation Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance for property with Union County Tax Parcel Number(s): 09-112-016.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Megan Brightharp, Planner

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2024-XX

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 **OFFICIAL ZONING MAP** as follows:

Rezone the property located at 2815 Bravo Place further identified with parcel ID # 09-112-016 from General Industrial(GI) to Heavy Industrial (HI).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 11th day of June, 2024

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: May 1, 2024

FROM: Lisa Stiwinter, Director of Planning and Development

PREPARED BY: Megan Brightharp, Planner

SUBJECT: Zoning Map Amendment for the property identified as 511 Fowler Road (tax parcel 09-210-003F).

SUMMARY STATEMENT

Planning Board is requested to consider a zoning map amendment to rezone the property located at 511 Fowler Road and further identified as tax parcel 09-210-003F from Regional Corridor Mixed-Use (RC-MX) to Residential Low Density (RLD).

REVIEW

The City of Monroe has received a request from Ivan Derun to rezone the subject property from Regional Corridor Mixed-Use (RC-MX) to Residential Low Density (RLD). The RC-MX is intended to permit intense concentrations of retail, employment, and high-density residential uses through a mixed-use development. The Residential Low Density (RLD) district is intended to accommodate single family residential development in areas within the City of Monroe which may not be served by public water or sewer and are not appropriate for higher densities. RLD is intended to allow for single family homes on larger lots and may permit compatible uses. The property is currently undeveloped.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Residential	Outside of Zoning Jurisdiction
East	Residential	RC-MX
South	Residential	RC-MX
West	Residential	RC-MX

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area as Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods.

Planning staff believes the request is consistent with the Land Use and Transportation Plan because the proposed rezoning Residential Low Density (RLD) will establish a residential use in an area designated for residential development.

PUBLIC NOTIFICATION

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning Staff recommends approval of the rezoning.

Approval Actions

1. Motion to recommend adoption of a Resolution *Approving* Land Use and Transportation Plan Compliance.
2. Motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map.

Denial Actions

1. Motion to recommend adoption of the Resolution *Denying* Land Use and Transportation Plan Compliance, authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign the resolution.
2. Motion to recommend denial of the zoning map amendment

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Future Land Use Map
Attachment 4-FLUM Description
Attachment 5-R-2024-XX Approval
Attachment 6-R-2024-XX Denial
Attachment 7-O-2024-XX Section 157.1.2.1

Ortho Map

Case #: PLMA-2024-00183

Legend

-  Centerlines
-  City Limits
-  Parcels
-  Subject Property

Owner:
Ivan and Olga Derun

Acres: 2.096



0 120 240
 Feet

Attachment 1

Zoning Map

Case #: PLMA-2024-00183

Legend

Centerlines

City Limits

Parcels

Zoning Districts

CD

RC-MX

Subject Property

Owner:
Ivan and Olga Derun

Acres: 2.096



0 120 240
Feet

Attachment 2

FLUM Map

Case #: PLMA-2024-00183

Legend

- Centerlines
- City Limits
- Parcels
- Future Land Use Character Area**
 - Rural
 - Suburban
- Subject Property

Owner:
Ivan and Olga Derun

Acres: 2.096



0 120 240
Feet

Attachment 3

Land Use and Transportation Plan Description

The Land Use and Transportation Plan indicates this area as Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods.

**RESOLUTION APPROVING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 511 Fowler Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Suburban where residential is a priority use. The proposed rezoning to the Residential Low Density (RLD) designation would allow residential uses which would be consistent with the Plan. The proposed rezoning is a reasonable use and in the public interest because the surrounding parcels are residential uses.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of a Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for property with Union County Tax Parcel Number: 09-112-016.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Megan Brightharp, Planner

**RESOLUTION DENYING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 511 Fowler Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Suburban where residential is a priority use. The proposed rezoning to the Residential Low Density (RLD) designation would allow residential uses which would be consistent with the Plan. However, this proposal is not a reasonable use or in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning map amendment denial, the Land Use and Transportation Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance for property with Union County Tax Parcel Number(s): 09-210-003F.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Megan Brightharp, Planner

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2024-XX**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 **OFFICIAL ZONING MAP** as follows:

Rezone the property located at 511 Fowler Road further identified with parcel ID # 09-210-003F from Regional Corridor Mixed-Use (RC-MX) to Residential Low Density (RLD).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 11th day of June, 2024

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: May 1, 2024

FROM: Lisa Stiwinter, Director of Planning and Development

PREPARED BY: Patrick Blaszyk, Planner

SUBJECT: Zoning Map Amendment for the property located at 431 Morgan Mill Road and further identified as tax parcel 09-189-038

SUMMARY STATEMENT

Planning Board is requested to consider a zoning map amendment for the property located at 431 Morgan Mill Road and further identified as tax parcel 09-189-038 from Office Medical (OM) to General Business (GB).

REVIEW

The City of Monroe has received a request from Will Walters to rezone the 0.763 acres from Office Medical (OM) to General Business (GB). The General Business (GB) district is intended to permit commercial establishments of varying scales and may include an individual business on its own parcel or multiple businesses located together as a single parcel. The GB district is designed to accommodate a mixture of commercial, public and institutional and office/medical uses.

This property is currently occupied by an 8,000 square-foot commercial building that was constructed in 1988 and is presently vacant.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Multi-Family Residential	Residential High Density (RHD)
East	Commercial	General Business (GB)
South	Commercial, Single Family Residential	Office Medical (OM)

West	Commercial, Single Family Residential	Residential Medium Density (RMD), Office Medical (OM)
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LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area as Traditional Development. This form of development surrounds the downtown core and is anchored by the city’s most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets.

Planning staff believes the request is consistent with the Land Use and Transportation Plan because commercial is a priority use.

PUBLIC NOTIFICATION

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning staff recommends approval of the rezoning request.

Approval Actions

1. Motion to recommend adoption of a Resolution *Approving* Land Use and Transportation Plan compliance
2. Motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map

Denial Actions

1. Motion to recommend adoption of a Resolution *Denying* Land Use and Transportation Plan Compliance and authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign at a later date.
2. Motion to recommend denial of the zoning text amendment

Attachments:
Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Future Land Use Map
Attachment 4-FLUM Description
Attachment 5-R-2024-XX Approval
Attachment 6-R-2024-XX Denial
Attachment 7-O-2024-XX Section 157.1.2.1



Ortho Map

Case #: PLMA 2024-00182

431 Morgan Mill Road

Legend

-  Subject Property
-  Centerlines
-  Parcels

Owner: Walter Investments Holdings LLC

0.763 Acres



0 100 200
 Feet

Attachment 1

Zoning Map

Case #: PLMA 2024-00182

431 Morgan Mill Road

Legend

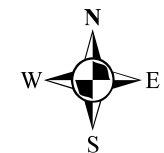
Zoning_090921

NEW_ZONING

-  GB
-  OM
-  RHD
-  RMD
-  Subject Property
-  Centerlines
-  Parcels

Owner: Walter Investments Holdings LLC

0.763 Acres



0 100 200
Feet

Attachment 2

Future Land Use Map

Case #: PLMA 2024-00182

431 Morgan Mill Road

Legend

 Subject Property

 Centerlines

 Parcels

FLUM

Land Use Type

 Community Corridor

 Traditional Development

Owner: Walter Investments Holdings LLC

0.763 Acres



0 100 200
 Feet

Attachment 3

Land Use and Transportation Plan Description

The Land Use and Transportation Plan indicates this area as Traditional Development. This form of development surrounds the downtown core and is anchored by the city's most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged.

**RESOLUTION APPROVING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 431 Morgan Mill Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan indicates this area as Traditional Development, commercial is listed as a priority use; therefore, it is consistent. This form of development surrounds the downtown core and is anchored by the city's most historic neighborhoods. The proposal is reasonable and in the public interest because the use of the property will be complementary to the other parcels in the area having frontage along Morgan Mill Road.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for the property with Union County Tax Parcel Number: 09-189-038.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Patrick Blaszyk, Planner

**RESOLUTION DENYING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 431 Morgan Mill Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan indicates this area as Traditional Development, commercial is listed as a priority use. This form of development surrounds the downtown core and is anchored by the city's most historic neighborhoods. The proposal is reasonable and in the public interest because the use of the property will be complementary to the other parcels in the area having frontage along Morgan Mill Road. However, this proposal is not a reasonable use or in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning map amendment denial, the Land Use and Transportation Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance of the zoning map amendment for the property with Union County Tax Parcel Number: 09-189-038.

Adopted this 1st day of May, 2024.

Kenneth Deal, Planning Board Chair

Attest:

Patrick Blaszyk, Planner

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2024-XX

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 OFFICIAL ZONING MAP as follows:

Rezone the property located at 431 Morgan Mill Road further identified with parcel ID # 09-189-038 from Office Medical (OM) to General Business (GB).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 11th day of June, 2024

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: May 1, 2024

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Text Amendment Request to the Unified Development Ordinance (UDO)

SUMMARY STATEMENT

Planning Board is requested to consider a zoning text amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11 Definition of Terms.

REVIEW

Planning Board is requested to consider a text amendment to sections located in section 7 related to uses and definitions, as well as section 8.4.2, involving parking requirements. Staff has proposed a few additional uses and definitions such as a use for catering and commissary kitchens, and tobacco, vape, and CBD establishments. Staff has also proposed breaking a few existing uses into separate uses such as event centers and conventional centers due the scale difference.

Section 7.1 lists the specific use changes and what zoning districts they are permitted in. Sections 7.2.5 through 7.2.7 and 7.2.9 list the specifics of these uses such as the characteristics, examples, and use standards. Section 8.4.2 is the parking requirements to address the added uses as well as the uses that were broken up into more than one use. Lastly, the definition of terms Section 11 was amended to define additional terms.

RECOMMENDATION

Planning staff recommends approval of the presented text amendment.

Planning Board will need to take action on the following items:

APPROVAL	DENIAL
1. Motion to adopt Resolution <i>Approving</i> Land Use and Transportation Plan compliance	1. Motion to adopt Resolution <i>Denying</i> Land Use and Transportation Plan Compliance
2. Motion to adopt the Ordinance amending Code of Ordinances-Title XV: Land Usage, Chapter 157: Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, and Section 8.4.2: Parking Requirements Section 11: Definition of Terms	2. Motion to deny the zoning text amendment

Attachments:

1. Approval Resolution: R-2024-xx
2. Denial Resolution: R-2024-xx
3. O-2024-xx

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-xx**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning text amendment to amend Chapter 157, Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11: Definition of Terms is consistent with the Land Use and Transportation Plan because the document states that city leadership is responsible for developing policies and adopting standards that guide growth in a way that addresses the needs of its people. This text amendment will address the needs of the community by adding clarifications for potential businesses looking to locate in the city.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance to amend Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11: Definition of Terms.

Adopted this 1st day of May, 2024

Kenneth Deal, Planning Board Chair

Attest:

Keri Mendler, Senior Planner

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning text amendment to amend Chapter 157, Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11: Definition of Terms is not consistent with the Land Use and Transportation Plan because the plan states Monroe will be a dynamic city; this text amendment may further restrict certain types of uses looking to locate in our dynamic city.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance to amend Section 7.1: Table of Permissible Uses, Section 7.2.5: Public and Institutional Uses, Section 7.2.6: Commercial Uses, Section 7.2.7: Office and Medical Uses, Section 7.2.9: Other Uses, Section 8.4.2: Parking Requirements, and Section 11: Definition of Terms.

Adopted this 1st day of May, 2024

Kenneth Deal, Planning Board Chair

Attest:

Keri Mendler, Senior Planner

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2024-XX**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157: ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Amend Section §157.7.1 “TABLE OF PERMISSIBLE USES (TRADITIONAL AND MIXED-USE) as follows:

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TABLE 7.1. - TABLE OF PERMISSIBLE USES																		
“P” = Permitted, “S” = Special Use Permit Required, “X” = Prohibited																		
Use Type	Traditional Districts											Mixed-Use Districts						REFERENCE
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MX	DG-MX	CC-MX1	CC-MX2	RC-MX	MD-MX	
Public and Institutional Uses																		
<u>Fraternal Organizations, Civic and Private Club, Minor (Less Than 15,000 SF or 150 Person Membership)</u>	X	X	X	X	P	P	P	X	X	X	P	<u>X</u> P	P	<u>X</u> P	P	<u>X</u> P	X	7.2.5.D
<u>Cultural Facility, Library and/or Museum, Civic and Private Club, Major (Greater Than 15,000 SF or 150 Person Membership)</u>	<u>X</u> P	<u>X</u> PS	<u>X</u> PS	<u>X</u> PS	<u>S</u> PS	<u>S</u> P	<u>S</u> P	X	X	<u>X</u> P	<u>P</u> P	X	P	<u>X</u> P	P	<u>X</u> P	X	7.2.5.E
<u>Community Center</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	7.2.5.F
Commercial Uses																		
<u>Event Venue (Less than 15,000 SF), Center/Convention Center</u>	X	X	X	X	X	X	P	X	X	X	P	X	S	S	S	S	X	7.2.6.A A
<u>Convention/Conference Center (15,000 SF or greater)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	7.2.6.B B

<u>Commercial Kitchen/Catering</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.2.6.CC</u>
<u>Tobacco /Vape Establishment</u> <u>Vape/CBD Retail Store</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.2.6.D</u> <u>D</u>
<u>Cannabis/Kratom/Marijuana</u> <u>Establishment</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.2.6.EE</u>
Office/Medical Uses																		
<u>Outpatient Treatment Facility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>	<u>SP</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>7.2.7.G</u>
Animal Hospital/Veterinarian	X	X	X	X	<u>SP</u>	P	P	P	X	P	P	<u>XP</u>	<u>SP</u>	P	P	P	P	7.2.7.H <u>G</u>
Other Uses																		
<u>Animal Day Care</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>7.2.9.A</u>
<u>Animal Grooming</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>7.2.9.B</u>
Animal Shelter /Kennel	<u>XS</u>	<u>XS</u>	<u>X</u>	X	X	X	<u>PS</u>	<u>SP</u>	X	X	X	X	X	X	X	X	X	7.2.9.C <u>A</u>
<u>Animal Shelter/Rescue</u>	<u>XS</u>	<u>XS</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>SP</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.2.9.D</u> <u>B</u>

Section 2. Amend Section §157.7.2.5 “PUBLIC AND INSTITUTIONAL USES” as follows:

D. Fraternal Organizations ~~Civic and Private Clubs, Minor—Less Than 15,000 SF or 150 Person Membership~~

1. Characteristics. ~~A building and related facilities owned and operated by a corporation, association, or group of individuals established for fraternal, social, educational, recreational, or cultural enrichment of its members and primarily not for profit, and whose members meet certain prescribed qualifications for membership and pay dues. Smaller scale civic uses, including public or nonprofit nature generally providing a local service to people of the community. Also includes private club uses including facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by laws. Facilities may contain one (1) or more buildings and structures operated only for the benefit of its members and their guests.~~
2. Accessory Uses. Accessory uses may include offices, meeting areas, food preparation areas, parking, and cafes.
3. Examples. ~~Libraries, museums, non-profit or public community centers, public amenity centers, and private clubs~~ Organizations such as fraternal ~~group~~organizations and orders.
4. Uses Not Included.
 - a. Commercial museums, classified as general retail.
 - b. Parks, classified as open space/parks.
 - c. Event centers or convention centers catering to outside groups or audiences.
 - d. Health and fitness facilities (i.e. commercial gym, see indoor recreation).

5. Use Standards.

- a. When proposed within the OM or NB district, fraternal clubs shall comply with the following:
 - i. The parcel on which the club is to locate must be at least two (2) acres in size.

E. Cultural Facility, Library and/or Museum ~~Civic and Private Clubs, Major—Greater Than 15,000 SF or 150 Person Membership~~

1. Characteristics. Establishments such as educational garden, educational center, conservatories, planetariums, or other similar uses of an historic or educational, or cultural interest, which are not operated for profit. Larger-scale civic uses, including public or nonprofit nature generally providing a local service to people of the community. Also includes private club uses including facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by laws. Facilities may contain one (1) or more buildings and structures operated only for the benefit of its members and their guests.
2. Accessory Uses. Accessory uses may include offices, meeting areas, food preparation areas, and parking, and cafes.
3. Examples. Libraries, museums, non-profit or public educational, historical or cultural centers .community centers, public amenity centers, and private clubs such as fraternal organizations and orders.
4. Uses Not Included.
 - a. Commercial museums, classified as general retail.
 - b. Parks, classified as open space/parks.
 - c. Event centers or convention centers catering to outside groups or audiences.
 - d. Health and fitness facilities (i.e. commercial gym, see indoor recreation).

F. Community Center

1. Characteristics. A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.
2. Accessory Uses. Accessory uses may include recreation offerings such as swimming pools, gymnasiums, outdoor courts, athletic fields, offices, meeting areas, food preparation, and parking.
3. Examples. Recreation Center, Community Center, Active Adult/Senior Centers, Youth Centers
4. Uses Not Included.
 - a. Parks, classified as open space/parks.
 - b. Event centers or convention centers catering to outside groups or audiences.
 - c. Health and fitness facilities (i.e. commercial gym, see indoor recreation).
5. Use Standards.

- a. Outdoor courts, swimming pools, and athletic fields shall be located at least 100 50-feet from any lot line abutting the RR, RLD, and RMD zoning districts.

Section 3. Amend Section §157.7.2.6 “COMMERCIAL USES” as follows:

7.2.6. COMMERCIAL USES

A. General Retail Sales, Less Than 10,000 Square Feet

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail less than 10,000 square feet is localized retail meant to serve the needs of an immediate area.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, ~~pets~~, pet ~~supplies~~~~food~~, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios; and photocopy and blueprint services.
4. Uses Not Included.
 - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
 - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
 - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

B. General Retail Sales, 10,000 to 25,000 Square Feet

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail less than 25,000 square feet is neighborhood level retail meant to serve the needs of a neighborhood area.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment,

fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, ~~pets~~, pet ~~supplies~~~~food~~, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios; photocopy and blueprint services

4. Uses Not Included.

- a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
- b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
- c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

C. General Retail Sales, 25,000 to 100,000 Square Feet

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail of 25,001 to 100,000 feet is community level retail meant to serve the needs of several neighborhoods.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, ~~pets~~, pet ~~food~~~~supplies~~, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios, and photocopy and blueprint services.
4. Uses Not Included.
 - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
 - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
 - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

AA. Event Venue (Less than 15,000 SF) Center/Convention Center

1. Characteristics. A commercial establishment and associated grounds engaged in the hosting and production of pre-planned events like~~Venues or facilities used by~~

~~a group of people for temporary events such as conferences, sports, weddings, corporate parties, birthdays, reunions event halls, concerts, or similar events.~~

2. Accessory Uses. Accessory uses include offices; meeting rooms; ~~indoor restaurant, kitchens or food preparation space, bar, lounge, cabanas, boat docks, parking, photography studio, facilities to accommodate live or recorded music. indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.~~
3. Examples. Examples may include wedding venue, small scale concert hall, banquet hall, a convention center, coordinate wedding and banquet halls, sports stadium, or concert hall.
4. Uses Not Included.
 - a. Any fraternal organization, community centers and private clubs (see civic and private club);
 - b. Halls or rooms available to rent from public safety facilities including fire and police stations.

BB. Convention Center (15,000 SF or greater)

1. Characteristics. Buildings, groups of buildings or facilities designed for meetings, lectures or conferences, conventions, seminars, or intended for use for spectator sports, entertainment events, expositions and other public gatherings.
2. Accessory Uses. Accessory uses include offices, meeting rooms, indoor restaurant or food preparation, bar, lounge, cabanas, parking, indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
3. Examples. Examples may include a convention center, sports stadium, or concert hall.
4. Uses Not Included.
 - c. Any fraternal organization, community centers and private clubs (see civic and private club);
 - d. Halls or rooms available to rent from public safety facilities including fire and police stations.
5. Use Standards.
 - a. Landscape buffer with a buffer intensity of 3 shall be established along any side of the property abutting any residential use or public right-of-way.
 - b. The parcel on which the use is to locate must be at least five (5)

CC. Commercial Kitchen/Catering

1. Characteristics. A single occupied or shared commercial grade kitchen in which individuals or businesses prepare food products and meals, usually paying an hourly, daily, weekly, or monthly rate to lease a space shared by others.
2. Accessory Uses. Office space to meet clients, parking, storage space.
3. Examples. Examples include commissary kitchen for mobile food vendors, catering business
4. Uses not Included.
 - a. Restaurants with on-site consumption and/or restaurants with takeout/delivery.
 - a.—b. Catering associated with a hotel, motel, or event venue

DD. Tobacco/Vape/~~CBD-Retail~~ Establishment

1. Characteristics. A commercial establishment, operated as a principal use, engaged in the retail sale of tobacco and ,nicotine ,~~hemp-derived compounds, including CBD,~~ for the purposes of human ingestion as authorized for sale by the State, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco, tobacco-related paraphernalia of any type, electronic cigarettes, any electronically-actuated device or inhaler meant to simulate cigarette smoking that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling products, as listed above, as the principle use.
4. Uses not Included.
 - a. General retail establishments who sell these products in an accessory nature.
5. Use Standards.
 - a. Establishments shall not locate within 500 feet, measured horizontally from the closest property line to property line, of schools, playgrounds, parks, religious institutions, or public libraries.
 - b. Establishments shall not locate within 500 feet, measured horizontally from the closest property line to property line, of an existing legally established business of the same nature.
 - c. Existing establishments that do not meet these standards may continue to operate until such time the use is abandoned for more than 180 days, at

which point, the use may only be re-established in accordance with this section.

- d. All federal, state, and local laws, rules, and regulations must be adhered to in the operation of such establishments. This includes regulations pertaining to advertisements, age restrictions, and the legality of products sold.

EE. Cannabis/Kratom/Marijuana Establishment

1. Characteristics. A commercial establishment, operated as a principal use, engaged in the retail sale of cannabis (in all of its forms, infused products and derivatives), and kratom (in all its forms, infused products and derivatives) for the purposes of human ingestion as authorized for sale by the State.;
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling products, as listed above, as the principle use.
4. Uses not Included.
 - a. General retail establishments who sell these products in an accessory nature.
5. Use Standards.
 - a. Establishments shall not locate within 1,000 feet, measured horizontally from the closest property line to property line, of schools, playgrounds, parks, religious institutions, or public libraries.
 - b. Establishments shall not locate within 1,000 feet, measured horizontally from the closest property line to property line, of an existing legally established business of the same nature.
 - c. Existing establishments that do not meet these standards may continue to operate until such time the use is abandoned for more than 180 days, at which point, the use may only be re-established in accordance with this section.
 - d. All federal, state, and local laws, rules, and regulations must be adhered to in the operation of such establishments. This includes regulations pertaining to advertisements, age restrictions, and the legality of products sold.
 - e. Cannabis in this section shall include both marijuana and hemp as defined by State law and will include all of their derivatives and infused products.

f. Kratom in this section shall be as defined by State law and will include all of its derivatives and infused products.

Section 4. Amend Section §157.7.2.7 “OFFICE AND MEDICAL USES” as follows:

7.2.7. OFFICE AND MEDICAL USES

E. Medical/Dental Office.

1. Characteristics. A facility engaged in the examination, diagnosis and treatment of medical care and treatment such as chiropractic, ophthalmologic, dental, and pediatric, therapeutic, counseling- or other health care patients; includes administrative and clerical operations of the practice; does not include overnight facilities for patients.
2. Accessory Uses. Accessory uses may include laboratories, medication sales, and physical therapy cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include but are not limited to medical and dental clinics, medical and dental labs, blood-collection facilities, urgent care facilities without ambulatory care, chiropractic and physical therapy, ophthalmologists, therapeutic/counseling, and psychologists. -outpatient facilities without ambulatory care; and blood-collection facilities.
4. Uses not Included.
 - a. Rehabilitative Clinic
 - b. Massage Therapy; defined as personal service

G. Outpatient Treatment Facility

1. Characteristics. A small-scale facility where patients are admitted for examination and treatment by one or more physicians, dentists, or psychologists on a short-term basis. Patients may or may not receive care or lodging overnight, but the facility is not intended for long-term overnight care. Such facilities may include sleeping rooms for care workers and members of patient’s families.

2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

3. Examples. Imagery Center, Sleep-study center, Surgery center, Medical Research

4. Uses not Included.

a. Rehabilitative Clinic

5. Use Standards.

a. Drive up lanes for ambulances shall not be located within one-hundred (100) feet of a residential use.

b. Emergency vehicle entrance shall not be located across the street from a residential use or residential zoning district.

H. Animal Hospital/Veterinarian

1. Characteristics. A facility for the care and treatment of animals, including household pets and larger domesticated animals that may require boarding or overnight stay in a completely enclosed structure.

2. Accessory Uses. Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office and ancillary indoor storage.

3. Examples. Vet clinic, veterinarian practice, or animal hospital.

4. Uses Not Included.

a. Animal boarding is classified an Animal Shelter or Animal Kennel.

5. Use Standards.

a. All structure shall be designed and maintained in a manner to prevent the development of unsanitary conditions;

b. All activities associated shall take place within enclosed and soundproofed structures, or the use shall comply with the following separation requirements:

i. All activities shall be at least 200 linear feet from a lot in a residential or Office Medical (OM) zoning district;

ii. Outdoor areas used to house or exercise animals shall be enclosed by a fence at least six (6) feet in height.

Section 5. **Amend Section §157.7.2.9 “OTHER USES” as follows:**

7.2.9. OTHER USES

A. Animal Day Care

1. Characteristics. A commercial establishment providing socialization, training, or housing, in the absence of the owner for pets owned by the general public for which a fee is charged.
2. Accessory Uses. Outside play and training areas, office, indoor storage and limited retail sales of pet associated items.
3. Examples. Animal Day Care
4. Uses No Included.
 - a. Animal Shelter
 - b. Animal Kennel
 - c. Animal Hospital or veterinary clinic
5. Use Standards.
 - a. Overnight boarding of animals shall not be permitted;
 - b. Outside play/training areas for animal day care uses shall not be located within 100 feet of any residentially-zoned property or property being used for residential purposes;
 - c. No more than one animal day care or animal grooming and day care in combination operating as one business shall be allowed within a multi-tenant building;
 - d. Animal day care uses located within a multi-tenant structure shall be soundproofed; and
 - e. Free-standing animal day care uses located within 100 feet of property zoned residential or being used as residential shall be soundproofed.
 - f. Animal day care shall maintain a ratio of at least 1 staff member in attendance per 10 dogs or cats.

B. Animal Grooming

1. Characteristics. A place or establishment, public or private, where animals are bathed, clipped, or styled for the purpose of aesthetic and/or health reasons and for which a fee is charged.
2. Accessory Uses. Office, indoor storage and limited retail sales of pet associated items.
3. Examples. Animal grooming, pet salons and pet spas.

4. Uses Not Included.

- a. Animal Shelter
- b. Animal Day Care
- c. Animal Hospital or veterinary clinic.
- d. Animal Kennel

5. Use Standards.

- a. Overnight boarding of animals shall not be permitted;
- b. No more than one animal grooming, or animal grooming and day care in combination operating as one business shall be allowed within a multi-tenant building;
- c. Animal grooming uses located within a multi-tenant structure shall be soundproofed; and
- d. Free-standing animal grooming uses located within 100 feet of property zoned residential or being used as residential shall be soundproofed.
- e. Animal grooming shall be conducted within a completely enclosed building. No outside activity shall be permitted.

A.C. **Animal Shelter/Kennel**

- 1. Characteristics. A facility or establishment which regularly offers to the public the service of boarding dogs or cats or both for a fee that is overnight on a temporary basis. Such facility or establishment may, in addition to providing shelter, food and water, offer grooming or other services for dog and/or cats. The use of land for the purpose of boarding animals on a temporary basis. May include a pet resort which provides day care for pets in addition to grooming and training
- 2. Accessory Uses. Outdoor play/training areas for animals, office, indoor storage, limited retail sales of pet associated items.
- 3. Examples. Animal kennel or boarding facility, ~~animal shelter~~.
- 4. Uses Not Included.
 - a. Animal Day Care
 - a.b. Animal Shelter/Rescue (see Animal Shelter/Rescue)
- 5. Use Standards
 - a. All structures shall be designed and maintained in a manner to prevent the development of unsanitary conditions.

- b. All activities associated shall take place within enclosed and soundproofed structures, or the use shall comply with the following:
 - i. All activities shall be at least 200 linear feet from a lot in a residential or Office Medical (OM) zoning district;
 - ii. All activities shall be at least 100 linear feet from land zoned Neighborhood Business (NB).
- c. Outdoor areas used to house or exercise animals shall include areas protected from the weather and be enclosed by a fence at least six (6) feet in height; and
- ~~b. Any animal suspected of showing symptoms of rabies infection shall be immediately segregated and reported to Animal Control.~~
- d. No person shall operate an animal kennel or boarding facility without a license from the Veterinary Division of the NC Department of Agriculture and Consumer Services.
- e. Animal kennel shall maintain a ratio of at least 1 staff member in attendance per 10 dogs or cats.

D. Animal Shelter/Rescue

- 1. Characteristics. A facility or establishment used to house and care for stray, homeless, abandoned, or neglected animals and that is owned, operated, or maintained by a public body, an established humane society or other private or non-profit organization.
- ~~1. Characteristics. The use of land for homeless, lost, or abandoned animals are cared for until homes can be found. Includes establishments for profit or non-profit.~~
- 2. Accessory Uses. On-site veterinary care for in-house animals, outdoor play areas for animals, office, indoor storage.
- 3. Examples. Humane Society, Pet Rescue (for profit or non-profit)
- 4. Uses Not Included.
 - a. Animal Kennel (see Animal Kennel)
 - b. Animal Grooming
 - c. Animal Day Care
- 5. Use Standards
 - a. All activities associated with the use shall take place within enclosed and soundproofed structures, or the use shall comply with the following separation requirements:

- i. All activities shall be at least 500 linear feet from a lot in a residential or Office Medical (OM) zoning district;
- ii. All activities shall be at least 300 linear feet from land zoned Neighborhood Business (NB).
- b. Outdoor areas used for housing or exercise animals shall be protected from the weather and enclosed by a fence at least six (6) feet in height.
- c. No person shall operate an animal shelter without a license from the Veterinary Division of the NC Department of Agriculture and Consumer Services.
- d. Any animal suspected of showing symptoms of rabies infection shall be immediately segregated and reported to Animal Control.
- e. Animal day care shall maintain a ratio of at least 1 staff member in attendance per 10 dogs or cats.

Section 6. Amend Section §157.8.4.2.K “~~OFFICE AND MEDICAL USES~~PARKING REQUIREMENTS” as follows:

K. Parking Requirements Table. Parking shall be provided in accordance with Table 8.4.1: Parking Requirements.

Table 8.4.1. Parking Requirements

Table 8.4.1. Parking Requirements		
Land Use - Category/Specific Use	Minimum Required	Maximum Allowed
Public and Institutional Use Classification		
Schools (Elementary/Middle)	3.0/Classroom <u>1/employee</u>	5.0/Classroom <u>N/A</u>
Schools (High/Senior)	4.0/Classroom <u>5 per classroom and 1/employee</u>	7.5/Classroom <u>N/A</u>
University, College, and Vocational School	4.0/1,000 SF	6.0/1,000 SF <u>N/A</u>

Civic and Private Clubs	See Below	
Minor—Less Than 15,000 SF or 150 Persons Membership Fraternal Organizations	3.0/1,000 SF	5.0/1,000 SF
Major—More Than 15,000 SF or 150 Persons Membership Cultural Facility, Library and/or Museum	4.05.0/1,000 SF	6.010.0/1,000 SF
<u>Community Center</u>	<u>3.0/1,000 SF</u>	<u>5.0/1,000 SF</u>
Table 8.4.1. Parking Requirements (Cont.)		
Commercial Use Classification		
Event Center/Convention Center	4.0/1,000 SF	10.0/1,000 SF
<u>Convention Center</u>	<u>6.0/1,000 SF</u>	<u>10.0/1,000 SF</u>
<u>Commercial Kitchen/Catering</u>	<u>2.0/1,000 SF</u>	<u>5.0/1,000 SF</u>
<u>Tobacco/Vape/CBD Retail Store Establishment</u>	<u>4.0/1,000 SF</u>	<u>6.0/1,000 SF</u>
<u>Cannabis/Kratom/Marijuana Establishment</u>	<u>4.0/1,000 SF</u>	<u>6.0/1,000 SF</u>
Office/Medical Classification		
<u>Outpatient Treatment Facility</u>	<u>4.0/1,000 SF</u>	<u>6.0/1,000 SF</u>
Other Uses		

<u>Animal Day Care</u>	<u>2.0/1,000 SF</u>	<u>3.0/1,000 SF</u>
<u>Animal Grooming</u>	<u>2.0/1,000 SF</u>	<u>3.0/1,000 SF</u>
Animal Shelter /Kennel	12.0/1,000 Office SF	23.0/1,000 Office SF
<u>Animal Shelter</u>	<u>12.0/1,000 Office-SF</u>	<u>23.0/1,000 Office-SF</u>

Section 7. Amend Section §157.11 “DEFITIION OF TERMS” as follows:

HEMP. The plant Cannabis sativa (L.) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis.

HEMP PRODUCTS. All products made from hemp, including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal and seed oil for consumption, and verified propagules for cultivation if the seeds originate from hemp varieties.

KRATOM. A tropical tree native to Southeast Asia whose leaves contain two psychoactive ingredients, mitragynine and 7-hydroxymitragynine.

KRATOM PRODUCTS. Any consumer commodity containing any quantity of mitragynine or 7-hydroxymitragynine or both, extracted from the leaf of the plant mitragyna speciose. Crushed leaves are generally smoked, brewed with tea, or placed into gel capsules. Consumption produces both stimulant effects (in low doses) and sedative effects (in high doses).

MARIJUANA. All parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber produced from such stalks, oil, or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination. The term does not include hemp or hemp products.

Section 78. This Ordinance shall be effective upon adoption.

Adopted this ____ day of _____, 2024.

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk