

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

-
- 1. CALL TO ORDER - CHAIRMAN**
 - 2. APPROVAL OF WORK SESSION AGENDA - CHAIRMAN**
 - 2.1. BOC - Changes to the Agenda Pg. 3
 - 3. DISCUSSION ITEMS - NO ACTION**
 - 3.1. Cabarrus County Schools - 2020-21 NC Department of Public Instruction Facility Needs Survey Pg. 5
 - 3.2. Innovation and Technology - Innovation Report Pg. 17
 - 4. DISCUSSION ITEMS FOR ACTION**
 - 4.1. Salisbury-Rowan Community Action Agency, Inc. Presentation of FY 2021-22 Application for Funding Pg. 19
 - 4.2. BOC - Appointments to Boards and Committees Pg. 44
 - 4.3. Active Living and Parks - Soccer Complex Recognition Recommendation Pg. 46
 - 4.4. County Manager - Ad Hoc Amendment to the Central Area Plan Interlocal Agreement Pg. 48
 - 4.5. County Manager - Request for Easements from the Water & Sewer Authority of Cabarrus County (WSACC) Pg. 53
 - 4.6. County Manager - Tree and Brush Removal at Stonewall Jackson Property Pg. 66
 - 4.7. Planning and Development - Proposed Amendment to Construction Standards Fee Schedule Pg. 70
 - 4.8. Planning and Development Department - TEXT2020-00001- Proposed Amendments to the Cabarrus County Zoning Ordinance Pg. 74
 - 5. APPROVAL OF REGULAR MEETING AGENDA**
 - 5.1. BOC - Approval of Regular Meeting Agenda Pg. 358
 - 6. ADJOURN**

In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at 704-920-2100 at least 48 hours prior to the meeting.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Approval of Work Session Agenda - Chairman

SUBJECT:

BOC - Changes to the Agenda

BRIEF SUMMARY:

A list of changes to the agenda is attached.

REQUESTED ACTION:

Motion to approve the agenda as amended.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Changes to the Agenda



**CABARRUS COUNTY BOARD OF COMMISSIONERS
CHANGES TO THE AGENDA
JANUARY 4, 2021**

ADDITIONS:

Discussion Items - No Action

- 3.1 Cabarrus County Schools - 2020-21 NC Department of Public Instruction Facility Needs Survey**

SUPPLEMENTAL INFORMATION:

Discussion Items for Action

- 4.5 County Manager - Request for Easements from the Water & Sewer Authority of Cabarrus County (WSACC)**
- **Map**

REMOVED:

Discussion Items - No Action

- 3.2 EDC – Cannon Foundation Grant**

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Cabarrus County Schools - 2020-21 NC Department of Public Instruction Facility Needs Survey

BRIEF SUMMARY:

Cabarrus County Schools is required to submit the attached Facility Needs Survey to the NC Department of Public Instruction. The submission requires a signed statement that the County has received the report.

REQUESTED ACTION:

Receive survey report and acknowledge receipt of survey.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Tim Lowder, Executive Director of Facilities and Operations
Brian Cone, Director of Architecture, Planning and Construction

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- NCDPI Facility Survey Report



Cabarrus County Schools Capacity Summary & Plan (0 to 5 years)

UNIT: 130			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
130	304	A T Allen Elementary	838	0	870	0	0	870	2	2	Addition/Renovation	0	870	0	0	870
130	307	Cox Mill High School	1,927	0	0	0	1,723	1,723	11	0	Renovations	0	0	0	1,723	1,723
130	308	Bethel Elementary	587	18	834	0	0	834	0	0	Renovations	18	834	0	0	834
130	309	Beverly Hills Elementar	343	0	419	0	0	419	4	0	Addition/Renovation	0	419	0	0	419
130	310	Central Cabarrus High	1,647	0	0	0	1,429	1,429	34	0	Addition/Renovation	0	0	0	1,600	1,600
130	311	Coltrane-Webb Element	431	0	385	0	0	385	6	0	None Needed	0	385	0	0	385
130	312	Harrisburg Elementary	1,038	18	833	0	0	833	11	0	Renovations	18	898	0	0	898
130	313	Concord Middle	777	0	0	1,258	0	1,258	0	0	Renovations	0	0	1,258	0	1,258
130	314	Concord High	1,154	0	0	0	1,615	1,615	1	0	Renovations	0	0	0	1,615	1,615
130	315	J N Fries Magnet Schoo	855	0	0	1,008	0	1,008	1	0	Renovations	0	0	1,008	0	1,008
130	316	Jay M Robinson High	1,243	0	0	0	1,702	1,702	6	0	Renovations	0	0	0	1,702	1,702
130	317	Cabarrus Co Opportunit	119	0	0	0	206	206	0	0	Renovations	0	0	38	164	202
130	318	C C Griffin Middle	1,075	0	0	1,298	0	1,298	0	0	Renovations	0	0	1,298	0	1,298
130	319	Cox Mill Elementary	1,168	0	917	0	0	917	11	0	Renovations	0	948	0	0	948
130	320	Harris Road Middle	1,497	0	0	1,216	0	1,216	12	0	Renovations	0	0	1,216	0	1,216
130	321	Carl A Furr Elementary	842	0	827	0	0	827	0	0	Renovations	0	827	0	0	827
130	322	Mount Pleasant Elemen	670	0	715	0	0	715	9	0	Renovations	0	715	0	0	715
130	323	Mount Pleasant Middle	718	0	0	664	0	664	0	0		0	0	664	0	664
130	324	Mount Pleasant High	842	0	0	0	1,108	1,108	0	0	Renovations	0	0	0	1,108	1,108
130	325	Charles E Boger Eleme	663	36	655	0	0	655	8	0	Renovations	36	655	0	0	655
130	326	Northwest Cabarrus Hig	1,355	0	0	0	1,435	1,435	7	0	Renovations	0	0	0	1,435	1,435
130	327	Northwest Cabarrus Mi	930	0	0	920	0	920	5	0	Renovations	0	0	920	0	920
130	328	Royal Oaks Elementary	379	0	871	0	0	871	0	0		0	871	0	0	871
130	329	Rocky River Elementary	757	36	851	0	0	851	4	0	Renovations	36	851	0	0	851
130	330	R Brown McAllister Ele	368	0	411	0	0	411	6	0	New School (Replace	0	800	0	0	800
130	331	Pitts School Road Elem	878	0	896	0	0	896	0	0	Renovations	0	896	0	0	896
130	332	Hickory Ridge High	1,714	0	0	0	2,104	2,104	7	0	Renovations	0	0	0	2,104	2,104
130	333	Performance Learning	119	0	0	0	216	216	0	0		0	0	0	216	216
130	336	W R Odell Primary	729	0	740	0	0	740	4	0	Renovations	0	740	0	0	740



2020-21 DPI Facility Needs Survey

Capacity Summary 0 to 5 Years

130	337	W R Odell Elementary	816	0	892	0	0	892	0	0		0	892	0	0	892
130	338	Weddington Hills Eleme	1,039	0	868	0	0	868	18	0	Renovations	0	868	0	0	868
130	339	West Cabarrus High		0	0	0	1,850	1,850	0	0		0	0	0	1,850	1,850
130	340	Winecoff Elementary	737	18	831	0	0	831	1	0	Renovations	18	831	0	0	831
130	342	W M Irvin Elementary	704	18	756	0	0	756	0	0	Renovations	18	756	0	0	756
130	344	Wolf Meadow Elementa	557	0	627	0	0	627	8	0	Renovations	0	627	0	0	627
130	345	Patriots Elementary	1,201	0	903	0	0	903	11	0	Renovations	0	903	0	0	903
130	346	Hickory Ridge Middle	1,306	0	0	1,306	0	1,306	0	0	Renovations	0	0	1,306	0	1,306
130	347	Hickory Ridge Elementa		0	940	0	0	940	0	0	None Needed	0	940	0	0	940
130	349	Cabarrus Early College	232	0	0	0	192	192	0	0	Addition/Renovation	0	0	0	192	192
130	350	Cabarrus-Kannapolis E	227	0	0	0	240	240	3	0		0	0	0	240	240
130	355	Harold E. Winkler Middl	1,134	0	0	1,288	0	1,288	0	0	Renovations	0	0	1,288	0	1,288

Totals: 33,616 144 16,041 8,958 13,820 38,819 190 2 144 16,526 8,996 13,949 39,471

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	16,041	8,958	13,820	38,819
ADM 2019-20:	14,745	8,327	10,544	33,616
Difference:	1,296	631	3,276	5,203

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	16,526	8,996	13,949	39,471
Proj Enrollment 2024-25:	16,724	8,596	12,188	37,508
Difference:	(198)	400	1,761	1,963



Cabarrus County Schools

Capacity Summary & Plan (6 to 10 years)

UNIT: 130			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
130	304	A T Allen Elementary	838	0	870	0	0	870	2	2	Renovations	0	870	0	0	870
130	307	Cox Mill High School	1,927	0	0	0	1,723	1,723	0	11	Addition/Renovation	0	0	0	1,723	1,723
130	308	Bethel Elementary	587	18	834	0	0	834	0	0	Renovations	18	834	0	0	834
130	309	Beverly Hills Elementar	343	0	419	0	0	419	0	4		0	419	0	0	419
130	310	Central Cabarrus High	1,647	0	0	0	1,429	1,429	0	34	None Needed	0	0	0	1,600	1,600
130	311	Coltrane-Webb Element	431	0	385	0	0	385	0	6	New School (Replace	0	648	0	0	648
130	312	Harrisburg Elementary	1,038	18	833	0	0	833	0	11	Renovations	18	898	0	0	898
130	313	Concord Middle	777	0	0	1,258	0	1,258	0	0	Renovations	0	0	1,258	0	1,258
130	314	Concord High	1,154	0	0	0	1,615	1,615	0	1	Addition/Renovation	0	0	0	1,615	1,615
130	315	J N Fries Magnet Schoo	855	0	0	1,008	0	1,008	0	1	Renovations	0	0	1,008	0	1,008
130	316	Jay M Robinson High	1,243	0	0	0	1,702	1,702	0	6	Renovations	0	0	0	1,702	1,702
130	317	Cabarrus Co Opportunit	119	0	0	0	206	206	0	0	Renovations	0	0	38	164	202
130	318	C C Griffin Middle	1,075	0	0	1,298	0	1,298	0	0	Addition/Renovation	0	0	1,298	0	1,298
130	319	Cox Mill Elementary	1,168	0	917	0	0	917	0	11	Renovations	0	948	0	0	948
130	320	Harris Road Middle	1,497	0	0	1,216	0	1,216	0	12	Addition/Renovation	0	0	1,216	0	1,216
130	321	Carl A Furr Elementary	842	0	827	0	0	827	0	0	Renovations	0	827	0	0	827
130	322	Mount Pleasant Elemen	670	0	715	0	0	715	0	9	Renovations	0	715	0	0	715
130	323	Mount Pleasant Middle	718	0	0	664	0	664	0	0		0	0	664	0	664
130	324	Mount Pleasant High	842	0	0	0	1,108	1,108	0	0	Renovations	0	0	0	1,108	1,108
130	325	Charles E Boger Eleme	663	36	655	0	0	655	0	8	Renovations	36	655	0	0	655
130	326	Northwest Cabarrus Hig	1,355	0	0	0	1,435	1,435	0	7	New School	0	0	0	1,800	1,800
130	327	Northwest Cabarrus Mi	930	0	0	920	0	920	0	5	Renovations	0	0	920	0	920
130	328	Royal Oaks Elementary	379	0	871	0	0	871	0	0		0	871	0	0	871
130	329	Rocky River Elementary	757	36	851	0	0	851	0	4	Renovations	36	851	0	0	851
130	330	R Brown McAllister Ele	368	0	411	0	0	411	0	6		0	800	0	0	800
130	331	Pitts School Road Elem	878	0	896	0	0	896	0	0	Renovations	0	896	0	0	896
130	332	Hickory Ridge High	1,714	0	0	0	2,104	2,104	0	7	Renovations	0	0	0	2,104	2,104
130	333	Performance Learning	119	0	0	0	216	216	0	0		0	0	0	216	216



Cabarrus County Schools

Capacity Summary & Plan (6 to 10 years)

UNIT: 130			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
130	336	W R Odell Primary	729	0	740	0	0	740	0	4	Renovations	0	740	0	0	740
130	337	W R Odell Elementary	816	0	892	0	0	892	0	0		0	892	0	0	892
130	338	Weddington Hills Eleme	1,039	0	868	0	0	868	0	18	Renovations	0	868	0	0	868
130	339	West Cabarrus High		0	0	0	1,850	1,850	0	0		0	0	0	1,850	1,850
130	340	Winecoff Elementary	737	18	831	0	0	831	0	1	Renovations	18	831	0	0	831
130	342	W M Irvin Elementary	704	18	756	0	0	756	0	0	Renovations	18	756	0	0	756
130	344	Wolf Meadow Elementa	557	0	627	0	0	627	0	8	Renovations	0	627	0	0	627
130	345	Patriots Elementary	1,201	0	903	0	0	903	0	11	Renovations	0	903	0	0	903
130	346	Hickory Ridge Middle	1,306	0	0	1,306	0	1,306	0	0	Renovations	0	0	1,306	0	1,306
130	347	Hickory Ridge Elementa		0	940	0	0	940	0	0	None Needed	0	940	0	0	940
130	349	Cabarrus Early College	232	0	0	0	192	192	0	0	Addition/Renovation	0	0	0	192	192
130	350	Cabarrus-Kannapolis E	227	0	0	0	240	240	0	3		0	0	0	240	240
130	355	Harold E. Winkler Middl	1,134	0	0	1,288	0	1,288	0	0	Renovations	0	0	1,288	0	1,288
Totals:			33,616	144	16,041	8,958	13,820	38,819	190	2		144	16,789	8,996	14,314	40,099

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	16,041	8,958	13,820	38,819
ADM 2019-20:	14,745	8,327	10,544	33,616
Difference:	1,296	631	3,276	5,203

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	16,789	8,996	14,314	40,099
Proj Enrollment 2029-30:	19,524	10,146	12,867	42,537
Difference:	(2,735)	(1,150)	1,447	(2,438)



Cabarrus County Schools Cost Summary (0 to 5 years)

Unit: 130		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	A T Allen Elementary	2	0	0	348,492	0	0	\$348,492
307	Cox Mill High School	2	0	0	355,500	0	0	\$355,500
308	Bethel Elementary	2	0	0	10,968,054	0	0	\$10,968,054
312	Harrisburg Elementary	2	0	0	7,251,904	0	0	\$7,251,904
313	Concord Middle	2	0	0	11,065,737	0	0	\$11,065,737
314	Concord High	2	0	0	14,873,748	0	0	\$14,873,748
315	J N Fries Magnet School	2	0	0	3,236,460	0	0	\$3,236,460
316	Jay M Robinson High	2	0	0	12,488,709	0	0	\$12,488,709
317	Cabarrus Co Opportunity	2	0	0	11,000,720	0	0	\$11,000,720
318	C C Griffin Middle	2	0	0	14,010,259	0	0	\$14,010,259
319	Cox Mill Elementary	2	0	0	8,136,506	0	0	\$8,136,506
320	Harris Road Middle	2	0	0	10,244,029	0	0	\$10,244,029
321	Carl A Furr Elementary	2	0	0	207,375	0	0	\$207,375
322	Mount Pleasant Elementa	2	0	0	6,614,816	0	0	\$6,614,816
324	Mount Pleasant High	2	0	0	3,886,552	0	0	\$3,886,552
325	Charles E Boger Element	2	0	0	887,467	0	0	\$887,467
326	Northwest Cabarrus High	2	0	0	17,066,633	0	0	\$17,066,633
327	Northwest Cabarrus Middl	2	0	0	9,795,869	0	0	\$9,795,869
329	Rocky River Elementary	2	0	0	9,971,334	0	0	\$9,971,334
330	R Brown McAllister Elem	2	32,679,627	0	0	2,992,935	0	\$35,672,562
331	Pitts School Road Elemen	2	0	0	8,998,975	0	0	\$8,998,975
332	Hickory Ridge High	2	0	0	651,750	0	0	\$651,750
336	W R Odell Primary	2	0	0	927,069	0	0	\$927,069
338	Weddington Hills Element	2	0	0	9,087,645	0	0	\$9,087,645
340	Wincoff Elementary	2	0	0	9,173,051	0	0	\$9,173,051
342	W M Irvin Elementary	2	0	0	9,682,829	0	0	\$9,682,829
344	Wolf Meadow Elementary	2	0	0	7,272,404	0	0	\$7,272,404
345	Patriots Elementary	2	0	0	850,830	0	0	\$850,830
346	Hickory Ridge Middle	2	0	0	284,400	0	0	\$284,400
355	Harold E. Winkler Middle	2	0	0	310,005	0	0	\$310,005
Totals:			32,679,627	0	199,649,122	2,992,935	0	\$235,321,684



Cabarrus County Schools Cost Summary (6 - 10 years)

Unit: 130		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	A T Allen Elementary	3	0	0	8,467,100	0	0	\$8,467,100
307	Cox Mill High School	4	0	0	17,621,630	0	0	\$17,621,630
311	Coltrane-Webb Elementar	3	33,114,878	0	0	3,254,338	0	\$36,369,216
313	Concord Middle	4	0	0	118,500	0	0	\$118,500
314	Concord High	4	0	0	118,500	0	0	\$118,500
315	J N Fries Magnet School	4	0	0	2,627,738	0	0	\$2,627,738
319	Cox Mill Elementary	4	0	0	118,500	0	0	\$118,500
321	Carl A Furr Elementary	4	0	0	8,763,089	0	0	\$8,763,089
325	Charles E Boger Element	4	0	0	8,585,600	0	0	\$8,585,600
326	Northwest Cabarrus High	3	87,009,730	0	0	8,999,271	5,002,400	\$101,011,401
332	Hickory Ridge High	4	0	0	17,264,265	0	0	\$17,264,265
336	W R Odell Primary	4	0	0	8,895,864	0	0	\$8,895,864
340	Wincoff Elementary	4	0	0	8,875,209	0	0	\$8,875,209
345	Patriots Elementary	4	0	0	8,852,225	0	0	\$8,852,225
346	Hickory Ridge Middle	4	0	0	13,265,186	0	0	\$13,265,186
Totals:			120,124,608	0	103,573,406	12,253,609	5,002,400	\$240,954,023



Cabarrus County Schools

Average Daily Membership

UNIT: 130

2019-20 Average Daily Membership *

Name	Elem	Middle	High	Total
304 A T Allen Elementary	838	0	0	838
307 Cox Mill High School	0	0	1,927	1,927
308 Bethel Elementary	587	0	0	587
309 Beverly Hills Elementary	343	0	0	343
310 Central Cabarrus High	0	0	1,647	1,647
311 Coltrane-Webb Elementary	431	0	0	431
312 Harrisburg Elementary	1,038	0	0	1,038
313 Concord Middle	0	777	0	777
314 Concord High	0	0	1,154	1,154
315 J N Fries Magnet School	0	855	0	855
316 Jay M Robinson High	0	0	1,243	1,243
317 Cabarrus Co Opportunity School	0	34	85	119
318 C C Griffin Middle	0	1,075	0	1,075
319 Cox Mill Elementary	1,168	0	0	1,168
320 Harris Road Middle	0	1,497	0	1,497
321 Carl A Furr Elementary	842	0	0	842
322 Mount Pleasant Elementary	670	0	0	670
323 Mount Pleasant Middle	0	718	0	718
324 Mount Pleasant High	0	0	842	842
325 Charles E Boger Elementary	663	0	0	663
326 Northwest Cabarrus High	0	0	1,355	1,355
327 Northwest Cabarrus Middle	0	930	0	930
328 Royal Oaks Elementary	379	0	0	379
329 Rocky River Elementary	757	0	0	757
330 R Brown McAllister Elementary	368	0	0	368
331 Pitts School Road Elementary	878	0	0	878
332 Hickory Ridge High	0	0	1,714	1,714
333 Performance Learning Center	0	1	118	119
336 W R Odell Primary	729	0	0	729
337 W R Odell Elementary	816	0	0	816
338 Weddington Hills Elementary	1,039	0	0	1,039
340 Winecoff Elementary	737	0	0	737
342 W M Irvin Elementary	704	0	0	704
344 Wolf Meadow Elementary	557	0	0	557
345 Patriots Elementary	1,201	0	0	1,201
346 Hickory Ridge Middle	0	1,306	0	1,306
349 Cabarrus Early College of Technolog	0	0	232	232

* ADM is based on NCDPI data for 5th Month 2019-20



Cabarrus County Schools

Average Daily Membership

UNIT: 130

2019-20 Average Daily Membership *

Name		Elem	Middle	High	Total
350	Cabarrus-Kannapolis Early Coll	0	0	227	227
355	Harold E. Winkler Middle	0	1,134	0	1,134
Total:		14,745	8,327	10,544	33,616
2024-25 Projected:		16,724	8,596	12,188	37,508

* ADM is based on NCDPI data for 5th Month 2019-20



Cabarrus County Schools Average Daily Membership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
130	2020-2021	2,399	2,415	2,496	2,473	2,437	2,584	2,854	2,864	2,875	2,984	2,840	2,487	2,527
130	2021-2022	2,502	2,519	2,521	2,571	2,557	2,520	2,713	2,960	2,956	3,148	2,880	2,718	2,388
130	2022-2023	2,626	2,627	2,630	2,597	2,658	2,644	2,646	2,813	3,055	3,237	3,038	2,756	2,609
130	2023-2024	2,607	2,757	2,743	2,709	2,685	2,748	2,776	2,744	2,903	3,345	3,124	2,907	2,646
130	2024-2025	2,707	2,737	2,878	2,825	2,801	2,776	2,885	2,879	2,832	3,179	3,228	2,990	2,791
130	2025-2026	2,868	2,842	2,857	2,964	2,921	2,896	2,915	2,992	2,971	3,101	3,068	3,089	2,870
130	2026-2027	2,925	3,011	2,967	2,943	3,065	3,020	3,041	3,023	3,088	3,253	2,992	2,936	2,965
130	2027-2028	2,986	3,071	3,143	3,056	3,043	3,169	3,171	3,154	3,120	3,381	3,139	2,863	2,819
130	2028-2029	3,055	3,135	3,206	3,237	3,160	3,146	3,327	3,288	3,255	3,416	3,263	3,004	2,748
130	2029-2030	3,127	3,208	3,273	3,302	3,347	3,267	3,303	3,450	3,393	3,564	3,296	3,123	2,884



Administrative Unit: Cabarrus County Schools (Unit 130)

I. Certification of Board of Education

The Cabarrus County Schools Board of Education hereby submits its Facility Needs Survey dated 12/29/2020 listing all improvements and additional facilities needed to accommodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

_____, Chairman _____ Date
_____, Secretary, Ex-officio _____ Date

2. Certification of Board of County Commissioners

The Cabarrus County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or commitment to fund the Facility Needs Survey.

_____, Chairman _____ Date
_____, County Manager or Clerk _____ Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Innovation and Technology - Innovation Report

BRIEF SUMMARY:

Presentation of innovation and technology services put into place by IT in collaboration with other departments and community stakeholders in alignment with the County's five strategic priorities.

1. Transparent and Accountable Government
2. Healthy and safe Community
3. A Thriving Economy
4. Culture and Recreation
5. Sustainable Growth and Development

REQUESTED ACTION:

Receive report.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Debbie Brannan, Area Manager of Innovation and Technology

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Salisbury-Rowan Community Action Agency, Inc. Presentation of FY 2021-22 Application for Funding

BRIEF SUMMARY:

Representatives from the Salisbury-Rowan Community Action Agency, Inc. (SRCCA) will present their FY 2021-22 Application for Funding at the work session. This agency provides services for economically disadvantaged citizens in Cabarrus and Rowan counties.

REQUESTED ACTION:

Motion to acknowledge receipt of the SRCCA's FY 2021-22 Community Services Block Grant funding application.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Sherry Tillmon, SRCAA, Director of Family Services

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Application Packet
- ▣ Acknowledgement Receipt

North Carolina Department of Health and Human Services

Division of Social Services



Community Services Block Grant Program

Fiscal Year 2021-22 Application for Funding

Project Period July 1, 2021– June 30, 2022

Application Due Date: January 15, 2021

Agency Information			
Agency:	Salisbury-Rowan Community Action Agency, Inc.		
Agency:	Salisbury-Rowan Community Action Agency, Inc.		
Federal I.D.	560840196		
DUNS Number:	170667315		
Administrative Office Address:	1300 West Bank Street Salisbury, NC 28144-3910		
Mailing Address (include the 4-digit zip code extension):	1300 West Bank Street Salisbury, NC 28144-3910		
Telephone Number:	704-633-6633		
Fax Number:	704-633-5570		
Proposed Funding:	CSBG: \$518,327	Additional Resources: \$6,534,425.60	Agency Total Budget: \$7,052,752.60
Application Period:	Beginning: July 1, 2021	Ending: June 30, 2022	
Board Chairperson:	Wendell Fant		
Board Chairperson's Address: (where communications should be sent)	1300 West Bank Street Salisbury, NC 28144-3910		
Board Chairperson's Term of Office (enter beginning and end dates):	Date Initially Seated – July 2017 Current Term Expiration – July 20, 2023		
Executive Director:	Dione Adkins-Tate		
Executive Director Email Address:	dioneadkins@srcaa.com		
Agency Fiscal Officer:	Tanya Branch		
Fiscal Officer Email Address:	tanyabranche@srcaa.com		
CSBG Program Director:	Sherry M. Tillmon		
CSBG Program Director Email Address:	sherrytillmon@srcaa.org		
Counties Served with CSBG funds:	Rowan County Cabarrus County		
Agency Operational Fiscal Year:	2021-2022		

North Carolina Department of Health and Human Services
Office of Economic Opportunity –
2420 Mail Service Center / Raleigh, North Carolina 27699-2420

Board of Directors' Membership Roster

Total Seats Per Agency Bylaws	15			Total Current Vacant Seats	4	
Total Number of Seats Reserved for Each Sector	Poor	4	Public	4	Private	3
Total Number of Vacant Seats Per Each Sector	Poor	1	Public	1	Private	2

Name	County of Residence	Community Group/ Area Represented	Date Initially Seated [month/year]	Number of Terms Served [completed]	Current Term Expiration [month/year]
Representatives of the Poor					
1. James Corpening	Rowan	White Rock Community	09/2018	0	09/2021
2. Amanda Griffin	Rowan	Dixonville-Lincoln Community Association, Inc.	09/2018	0	09/2021
3. Sandie Wimmer	Davidson	Head Start Parents	05/2016	1	05/2022
4. Diane Rollins	Rowan	Head Start Parents	11/2019	0	11/2022
5.					
6.					
Public Elected Officials					
1. David Post	Rowan	Salisbury City Council	02/2020	0	02/2023
2. Barbara Mallett	Rowan	Town of East Spencer	01/2018	0	01/2021
3. Amy Brown	Rowan	Rowan County Board of Commissioners	04/2018	0	06/30/23
4. Wendell Fant	Cabarrus	Cabarrus County Schools	07/2017	0	07/2023
5.					
6.					
Representatives of Private Organizations					
1. Carol Ann Houpe	Rowan	Rowan Salisbury School System	03/2016	1	03/2022
2. Valerie Sifford	Rowan	Dunbar School Alumni Assoc	03/2020	0	03/2023
3. Benjamin Davis, Jr.	Rowan	Livingstone College	09/2018	0	09/2021
4.					
5.					
6.					

The signature of the Board of Directors Chairperson certifies that the persons representing the poor were selected by a democratic process and that there is documentation on file that confirms the selection of all board members. In addition, by signing below, the Board of Directors Chairperson confirms that the selection of all board members coincides with the directives outlined in the agency's bylaws and that a current Board of Directors Member Profile is on file for each member.

Board of Directors Chairperson

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
Planning Process Narrative**

1. Explain in detail how each of the following was involved in the planning and development of this strategic plan.

- a. Low-Income Community:

The Salisbury-Rowan Community Action Agency (SRCAA) 2020 Community-Wide Strategic Planning and Needs Assessment provides information and analysis on issues relating to poverty in the agency's core service areas. As part of the assessment, qualitative data was collected from the low-income community by way of surveys, focus groups and interviews.

Representatives of the Low-income population are seated on the Salisbury-Rowan Community Action Agency, Inc.'s (SRCAA) Board of Directors to ensure broad community participation and involvement. The Head Start Policy Council Advisory is made up of low-income persons who meet once per month to review programs and to address meeting the needs of the low-income community. Members from that Council are represented on the board, and each representative of the low-income community participates in the focus groups, surveys and interviews intended to identify the needs of the communities. Representatives of the low-income community advocate for the needs of the participants at varying levels, and participants themselves are free to express their concerns with staff and the program director. In addition, they are surveyed during workshops facilitated to improve their personal and professional development.

Client satisfaction data is also collected throughout the year to assist the agency with identifying needs and to create strategies for meeting the needs of the low-income community. Understanding the needs of the community and what the report data indicates, help to provide a more accurate report on the significant findings and trends in the Community Needs Assessment Document. Understanding the data also enables the agency to make more informed decisions on service provisions to enable more customers to achieve their goals.

The customer and community surveys completed included the opportunity for persons completing the survey to indicate identifiable information, so that the agency is clear on who the need belongs to in terms of demographics and characteristics. Results were used in the planning and development of the agency's strategic plan.

- b. Agency Staff:

Staff is encouraged to participate in partnerships and collaborations with community partners and task forces designed to meet the needs of mutually served participants. These partnerships and collaborations offer opportunities for staff to participant in forums to share input and to address causes of poverty, concerns, and resources in low-income communities where staff works. Staff as well as partners serving the same populations was surveyed during the community assessment process. Staff and partner feedback is considered in the revisions of the strategic plan and the management of service delivery at the Salisbury-Rowan Community Action Agency, Inc. (SRCAA) as part of the strategic plan's Collaboration Project, which is aimed at identifying overlap in the service delivery as well as procedures and processes used by various departments.

c. Agency's Board Members:

The Board utilizes the strategic planning process to provide direction for the agency and the staff in order to address the needs of the community. The Salisbury-Rowan Community Action Agency, Inc. (SRCAA) utilizes the Six National Goals to guide the process. By integrating ROMA into the development of the plan the Board of Directors were able to:

- Assess poverty needs and conditions within the community;
- Define a clear agency anti-poverty mission for community action and a strategy to address those needs.
- Identify both immediate and longer-term strategies in the context of existing resources and opportunities in the community;
- Identify specific improvements, or results, to be achieved among low-income people and the community; and
- Organize and implement programs, services, and activities, such as advocacy, within the agency and among "partnering" organizations, to achieve anticipated results.

During the implementation of planning, the Board of Directors decide on whether it is necessary to abandon any programs, discontinue serving a particular population or provided specific services. This provides opportunity to determine goal achievement, during which time the agency can report and evaluate goal progress and compare progress to benchmarks. The strategic planning process also provides opportunity for the agency to then self-assess to determine what adjustments need to be made to the plan in an effort to stay current on the needs of the community, and remain an organization that is cognizant of the needs of the low-income community in order to proactively strategize against and eliminate the causes of poverty.

2. Describe how and what information was gathered from the following key sectors of the community in assessing needs and resources during the community assessment process and other times. These should ideally be from each county within your agency's service area:

- a. Community-based organizations:
- b. Faith-Based Organizations:
- c. Private Sector:
- d. Public Sector:
- e. Educational Sector:

Community Partners, members of the faith-based community, public and private sectors were surveyed to obtain the most up-to-date information on their assessments of conditions and changes in the agency's service areas.

Qualitative data was gathered and presented in the Community Needs Assessment by way of the following:

- Surveys- completed by Head Start Parents and CSBG Participants, community partners, local service providers and board members
- Focus groups- conducted with program participants and front-line agency staff
- Interviews- conducted with community partners

Client satisfaction data was also included. This data was beneficial in identifying what services have been most effective in meeting the needs of the community, as well as identifying if the needs and wants of the customers have change.

3. Describe your agency's method and criteria for identifying poverty causes including how the agency collected and analyzed qualitative and quantitative data in identifying those causes.

Our agency identifies poverty causes by staying abreast of current local, state and national poverty reports, and staying active members of the North Carolina and National Community Action Agency Association. Another method used to identify poverty is assessing the needs of the low-income community as well as the agencies and organizations who serve them. The 2020 Community-wide strategic planning and needs assessment conducted for our agency included feedback from low-income individuals in our service areas, and community organizations serving those individuals about the socio-economic landscape of our counties and state.

Qualitative data was gathered and presented in the Community Needs Assessment by way of the following:

- Surveys- completed by Head Start Parents and CSBG Participants, community partners, local service providers and board members
- Focus groups- conducted with program participants and front-line agency staff
- Interviews- conducted with community partners
- Customer satisfaction surveys

Understanding the needs of the community and what the report data indicated helped to provide a more accurate report on the significant findings and trends in the Community Needs Assessment Document. Understanding the data also enabled the agency to make more informed decisions on service provisions to enable more customers to achieve their goals.

In an effort to determine the top needs, the top six (6) percentages of needs were identified for each service area under the needs categories listed from information gathered from both data sources, then the top need of each category was prioritized from highest to lowest, with the highest percentage of identified needs being listed first.

The assessment trends and findings indicated the following needs:

- Employment opportunities
- Increased services to support an adequately educated and skilled workforce
- Affordable housing

Factors that are determined to impact poverty or change the current landscape are consistent over the years. However, other socio/environmental factors such as economic downturns, fluctuation in the job market, growth in various industries or simultaneous decline in others, impact communities and the ability of residents to gain, maintain or improve employment options.

Strategies implemented to best meet the needs of low-income persons and address poverty causes include:

- a. Focusing on wages that would move a family above poverty based on family size and identifying job opportunities for families that would most likely result in success for them

- b. Creating a more intensive work search/employment plan that requires job seekers to be accountable to their Family Development Specialist.
 - c. Requiring families to take incremental steps toward achieving self-sufficiency through the attainment of specific job skills; therefore, filling the skills gap for employers who indicated a lack of for their specific job openings.
4. Describe activities that your agency has undertaken to advocate for and empower low-income individuals and families to achieve economic independence and security.

SRCAA's approach used with families is one of empowerment and strengths. This model called "Family Development", requires the entire network to think of ways to empower families to achieve their own goals and to improve the internal systems of service delivery. The model teaches workers to partner with families and help them set proper goals and activities for themselves so they can become self-sufficient.

In addition, SRCAA staff is credentialed as Global Career Development Facilitators. As Global Career Development Facilitators (GCDF), staff is trained to assist individuals with informed decisions when considering their individual career development through the utilization of best practices, a variety of personality, interest and employment assessment tools, and career development models.

The last few years in North Carolina and in the United States have left many families in the lower socio-economic strata to be faced with more challenges to their economic independence and their present and future security. So, by empowering families and teaching self-advocacy, families have the ability to identify, and reach attainable goals.

Other strategies involve, inviting families to participate in volunteer activities and to represent the agency at community forums, as well as other agency events, to tell their story and to be proud to share their accomplishments when asked. Success stories are being published regularly in the agency's electronic newsletter and Family Services' participants who have risen above poverty or achieved several program successes, represent the program at the Annual Board meeting.

SRCAA also provides various educational and professional development sessions/workshops, as well as other training mechanisms to empower low-income families and individuals. The overall goal of SRCAA is to assist low-income individuals to gain a sense of ownership and a stake in their community while strengthening their families. The agency will continue to be an active member of state and national associations that advocate on behalf of low-income families to eradicate poverty.

5. Describe how your agency plans to make more effective use of, coordinate and form partnerships with other organizations and programs including: State welfare reform efforts; public and private resources; religious organizations, charitable groups, and community organizations.

SRCAA staff, program managers and the Executive Director participate on relevant Boards, Committees and planning entities in both Rowan and Cabarrus Counties such as the NC Workforce Development Committee, Equus Workforce Solutions partner meetings, and other sponsored managers meetings which include Department of Social Services', the Salisbury and East Spencer Housing Authority partner meetings, Goodwill Industries' Business Advisory Board, the Project Re-Entry, and Project Safe partners meetings.

SRCAA has solidified several other partnerships and collaborative efforts in both Rowan and Cabarrus County that enable us to leverage both services and funds to increase support provided to the community. These partnerships validate how relationships and collaborations between public-private and nonprofit organizations can address and reduce barriers to poverty for community residents. Our agency will continue to increase our visibility and our impact by forming new partnerships emphasizing on building stronger relationships within the faith-based community, in addition to continuing to host community forums.

The agency continues to have involvement of the development of an Employment and Training Advisory Committee to improve linkages and leveraged support for program participants in Rowan and Cabarrus County. The purpose of the committee is to (a) Provide expertise or advice on employer needs, industry changes and training requirements or prerequisites for training, (b) provide opportunities for employment, internships and apprenticeships, (c) provide feedback and assess the agency's impact to further enhance services, (d) serve as an unbiased and independent sounding committee.

Target linkages include employers and occupational training providers under the following industries:

- Healthcare
- Manufacturing
- Culinary
- Hospitality
- Construction
- Information Technology
- Transportation and Logistics
- Office Occupations
- Small Business Administration

6. Describe how your agency will establish linkages between governmental and other social services programs to assure the effective delivery of such services to low-income individuals, to avoid the duplication of such services and to fill identified gaps in services, through the provision of information, referrals, case management and follow-up consultations.

SRCAA, Inc. collaborates with the local Departments of Social Services programs, specifically the Work First Family Assistance (WFFA) Program in an effort to provide training and employment support to participating families. This partnership allows case managers from both organizations the opportunity to leverage supports and resources for families, as well as promote the accountability of the participant. Additional collaborations with our local, Divisions of Workforce Development, Crisis assistance providers, Goodwill Industries, and various faith-based and nonprofit organizations enable SRCAA to serve, refer and minimize the duplication of services. By attending monthly partnership and committee meetings, staff are keenly aware of services provided by other agencies and organizations. By continuing to collaborate with other human service agencies, this helps to close any service gaps in SRCAA's service areas.

SRCAA is closing service gaps internally as well, by making internal collaborations for dual enrollments more intentional. For example: Head Start/ Early Head Start parents who are eligible

for CSBG services are enrollees of the program. Likewise, CSBG participant's eligible are enrollees of Head Start/ Early Head Start. Internal staffs and external agencies consult and execute service strategies to ensure the needs of the families are met. In real time, there can effectively be several persons assigned to one family. By investing time in case conferencing, and strategizing, service duplication is eliminated, and the chances that families are less overwhelmed and able to achieve attainable goals in addition to meeting the requirements of multiple organizations are increased.

7. Provide a description of how your agency will support innovative community and neighborhood-based initiatives related to the purposes of the Community Services Block Grant (fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting).

SRCAA continues to participate in community-wide coalition-building and resource development to meet the needs of individuals and families and reduce barriers to family and community growth. At the beginning of the school year, parents sign a partnership agreement that they will be fully involved with their children and set goals for their family. This gives low-income families the capability to make decisions, initiate programs, and obtain resources to encourage stronger families in our area. Parent trainings are also offered in areas such as: Parenting skills, child and health development, preparation of food, and child abuse and neglect. By offering these services, parents' skills are strengthened, and parents understand the responsibility they have to their children. SRCAA continues to provide support to families as they learn new skills.

Internally, SRCAA is making an intentional effort to train Family Development Specialists of Head Start in the Parent, Family and Community Engagement Framework. The ultimate goal of the framework is to ensure families understand what school readiness is. One way to improve and enhance the families' in Head Start will be to ensure they are enrolled in the Family Self Sufficiency program. Imminently, Family Development Specialist will train families in core competencies of parenting and school readiness.

SRCAA also focuses on the engagement of fathers. Family Services (CSBG) partners with Head Start to improve the way fathers are treated as integral family members in the goal attainment process. SRCAA believes that by improving fathers' ability to be actively and positively involved in the lives of their children, the efforts will strengthen families and further combat the continued causes of poverty, particularly in the number of children facing poverty in our service areas. Services are designed to be a catalyst for moving individuals and families out of poverty by addressing barriers that impact employment, skills training, financial literacy and other social services support needs, that can assist fathers toward becoming economically stable as well as an emotional and financial support to their children.

8. Describe activities that your agency has undertaken or plans to undertake, on an emergency basis, for the provision of such supplies and services, nutritious foods and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals.

Salisbury Rowan Community Action Agency, Inc. (SRCAA) staff ensures that income eligible participants are enrolled in Food and Nutrition Services through the Department of Social Services. In addition, SRCAA has established partnerships with local food banks, churches, and nonprofit organizations for the purpose of providing participants referrals for emergency food assistance.

Referrals are provided to participants to apply with the local Department of Social Services for the Food and Nutrition Services Program. For those families and individuals who are ineligible for Food and Nutrition Service benefits, SRCAA staff will provide emergency food assistance or a referral to eligible food banks.

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
Planning Process Narrative (continued)**

9. Describe how your agency will coordinate the provision of employment and training activities with entities providing activities through statewide and local workforce investment systems under the Workforce Innovation and Opportunity Act. Provide the dollar amount of your allocation that will go towards employment training.

Since 2013, when Workforce Innovation Opportunity Act (WIOA) Adult Services in NC were transferred through contractual agreement from the Division of Workforce Solutions (DWS) to the private contractor Equus as part of the Integrated Service Delivery model being implemented statewide. The contracted provider in both Rowan and Cabarrus (our service area) has become a partner with SRCAA and referral source. Initially, meetings were held, in both counties to forge an existing relationship that is mutually beneficial for both entities which reduce duplication of services in similar populations. Connections with employment and training activities have been instrumental in providing interventions and a direct link to the labor market.

Additionally, SRCAA, Inc. currently partners with Rowan Cabarrus Community College by providing classroom space for the Adult Basic Education (ABE) / General Education Diploma (GED) and English as a Second Language (ESL) program certificates to the Workforce Innovation Opportunity Act (WIOA) NextGen program participants who make up the majority of classroom participants.

The Salisbury-Rowan Community Action Agency will expend \$64,367 or 75% of the supportive services budget for employment training and education during the 2021-2022 fiscal program year.

10. Describe how your agency will ensure coordination with the emergency energy crisis intervention program under title XXVI (relating to low-income home energy assistance).

SRCAA, Inc. provides office space for case managers of the Weatherization Assistance /HARRP Program which provides services to Rowan County residents in an effort to save energy and reduce expenses. Community residents in need of these services will continue to be referred to the Weatherization Assistance Program. In addition, referrals will be provided to participants to enroll in the Energy Assistance Program through the Department of Health and Human Services, as well as the crisis assistance programs through Cooperative Christian Ministries, Rowan Helping Ministries, The City of Kannapolis and the Salvation Army.

11. Describe the needs of low-income youth and your agency's efforts to promote increased community coordination and collaboration in meeting the needs of low-income youth. As an active partner of Centralina Workforce Development Board and Workforce Innovation Opportunity Act (WIOA) NextGen program. SRCAA understands that these at-risk youths are

oftentimes categorized as runaways, are in foster care, and are pregnant teens, and teen offenders. Their needs include basic literacy skills, the need for a high school diploma or equivalent, and/or standard housing due to homelessness or disability services.

SRCAA is committed to ensuring that the youth receive support through the coordination of services offered by both SRCAA as well as WIOA. In addition to offering General Education Diploma (GED) opportunities, youth participate in employment and professional development workshops offered through the CSBG program. Additionally, the youth and their families are encouraged to apply for the CSBG program to provide further support in obtaining self-sufficiency

12. Describe your agency's method for informing custodial parents in single-parent families that participate in CSBG programming about the availability of child support services. In addition, describe your method for referring eligible parents to the child support office[s].

Family Development Specialist completes a comprehensive assessment with program participants to address the needs of the families. When a non-custodial parent does not provide adequate financial and emotional care of the child/children, the participant is informed of the availability of child support services, and provided a referral in both Rowan and Cabarrus County to the Department of Social Services' Child Support Division to enable the participant to file for child support. In the event that the participant needs assistance with completing the necessary paperwork to file for support or are in need of transportation to the Department of Social Services, the Family Development Specialist will provide the necessary supportive services to ensure access to services.

13. Describe activities that your agency has undertaken or plans to undertake, to address the Department's priorities which includes:

- Combat the **Opioid Crisis** by focusing on policies and practices that prevent opioid misuse, addiction and overdose;
- Develop better outcomes for **Early Childhood** learners to ensure that they are healthy, safe and nurtured, learning and ready to succeed;
- Expand **NCCARE360**, a statewide database that provides resource information for medical providers and human services professionals in response to social determinants of health like housing stability, food security, transportation access and interpersonal safety; and
- Implement **Healthy Opportunities** that improve the health, safety and well-being of North Carolinians by addressing conditions in which people live that directly impacts health.

Between January 2019 - November 2020, Rowan County has experienced 101 Opioid related Emergency Department deaths as compared to 78 in 2019. Cabarrus County has experienced 171 opioid related Emergency Department deaths as compared to 125 in 2019. Those emergencies were documented by the Emergency Medical Services with the month of June reporting the highest deaths for the year in both counties. ([Injuryfreenc.dhhs.gov](http://injuryfreenc.dhhs.gov)).

Due to the overwhelming impact that both service counties are still experiencing, it is the intent of the Salisbury-Rowan Community Action Agency, Inc. to continue assisting in the ongoing fight against opioid misuse, addiction and overdose by educating staff on the signs of misuse, and the

identification of treatment centers. Staff will also continue partnering in county initiatives lead by Opioid Task Forces.

Early Childhood:

For more than fifty (50) years, the Salisbury-Rowan Community Action Agency, Inc. has operated the Head Start/Early Head Start education program and well as the Child and Adult Food Care Program. As an addition to the program, SRCAA, Inc. has worked to increase partnerships that directly enhances the learning environment for students. One of the partnerships is with the newly emerging technology non-profit organization, AppSeed.

AppSeed provides computer tablets named Seedlings to every Head Start/Early Head Start student enrolled at SRCAA, Inc. Each tablet comes preloaded with educational apps that teach reading, writing and mathematical skills. Children are also allowed to take the tablets home to allow parental engagement in learning.

SRCAA, Inc. has also developed a community-wide initiative by way of natural outdoor learning environments that meet the nutritional and overall health related needs of children and their families enrolled in SRCAA's Head Start/Early Head Start Program.

The natural outdoor learning environments consist of gardens with edible fruits and vegetables. Head Start students, parents, staff and volunteers all participate in the development and completion of each project.

The natural outdoor learning environments provide children with the following opportunities:

- Equal opportunity and access for children with disabilities to increase physical fitness, and interact with non-disabled peers
- Improved overall nutrition
- Increased physical activity
- Enhanced gross motor skills and cognitive abilities
- Enhanced creativity
- Increased social interactions

NCCARE360:

The Salisbury-Rowan Community Action Agency, Inc. is an active member of the NCCARE360 database, and provides resource information and referrals to program participants, and any inquiring community member in need of various services. Additionally, staff at SRCAA, Inc. provides information about NCCARE360 to community partners who may be unaware of the data base to help enhance usage and expand the volume of referral resources.

Healthy Opportunities:

The Salisbury-Rowan Community Action Agency, Inc. is a partnering member of the Healthy Rowan Coalition. Through this coalition SRCAA, Inc. participates with other partnering agencies to address issues of health, quality of life and nutrition within Rowan County. SRCAA, Inc. also makes ongoing referrals for healthcare, mental health and nutrition services to all interested community members and program participants in both Rowan and Cabarrus County.

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
OEO Form 210**

Agency Strategy for Eliminating Poverty

Planning Period: July 1, 2121 – June 30, 2022

Section I: Identification of the Problem (use additional sheets if necessary)

1. Give the Poverty Cause name(s), rank the poverty cause(s) and identify which one(s) the agency will address.

- 1) The lacks of employment opportunities, 2) Individuals lack education necessary to qualify for better employment, 3) Job skills training is needed for an under skilled workforce.

SRCAA will address the needs of employment skills training and education attainment for low-income individuals and families. The agency will provide supportive services for families or individuals to develop occupational and life skills to increase income so they may rise above the income poverty level.

SRCAA's Family Services will use the Family Development approach to partner with participants and the community to:

- Develop/Sustain a strategy to address those needs, both immediate and longer term, in the context of existing resources and opportunities in the community;
- Identify specific outcomes to be achieved among low-income people and the community; and
- Organize and implement program services, and activities, such as advocacy, support and guidance within the agency and among "partnering" organizations, to achieve anticipated results.

2. Describe the poverty cause(s) in detail in the community with appropriate statistical data (include data sources).

Socio/economic factors such as working below the poverty wage rate, in addition to the need for occupational skills development, impacts communities and the ability of residents to gain, maintain or improve employment options, consequently creating the foundation of poverty.

According to the United States' Census bureau, the estimated population in Rowan County as of July 2019 was 142,088. Of that population, 16.3% live in poverty. In Cabarrus County, the estimated population as of July 2019 was 216,453. Of that population 9. % live in poverty.

(A) Explain why the problem exists.

According to the State of North Carolina's Workforce 2011- 2020 Assessment report, ten trends impacting the labor force were identified as followed:

- Worker dislocation accelerated during the recession due to long-term structural changes.
- Workers employed in low-skill; middle-wage jobs are competing for fewer good-paying jobs while opportunities offering similar wage demand higher skills.

- While metropolitan workers have a more diverse set of career possibilities, they must continuously adapt to increasing demands in the workplace and a more competitive labor market.
- Dislocated or young workers in economically hard-hit micropolitan and rural areas have very limited alternatives for employment.
- Seeking good-paying jobs, more workers must increase their skills by accessing and completing education beyond high school or by earning industry-recognized credentials.
- The recession slowed baby boomer retirements, but the impact is likely to be felt first and greatest in micropolitan and rural areas where more workers are near retirement age.
- High-skill in-migrants presents both opportunities and challenges in meeting the states workforce needs.
- Migration of new workers continued at near pre-recession levels, even among low skilled workers, despite the limited availability of jobs.
- Lower skilled workers accounted for most of the unemployed and required significantly greater social services during the recession.
- Workers employed in certain industries – e.g., manufacturing, finance, distribution, or construction - were more likely to lose their jobs and to need retraining to find work.

These trends are evident in both Rowan and Cabarrus Counties. According to the Bureau of Labor Statistics - Labor Market Information, As of October 2020, Rowan County's unemployment rate is at 6.3% compared to 7.20% last month and 3.6% last year. This is higher than the long-term average of 6.18%. Cabarrus County unemployment rate is at 5.8% compared to 6.70 last month and 3.30% last year. This is higher than the long-term average of 5.32%.

The 2020 Employer Needs Survey conducted by the North Carolina Department of Commerce reported that many of the past hiring difficulties still exist for employers in the Manufacturing, Construction, Healthcare, and STEM industries with 74% of employers reporting the lack of employability qualities, lack of technical skills and education credentials was the leading cause of hiring difficulties.

Rowan and Cabarrus counties continue to experience layoffs, even moreso through the COVID 19 Pandemic. Sudden layoffs and other employment disruptions are being addressed by emergency response measures; however, it is anticipated that long-term recovery efforts will be required to help customers reconnect to the workforce, particularly those for whom employment assistance has not previously been required. Many people within the service areas of Rowan and Cabarrus County are employed in low-wage occupations. Most of these occupations are service sector occupations. Some of these occupations include: Restaurant staff; retail salespeople; childcare workers; teachers assistants; housekeepers; security guards; and home health aides. These are also jobs that typically pay hourly, require in-person attendance, and lack benefits like paid family or sick leave. The workers that hold these jobs and their families will be harmed most by a slow in the economy. (prosperitynow.org)

These facts require service providers to discuss alternative education/vocation options so that constituents in need are able to attain the skills that employers require. This information has compelled The Salisbury-Rowan Community Action Agency, Inc. (SRCAA) to take a strategic approach in employment guidance for program participants to ensure that education and skills are compatible with their desired employment interest. This is in addition to providing resources to participants in order to complete education and occupational skills training programs for the purpose of meeting employer qualifications to secure sustainable employment.

(B) Identify the segment of the population and give the number of people experiencing the problem.

The population of North Carolina is estimated to be 10,488,084 as of 2019 according to the United States' Census Bureau. Rowan County's population estimate is 142,088 and Cabarrus County which is more densely populated was 216,453. The median income in NC was \$52,413; however, at a much lower rate, Rowan County's median income was \$48,667 and Cabarrus County's median income was \$64,174. According to the Bureau of Labor Statistics, the current rate of unemployment of North Carolina is 4%, Rowan County's unemployment rate is at 6.3% and Cabarrus County unemployment rate is at 5.8%. For the purposes of this grant whose participants must be income eligible, 16.3% of Rowan's population was below the poverty level and 9% of Cabarrus was below the poverty level.

(C) Provide demographic information of those adversely effected inclusive of:

(a) Gender

According to NC Spotlight on Poverty and Opportunity, 14% of families living in North Carolina are at or below the poverty level. Families with children experience poverty at a much higher rate. Women and single mothers experience an increased rate of poverty at 34% in comparison to two parent homes. Women make up 50.6% of Rowan County's population and 55% of the county's workforce. In Cabarrus County, women make up 51.3% of the county's population and 62.4% of the workforce.

(b) Age

Families face impoverishment due to the lack of employment opportunities, education and occupational skills training for the employment opportunities that are available. According to the NC Department of Public Instruction, North Carolina's High school graduation rate for persons over 25 was 87.6%. In Cabarrus County, the graduation rate for this same group was 90% and persons with bachelor's Degrees or higher was 31% compared to the states 31%. In Rowan County, there was a marked difference. High school graduates over 25 years of age, was only 85 % and those with bachelor's degrees or higher was only 19%.

According to the US Census, in 2019, the estimated number of those living in poverty in Rowan County is 19,063, or 13.9% of the population. There are 8,878 people living in poverty ages 0 – 17, and families with children ages 5 – 17 are 6,111 or 26.3% of Rowan County's population. The estimated number of those living in poverty in Cabarrus County is 18,839 or 9. % of the population. There are 8,300 people living in poverty ages 0 – 17, and families with children ages 5 – 17 are 5,635 or 15% of Cabarrus County's population.

(c) Race/Ethnicity for the agency's service area

With regard to race, 70.6% of North Carolinians are White, 22.2% are Black and 9.8% are of Hispanic or Latino origin. In Rowan County 79.4% are White, 16.9% are Black and 9.4% are of Hispanic origin. In Cabarrus 72.4% are White, 19.6% are Black and 11.1% are of Hispanic origin.

(D) Explain how the persons are adversely affected.

With the current rate of unemployment in Rowan County's at 6.3% and Cabarrus County's rate of unemployment at 5.8%, there are some notable differences in the level of occupational skills

between participants in each of the service counties, with Cabarrus having a more skilled labor force than Rowan. In addition, Cabarrus has more opportunities for growth and is adjacent to Mecklenburg County, one of the nation's fastest growing municipalities, which increases employment opportunities for residents. Additionally, Mecklenburg County is in excess of 45 miles from Rowan County, and according to the US Census Bureau, more than 4,900 Rowan County residents commute there; however, for those constituents working the lower paying jobs, the cost of commuting alone negatively impacts their personal budgets, therefore hindering the family from moving above the federal poverty level.

Section II: Resource Analysis (use additional sheets if necessary)

(E) Resources Available:

a. Agency Resources:

Salisbury-Rowan Community Action Agency, Inc. (SRCAA) has the internal capacity to serve its families. Support from our other internal programs Head Start / Early Head Start allows us to assess families' needs beyond what is provided by Community Services Block Grant (CSBG) funding.

Family Development Specialists in both the CSBG Self-Sufficiency Program and Head Start / Early Head Start collaborate to leverage support, services and referrals to help families overcome barriers and achieve goals. In addition to the Self-Sufficiency Program and Head Start/ Early Head Start, English as Second Language (ESL) and Adult Basic Education (ABE)/ General Education Diploma (GED) courses are offered at the Salisbury-Rowan Community Action Agency, Inc. (SRCAA).

By providing the opportunity for families to participant in multiple services and the internal collaborative efforts of SRCAA staff, the potential for success for program participants increases.

b. Community Resources:

Salisbury-Rowan Community Action Agency, Inc. (SRCAA) partners with many nonprofit human service agencies, schools, colleges, community development organizations, governmental entities and faith organizations to aid our participants in reaching their goals and to change the way business is conducted in the community on their behalf. Managers and staff in both counties actively build partnerships and work together with those partners to address poverty causes and seek solutions for the eradication of the barriers to economic self-sufficiency for Rowan and Cabarrus County residents.

(F) Resources Needed:

c. Agency Resources:

SRCAA continues to enhance its internal systems. The information technology systems used by our staff provide outcome data; however, there are multiple departments using different systems. Since January 2013, Information technology (IT) was outsourced to improve internal IT communication systems. This advancement allows staff working with families to serve them more efficiently and expediently. Other resources are needed to develop a database system for interface and tracking the work being done with families agency wide. Reporting of outcomes to various

fundings would be greatly enhanced if these resources come available.

d. Community Resources:

Community resources that decrease the rising numbers of homeless persons and or those in need of affordable housing in Cabarrus and Rowan County is a resource needed. Community service providers have identified the need for increased strategies to address housing and homelessness. Additional community resources, such as the Homeless Task force in both Rowan and Cabarrus County, work to develop a community-wide strategy to end homelessness through affordable housing and other immediate solutions for low-income families to reduce homelessness or transiency. This is important to our participants to continue to be informed of different avenues and strategies to expedite placements in subsidized housing options.

Section III: Objective and Strategy

(G) Objective Statement:

To provide support and comprehensive services to assist seventy (70) new individuals/families and sixty (60) carryover families to increase their skills and income to rise above poverty level by June 30, 2022.

Strategies for Objective:

Provide support and comprehensive services to low-income families and individuals to develop occupational skills and increase income so they may rise above the poverty income level

Strategies

- o To provide family development and case management services for low-income families so that they can rise above the poverty level.
- o To ensure that program participants understand their role in the partnership with SRCOA so they are able to identify, create and attain their goals.
- o To continue our partnership with area corporate, private and community partners to eliminate the barriers of poverty that prevent our participants from achieving self-sufficiency
- o To collaborate with local offices of the Department of Health and Human Services to address the needs of our participants.
- o To collaborate with the Department of Workforce Solutions to keep the community abreast of the employment trends and available work.
- o To continue providing individual participant counseling, mentoring and referrals to increase participant awareness of community and agency resources.
- o To plan and implement goals and set strategies with the families.
- o To continue to invite low-income individuals to join advisory boards and committees.
- o To increase fund development to close the gap between CSBG funding and participants need.
- o To continue to research, participate in national and local conversations about poverty and its eradication, expanding the knowledge base of staff and participants

OEO Form 210 (continued)

Section IV: Results Oriented Management and Accountability Cycle (use additional sheets if necessary)

Organizational Standard 4.3 requires that an agency's strategic plan and Community Action Plan document the continuous use of the ROMA cycle and use the services of a ROMA trainer.

- (H) Community Needs Assessment: Please summarize the primary needs of your community as determined through the Community Needs Assessment, and explain which of those are Family, Agency, or Community Needs, and why.

Need 1: Opportunities for job skills training is needed for low-income individuals to obtain skills necessary to qualify for employment (agency)

Through the agency's partnerships with education providers and employment service agencies, low-income individuals will be provided with the opportunity to increase skills which will increase employment placement.

Need 2: Low-income individuals needs increased income in order to maintain basic living expenses and reduce the need for crisis assistance.

Through obtaining employment with a living wage, individuals will increase their income and therefore maintain living expenses.

Need 3: The community needs increased development to improve opportunities for low-income people to obtain standard housing.

The community needs additional programs and/or resources to assist the community with obtaining standard housing.

- (I) Achievement of Results and Evaluation: Please discuss your agency's achievement of results from last year. What were the successes and why were those areas successful? What areas did not meet targets or expectations and why were those areas not as successful? What Improvements or changes will be made for this year's work plan to achieve desired results and better meet the needs of the community?

The Salisbury-Rowan Community Action Agency, Inc. did not achieve all planned outcome targets within the 80% -120% variance levels for the 2019-2020 program fiscal year, with the exception of the number of participant families provided emergency assistance was met at 110%, the number of participant families securing standard housing, which was met at a variance of 80% and the number of participant families provided educational supports, which was met at a variance of 98%.

Like many other counties in North Carolina, Rowan and Cabarrus County have faced workforce development challenges in recent years. The NCWorks Commission released the North Carolina State of the Workforce 2011-2020 report [which examined North Carolina's workforce through an in-depth analysis of economic and employment data. The study found that the recession accelerated the shift to a knowledge-based economy and many workers are not prepared for the jobs that exist in today's economy. Key findings include:

- Companies who have begun hiring since the end of the Great Recession in 2007, are looking for more highly skilled workers than those who were laid off during the recession
- Workers are competing for fewer good-paying jobs which demand higher skills.
- Workers in rural areas of have limited alternatives for employment
- Workers must increase their skills, as more jobs require at a minimum, some post-secondary

education]

As a result, Rowan County most notably has seen a steady decline in the workforce. To combat the issue, the Salisbury-Rowan Community Action Agency is actively collaborating with the local Community College system, area businesses and some local government to support the occupational and educational training needs of the community. The same collaborative efforts are being taken in Cabarrus County to combat the causes of poverty through increased supports of education and employment assistance.

The Salisbury-Rowan Community Action Agency, Inc. will continue to take both a proactive and continued active role in ensuring that services are designed and provided to combat the issues of poverty. As previously mentioned, the agency's most recent activities involved the development of an Employment and Training Advisory Committee to improve linkages and leveraged support for program participants in Rowan and Cabarrus County. The purpose of the committee is to (a) Provide expertise or advice on employer needs, industry changes and training requirements or prerequisites for training, (b) provide opportunities for employment, internships and apprenticeships, (c) provide feedback and assess the agency's impact to further enhance services, (d) serve as an unbiased and independent sounding committee.

(J) Please name the ROMA trainer who provided services used in developing this community Action Plan and describe what specific services were provided.

Dione Adkins-Tate (NCRI) provided guidance in the development of the Community Action Plan, which included conducting training for the governing Board of Directors concerning their duties for the implementation of the plan.

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
One-Year Work Program
OEO Form 212**

Section I: Project Identification				
1. Project Name:	Self- Sufficiency Program			
2. Mission Statement:	Salisbury-Rowan Community Action Agency, Inc. provides services for individuals, children and families to enhance their quality of life and promote opportunities for self-sufficiency.			
4. Objective Statement:	To provide support and comprehensive services to assist seventy (70) new individuals/families and sixty (60) carryover families to increase their skills and income to rise above poverty level by June 30, 2022			
5. Project Period:	July 1, 2021 – June 30, 2022			
6. CSBG Funds Requested for this Project:	July 1, 2021	To	June 30, 2022	
7. Total Number Expected to Be Served:	130			
a. Expected Number of New Clients	70			
b. Expected Number of Carryover Clients	60			

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
One-Year Work Program
OEO Form 212 (continued)**

9. Use the tables below to enter your agency's targeted outcome results. The performance measures will be included in the agency's CSBG contract.

All CSBG grantees operating self-sufficiency projects are required to enter program targets in Table 1. Please refer to *Performance Measures and Outcomes Definitions* on page 7 of the Fiscal Year 2021-22 CSBG Application Instructions. If your agency operates more than one project, you will also need to complete Table 2 on the following page and also enter specific program targets. There should be one table of outcome measures per project.

Table 1 Outcome Measures for Project 1 (enter project name)	
Measure	Expected to Achieve the Outcome in Reporting Period (Target)
The number of participant families served.	130
The number of low-income participant families rising above the poverty level.	10
The number of participant families obtaining employment.	15
The number of participant families who are employed and obtain better employment.	5
The number of jobs with medical benefits obtained.	5
The number of participant families completing education/training programs.	20
The number of participant families securing standard housing.	2
The number of participant families provided emergency assistance.	20
The number of participant families provided employment supports.	20
The number of participant families provided educational supports.	30
The average change in the annual income per participant family experiencing a change.	This measure does not require a target but must be reported.
The average wage rate of employed participant families.	This measure does not require a target but must be reported.

**Community Services Block Grant Program
Fiscal Year 2021-22 Application for Funding
Monitoring, Assessment and Evaluation Plan**

1. Describe the role and responsibilities of the following in the assessment and evaluation of agency programs.

a. Board of Directors:

The Board of Directors is responsible for the overall performance and evaluation of all agency programs. The Planning and Evaluation Committee is responsible for working with the Executive Director and staff to develop agency programs and services. The committee has direct oversight to review, evaluate, and monitor all programs to ensure compliance. The Board of Directors receives and reviews monthly reports detailing the performance of the agency's programs at each Board meeting.

b. Low-Income Community:

The low-income community has input in the agency's programs through public hearings, participating on community forums, and representation on the agency's Board of Directors.

c. Program Participants:

Program participants have the opportunity to evaluate the program by completing evaluations/surveys, participating in community forums and by serving as volunteers.

d. Others:

Partners participate in Community Round Tables during tri-annual Community Assessments in both Rowan and Cabarrus County. This allows the agency and its partners to identify collaboration opportunities and improve service delivery. It also allows others to express concerns about meeting the needs of our participants during a formalized feedback process.

2. Describe the systematic approach for collecting, analyzing and reporting customer satisfaction data to the Board of Directors.

1.0 Purpose – The procedure for collecting, analyzing and reporting customer satisfaction data to the Board of Directors establishes a system for evaluating the services provided by the Salisbury-Rowan Community Action Agency, Inc. (SRCAA, Inc.)

2.0 Scope – The procedure is applicable to all employees of the Salisbury-Rowan Community Action Agency, Inc. (SRCAA, Inc.)

3.0 Procedure

3.1 Overview - Customer satisfaction surveys may provide valuable feedback on the effectiveness of the service delivery of the Salisbury-Rowan Community Action Agency, Inc., and may be used to improve the quality systems with the customer in mind; therefore, SRCAA, Inc. encourages comments and feedback from any individual or family which it serves.

3.2 The services provided by the Salisbury-Rowan Community Action Agency, Inc. shall be evaluated through the use of

customer surveys submitted by the customer in a locked box located in plain view of the customer's entrance or exit of the building.

3.4 Responses to the customer survey shall be collected and analyzed for a thirty day period. The Administrative Assistant or designee shall forward the results of customer satisfaction surveys to the appropriate management.

3.5 If during review of the responses to the customer satisfaction surveys that it is determined that a complaint needs to be addressed, the complaint(s) shall be followed up by the appropriate Program Director.

3.6 Tabulated results of the Customer Satisfaction Surveys shall be reported monthly to the Board of Directors during regularly scheduled meetings. Surveys shall be maintained for a period of one year.

3. Describe how administrative policies and procedures are monitored by the Board of Directors.

The Board of Director's reviews the agencies administrative policies on an annual basis. These policies include fiscal, personnel and procurement. When necessary the policies are revised and updated. The Manual and an Employee Handbook has been introduced to all staff. The policies are monitored as part of the self-assessment process.

4. Describe how the Board acts on monitoring, assessment and evaluation reports.

The Board of Directors reviews all monitoring, assessment and evaluation reports. The board also reviews corrective measures and ensures that policies and procedures are modified based on the reports that are received. The Board also ensures that the results of the assessment are put into an action plan to improve the agency's performance.

5. Describe the Board's procedure for conducting the agency self-evaluation.

The Board of Directors along with staff conducts an annual evaluation of the agency's program governance, management systems, fiscal, partnership engagement and program effectiveness. This evaluation is headed by an outside consultant. Upon completion the information is compiled, documented and discussed in order to develop a work plan.

6. Summarize the results of the Board's most recent self-evaluation. Describe how the information has been or will be used to develop the agency's next Strategy for Eliminating Poverty. Indicate the timeframe and planned activities for the next evaluation.

The results from the evaluation include: a) the need to expand funding beyond federal dollars, b) Increase board and management system collaborations, c) the need to further enhance our service delivery to provide support and assistance to the diverse families of the low-income community, d) increase our partnerships and collaborations to address the identified needs of the community. The information from the Board's self-evaluation will be used to enhance the strategic plan, departmental work plans and staff performance plans.

Planned activities for the next evaluation will measure progress on the following: 1) effective board governance 2) understanding the role of the governing board under Community Action 3) Understanding the role of financial oversight and monitoring by the governing board. The next scheduled board evaluation will be conducted in March 2021.

**Community Services Block Grant [CSBG]
Documentation of Submission to County Commissioners**

Background: The North Carolina Administrative Code [10A NCAC 97C.0111 (b)(1)(A)] requires that each CSBG grant recipient submit its Community Anti-Poverty Plan [grant application] to each County Commissioner Board that it serves.

Instructions: This form is to be completed and notarized by the Clerk to the Board.

Agency Name: Salisbury – Rowan Community Action Agency, Inc.

County: Rowan - Cabarrus

Date of Application Submission: _____

[Note: This application should be submitted to the County Commissioners at least thirty [30] days prior to application submission to the Office of Economic Opportunity [OEO]. The grant application is due to OEO **January 15, 2021**.

Clerk to the Board should initial all items below.

_____ The agency submitted a complete grant application for Commissioner review.

_____ The Clerk to the Board will be responsible for assuring that the application is distributed to the Commissioners.

_____ Commissioners' comments provided those to the agency. (If applicable)

Clerk to the Board

Date

Notary

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

BOC - Appointments to Boards and Committees

BRIEF SUMMARY:

The following appointment to Boards and Committees are recommended for January:

Appointments - Cabarrus County Youth Commission

The Cabarrus County Youth Commission recommends the appointment of Tizita Henderson for a two year term ending June 30, 2022. Tizita is a student at Hickory Ridge High School. A letter in that regard is included in the agenda.

Representative recommendation is Tizita Henderson.

Appointments - Active Living and Parks Commission

Charles Grimsley's current term as an Active Living and Parks Commission member expires January 2021. Mr. Grimsley is eligible for a second, three-year term and has agreed to be reappointed to a term ending January 2024.

Representative recommendation is Charles Grimsley.

REQUESTED ACTION:

Provide information.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Active Living and Parks - Soccer Complex Recognition Recommendation

BRIEF SUMMARY:

Kevin Crutchfield presented a Proposal to the Active Living and Parks Commission at the November 19th meeting. He has proposed to name two of the fields after individuals that were instrumental in making the Soccer Complex at Frank Liske Park become a reality.

Bill Jermyn was the President of the Cabarrus Soccer Association at the time the County was trying to acquire the additional acreage. He worked tirelessly to help acquire the adjoining land to build the Soccer Complex. Steve Little was the Director of the Department at the time and was instrumental in acquiring an additional lease on the property for the Soccer Complex. Additionally, Steve was in charge of the development of the project with architectural drawings, bids and construction.

After discussion, the ALP Commission voted unanimously to make the recommendation of placing a Plaque on the Concession Building honoring these two instead of naming the fields.

Mr. Crutchfield indicated he would purchase and install the plaque. The ALP Commission will approve the language on the plaque. Infrastructure and Asset Management will be involved in the installation of the plaque.

REQUESTED ACTION:

Motion to allow Mr. Crutchfield to purchase a plaque to honor Mr. Jermyn and Mr. Little with ALP Commission approving the language on the plaque and IAM involved in the installation.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Londa Strong, ALP Director

Kevin Crutchfield

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Ad Hoc Amendment to the Central Area Plan Interlocal Agreement

BRIEF SUMMARY:

The Board of Commissioners adopted the Central Area Land Use Plan as did the City of Concord. That plan limits the extension of public utilities in specified areas. The attached Ad Hoc Amendment to the Interlocal Agreement would permit a public water connection for a specified property within part of the restricted area. Staff supports this amendment.

REQUESTED ACTION:

Motion to approve the Ad Hoc Amendment to the Central Area Plan Interlocal Agreement for a parcel at 2925 Twinfield Drive.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Ad Hoc Amendment
- ▣ Map of Twinfield property

STATE OF NORTH CAROLINA

AD HOC MODIFICATION OF CITY
OF THE CONCORD-CABARRUS COUNTY
INTERLOCAL AGREEMENT REGARDING
THE CENTRAL AREA PLAN
(Hogan)

COUNTY OF CABARRUS

This AD HOC MODIFICATION OF THE CONCORD-CABARRUS COUNTY INTERLOCAL AGREEMENT REGARDING THE CENTRAL AREA PLAN (“the “Modification”) is entered into effective as of the last date of execution by the parties as shown below, by, between and among the CITY OF CONCORD (“Concord”), a North Carolina municipal corporation, and CABARRUS COUNTY (“County”).

RECITALS

1. On June 28, 2008, these same parties entered into an “Interlocal Agreement” regarding the implementation of the Central Area Plan (“CAP”).
2. This Interlocal Agreement was to continue in effect for a period of 15 years and contemplated a review of the efficacy of the Interlocal Agreement every 5 years.
3. The parties have had discussions about specific issues and parcels affected by the CAP since the execution of the Interlocal Agreement.
4. The parties have also had specific discussions about a parcel owned by Nelson Vasquez Ortiz, who wishes to construct a new single family home on the parcel, which is located in Area A of the Interlocal Agreement. Pursuant to the terms of the Interlocal Agreement, the CAP prohibits Concord from extending utilities to real property parcels in Area A.
5. The CAP and the Interlocal Agreement have been successful in redirecting residential development into other areas of Cabarrus County, but there are instances in the Central Area in which it makes sense to modify the Interlocal Agreement to allow a limited amount of development in areas where utilities already exist or are reasonably available.
6. The purpose of this Amendment is to modify the Interlocal Agreement to the limited extent of addressing the above-described circumstance involving the below identified parcel(s).

In consideration of the above Recitals and the Terms below, which the parties specifically acknowledge and agree make this Modification legally binding and enforceable, the parties agree as provided below.

TERMS

1. Concord agrees to provide electric and water utility services under its normal and customary terms and conditions to the property located at 2925 Twinfield Drive, Concord NC 28025 (PIN 5640 52 1661).
2. Except as specifically changed by this Modification, the provisions of the Interlocal Agreement shall remain in full force and effect.

IN WITNESS, the parties have executed this Modification as indicated below, all pursuant to legal authority duly given.

CITY OF CONCORD

By: _____
Lloyd Payne, City Manager

Date: _____

CABARRUS COUNTY

By: _____
Mike Downs, County Manager

Date: _____

4813-2804-1077, v. 1




DRAFT



2925 Twinfield Drive

CALUP ILA Amendment

Legend

-  Subject Property (2925 Twinfield Drive)
-  TaxParcels
-  CITY OF CONCORD

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 & Development -December 2020



CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Request for Easements from the Water & Sewer Authority of Cabarrus County (WSACC)

BRIEF SUMMARY:

WSACC has requested temporary construction easements on County owned property to allow for the construction of the Back Creek parallel interceptor sewer line. One parcel is located off Hickory Ridge Road at Back Creek (parcel 21 on the attachments) and the other off Stallings Road (parcel 30 on the attachments). They are offering \$500 and \$2069 respectively for the easements.

REQUESTED ACTION:

Motion to approve the temporary construction easement agreements with WSACC for the identified parcels off Hickory Ridge and Stallings Roads.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Temporary Construction easement P21
- ▣ Temporary Construction easement P30
- ▣ TCE map P21
- ▣ TCE map P30
- ▣ Supplemental Map

ABOVE SPACE FOR RECORDER'S USE

Return to: Professional Property Services, Inc. 18335 Old Statesville Road Unit A Cornelius, NC 28031

Prepared by:

Water & Sewer Authority of Cabarrus County
232 Davidson Highway
Concord, NC 28027

Project Name: Back Creek Interceptor Improvements
Tax Parcel No.: 5507-82-8255
Property Address: 7145 Hickory Ridge Road
Description for Index: Easement

STATE OF NORTH CAROLINA)
COUNTY OF CABARRUS)

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT (this “**Easement**”) is entered into as of _____, 2020 (the “**Effective Date**”), by **CABARRUS COUNTY**, a political subdivision of the State of North Carolina (“**Grantor**”), to and for the benefit of the **WATER AND SEWER AUTHORITY OF CABARRUS COUNTY**, a public instrumentality created under Chapter 162A of the General Statutes of North Carolina (“**Grantee**”). Each of Grantor and Grantee may be individually referred to as a “**Party**” and collectively as the “**Parties**”. The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

RECITALS:

A. Grantor is the owner of fee simple title to that certain real property located in Cabarrus County, North Carolina, identified as Tax Parcel No(s). 5507-82-8255 and being more particularly described in the deed recorded in Deed Book 571, Page 15 of the Cabarrus County Public Registry (the “**Grantor Property**”).

B. Grantor (or its predecessor-in-interest with respect to the Grantor Property) has previously executed and recorded that certain Right-of-Way and Easement recorded

in Book 3740, Page 239 of the Cabarrus County Public Registry (the “**Existing Easement**”). The Existing Easement grants to Grantee a perpetual right-of-way and access easement and a temporary construction easement to be used in connection therewith, as more particularly described therein.

C. To avoid any doubt as to whether the temporary construction easement granted by the Existing Easement remains in effect, Grantor has agreed to grant to Grantee certain easements on, over and across portions of the Grantor Property, together with such rights and obligations more particularly described in this Easement, all on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby agrees and declares that the Grantor Property shall be held, sold and conveyed subject to this Easement, which shall run with the title to the Grantor Property and shall be binding upon the Parties and all persons and entities now or hereafter having any right, title or interest in the Grantor Property, and their heirs, successors, successors-in-title and assigns.

TEMPORARY CONSTRUCTION EASEMENT. Grantor hereby grants to Grantee a temporary construction easement or “TCE” (the “**Temporary Construction Easement**”) over and through the Grantor Property in the area shown on Exhibit A attached hereto and incorporated herein by reference (the “**Easement Area**”), for the purpose of locating, laying and constructing certain utility line(s) (water, sewer or both) (the “**Utility Lines**”), with all necessary pipes and/or appurtenances (collectively, the “**Facilities**”) within the Easement Area. The rights granted herein shall include, without limitation, the right to stage and store equipment and materials within the Easement Area, and the right to clear obstructions within the Easement Area that, in Grantee’s discretion, interfere with Grantee’s exercise of its rights herein and its use and enjoyment of the Temporary Construction Easement. Following construction of the Project, the Temporary Construction Easement will be stabilized and restored using conventional engineering, earthwork and landscaping methods, and Grantee shall remove any and all of its equipment and materials from the Grantor Property.

The Temporary Construction Easement shall expire two (2) years after commencement of project construction on the Grantor Property.

TO HAVE AND TO HOLD the Temporary Construction Easement unto Grantee and Grantee’s successors, assigns, for the aforesaid uses and purposes and none other. AND Grantor does hereby bind itself and its successors and assigns to warrant and defend all and singular the Temporary Construction Easement located on the Grantor Property unto the said Grantee and Grantee’s successors and assigns, against it and its successors and all other persons whosoever lawfully claiming, or to claim the same, or any part thereof.

Grantor acknowledges and warrants that it is fully authorized and empowered to execute this Easement by and through the individual(s) executing below.

IN WITNESS WHEREOF, Grantor has executed this Easement to be effective as of the Effective Date.

GRANTOR:

CABARRUS COUNTY

By: _____
Name: _____
Title: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of _____ County, do hereby certify that _____, personally appeared before me this day and acknowledged due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal this the _____ day of _____, 202__.

Notary Public

Printed Name of Notary

My Commission Expires: _____

(SEAL)

**EXHIBIT A
To Temporary Construction Easement**

Easement Area

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN
REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH
ANY APPLICABLE LAWS

[TO BE INSERTED]

ABOVE SPACE FOR RECORDER'S USE

Return to: Professional Property Services, Inc. 18335 Old Statesville Road Unit A Cornelius, NC 28031

Prepared by:

Water & Sewer Authority of Cabarrus County
232 Davidson Highway
Concord, NC 28027

Project Name: Back Creek Interceptor Improvements
Tax Parcel No.: 5517-22-8882
Property Address: 3425 Stallings Road Harrisburg NC
Description for Index: Easement

STATE OF NORTH CAROLINA)
COUNTY OF CABARRUS)

TEMPORARY CONSTRUCTION EASEMENT

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RECITALS:

A. Grantor is the owner of fee simple title to that certain real property located in Cabarrus County, North Carolina, identified as Tax Parcel No(s). 5517-22-8882 and being more particularly described in the deed recorded in Deed Book 11317, Page 252 of the Cabarrus County Public Registry (the “**Grantor Property**”).

B. Grantor (or its predecessor-in-interest with respect to the Grantor Property) has previously executed and recorded that certain Right-of-Way and Easement recorded

in Book 3284, Page 249 of the Cabarrus County Public Registry (the “**Existing Easement**”). The Existing Easement grants to Grantee a perpetual right-of-way and access easement and a temporary construction easement to be used in connection therewith, as more particularly described therein.

C. To avoid any doubt as to whether the temporary construction easement granted by the Existing Easement remains in effect, Grantor has agreed to grant to Grantee certain easements on, over and across portions of the Grantor Property, together with such rights and obligations more particularly described in this Easement, all on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby agrees and declares that the Grantor Property shall be held, sold and conveyed subject to this Easement, which shall run with the title to the Grantor Property and shall be binding upon the Parties and all persons and entities now or hereafter having any right, title or interest in the Grantor Property, and their heirs, successors, successors-in-title and assigns.

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The Temporary Construction Easement shall expire two (2) years after commencement of project construction on the Grantor Property.

TO HAVE AND TO HOLD the Temporary Construction Easement unto Grantee and Grantee’s successors, assigns, for the aforesaid uses and purposes and none other. AND Grantor does hereby bind itself and its successors and assigns to warrant and defend all and singular the Temporary Construction Easement located on the Grantor Property unto the said Grantee and Grantee’s successors and assigns, against it and its successors and all other persons whosoever lawfully claiming, or to claim the same, or any part thereof.

Grantor acknowledges and warrants that it is fully authorized and empowered to execute this Easement by and through the individual(s) executing below.

IN WITNESS WHEREOF, Grantor has executed this Easement to be effective as of the Effective Date.

GRANTOR:

CABARRUS COUNTY

By: _____
Name: _____
Title: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of _____ County, do hereby certify that _____, personally appeared before me this day and acknowledged due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal this the _____ day of _____, 202__.

Notary Public

Printed Name of Notary

My Commission Expires: _____

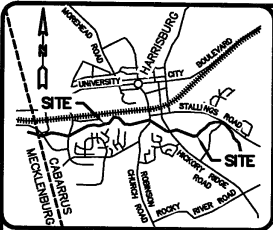
(SEAL)

**EXHIBIT A
To Temporary Construction Easement**

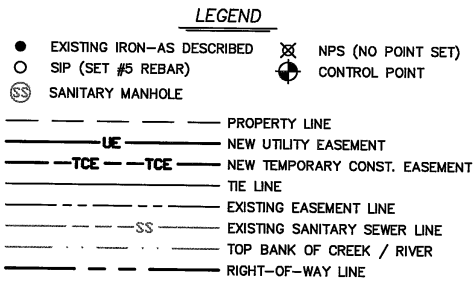
Easement Area

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN
REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH
ANY APPLICABLE LAWS

[TO BE INSERTED]



VICINITY MAP
NOT TO SCALE



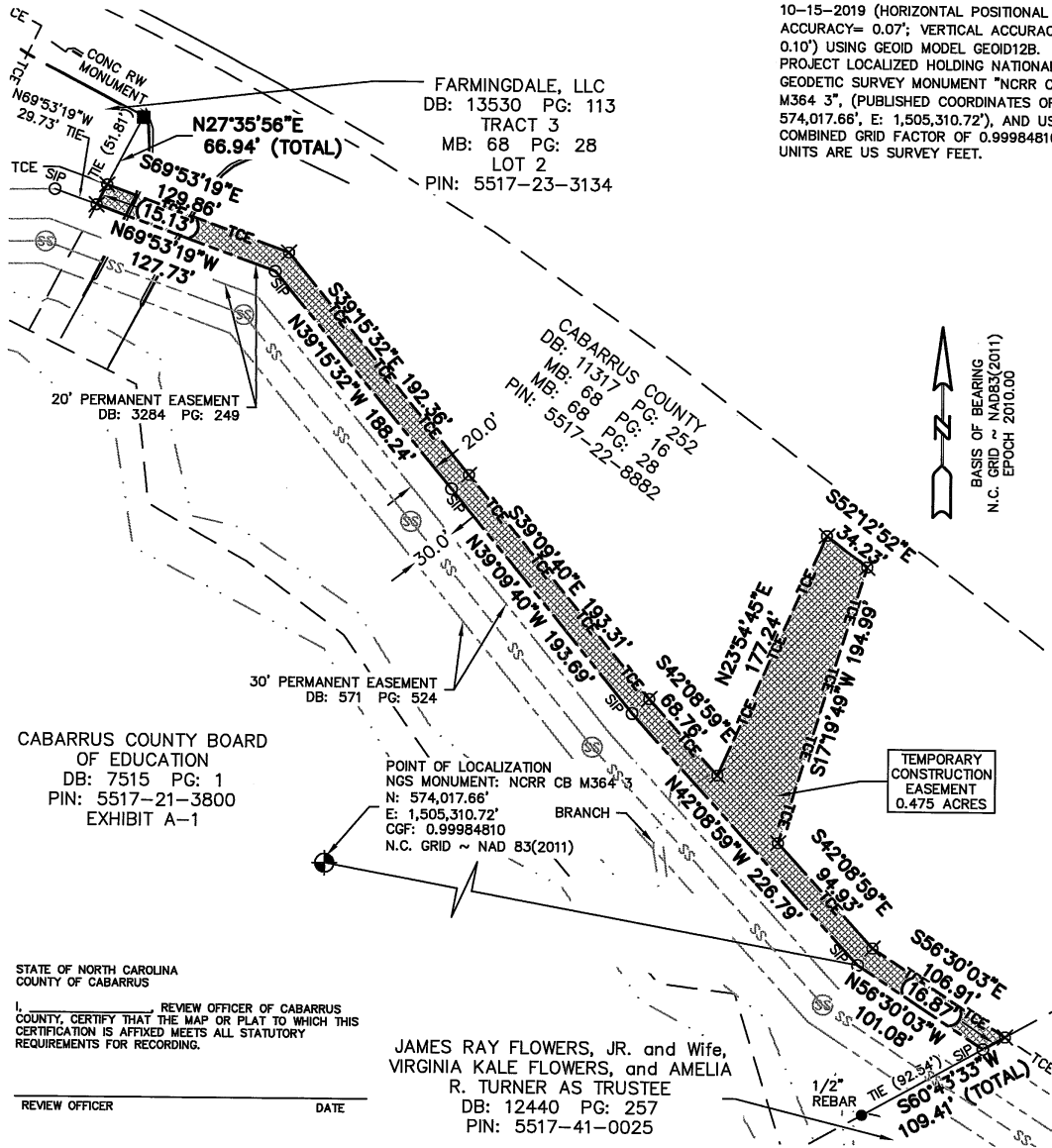
TEMPORARY CONSTRUCTION
EASEMENT 0.475 ACRES

REFERENCES:

1. ALL DEEDS AND MAPS SHOWN HEREON.
2. CABARRUS COUNTY REGISTER OF DEEDS AND ONLINE GIS TAX MAP.

NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
2. AREAS DETERMINED BY COORDINATE COMPUTATIONS.
3. AREA IS LOCATED IN FEMA ZONE AE (AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN) AS PER F.I.R.M. MAP NO. 3710551700K, EFFECTIVE DATE: 11/16/2018.
4. NC GRID NAD 83 (2011) EPOCH 2010.00 BASIS OF BEARING AND NAVD 88 ELEVATIONS DERIVED FROM NCGS NETWORK RTK ON BETWEEN 07-19-2019 & 10-15-2019 (HORIZONTAL POSITIONAL ACCURACY= 0.07'; VERTICAL ACCURACY = 0.10') USING GEOID MODEL GEOID12B. PROJECT LOCALIZED HOLDING NATIONAL GEODETIC SURVEY MONUMENT "NCRR CB M364 3", (PUBLISHED COORDINATES OF N: 574,017.66', E: 1,505,310.72'), AND USING A COMBINED GRID FACTOR OF 0.99984810. UNITS ARE US SURVEY FEET.



CABARRUS COUNTY BOARD
OF EDUCATION
DB: 7515 PG: 1
PIN: 5517-21-3800
EXHIBIT A-1

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

I, _____, REVIEW OFFICER OF CABARRUS COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

JAMES RAY FLOWERS, JR. and Wife,
VIRGINIA KALE FLOWERS, and AMELIA R. TURNER AS TRUSTEE
DB: 12440 PG: 257
PIN: 5517-41-0025

PLAT CERTIFICATION

I, DAVID L. HAYWOOD, JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN REFERENCES AS SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600); AND THAT:

D. THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 15TH DAY OF SEPTEMBER, 2020 A.D.

PROFESSIONAL LAND SURVEYOR, LICENSE NO. L-4822

WSACC - BACK CREEK INTERCEPTOR - EASEMENT PLAT

PROPERTY OF **CABARRUS COUNTY**

NUMBER 1 TOWNSHIP _____ CABARRUS _____ CO., NC
ADDRESS: 3425 STALLINGS RD _____ HARRISBURG _____, NC

PLAT RECORDED IN MB. 68, PG. 28, DEED RECORDED IN DB. 11317, PG. 252
WATER AND SEWER AUTHORITY OF CABARRUS COUNTY | **BLACK & VEATCH**

SCALE: 1 IN. = 100 FT. DATE: SEPTEMBER 15TH, 20 20



CIVIL - GEOTECHNICAL - SURVEYING
N.C. FIRM LICENSE NO. C-9263
45 SPRING STREET SW CONCORD (704) 786-5404
CONCORD, NC 28025 FAX (704) 786-7454
ACAD FILE: 190317 CABARRUS COUNTY2.DWG
PLAT NUMBER: 30



1 inch = 1,000 feet

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Tree and Brush Removal at Stonewall Jackson Property

BRIEF SUMMARY:

County and State Historic Properties staff have been discussing removal of trees and brush around example structures on the Stonewall Jackson property. The purpose of this work would be to allow better inspection of those areas, to generate interest in the proposed restoration project and for security purposes.

The County Grounds Maintenance Division received a proposal from Carolina Tree Care (the County's regular contracted vendor for tree removal) for this work. That proposal includes removal of trees and brush from around the Daughter's Cottage, the Chapel and the footbridge over Old Charlotte Road. The proposed cost is \$47,500 due to the extensive and difficult work that must be performed particularly with regard to the areas directly adjacent to the buildings and Old Charlotte Road.

Kyle Bilafer has identified money leftover from some completed capital projects for this work. We would proposed moving that money to the Stonewall Jackson project ordinance so that it may be tracked for possible reimbursement upon sale of the property.

REQUESTED ACTION:

Motion to approve the proposal from Carolina Tree Care for tree and brush removal at Stonewall Jackson and authorize the Finance Director to complete the necessary budget amendment.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Carolina Tree Proposal



Proposal

Carolina Tree Care
 520 Webb Rd PO Box 1118
 Concord, NC 28025
 704-788-8733

Cabarrus County General Service 20201201

Tuesday, December 01, 2020

Cabarrus County General Service
 Bryan Horne
 242 General Services Dr.
 Concord, NC 28026
Phone: 1-980-521-1685

Salesperson: Charles Floyd
 704-506-2121
 charles.floyd@carolinatree.com

Worksite: Jackson Training School
 1484 Old Charlotte
 Concord , NC 28025

General Tree Care

#	Item	Description	Qty	Cost
1		General Tree Care (GTC)	0	\$47,500.00

Scope of work , 3 area site tree and noxious growth control .

Area 1 - Daughters Home site / remove dead & danger trees from in closed fence and reduce noxious growth. Remove all debris from site and 100% cleanup .

any stumps needed removal so not to have trip or fall hazard will be ground to 4 inches below grade .

Areas with noxious growth will need to have a selective growth spray from bucket truck in advance to loosen root growth to mortar so not to damage structure

this work will take 1-1/2 weeks and includes all materials needed

site cost \$ 13,800.00

Area 2- the bridge Location over Old Charlotte. Remove declining White Pines and noxious growth on bridge and areas around both entrance from bridge crossing 50ft on both sides . Remove all debris site and 100% cleanup. Treat noxious growth in advance with selective spray in advance of removal to weaken root structures so to reduce damage to mortar or structure damage.

Will need traffic control and permits for Old Charlotte Rd from NCDOT

site cost

tree Service \$ 12,400.00

traffic Control with permits \$ 10,250.00 (5 days)

Area 3- Church tree pruning and noxious growth removal. Elevate trees surrounding the historic church site and remove all debris .

Noxious growth removal of tagged trees and vegetation from bridge entrance to building and 40 ft from base of church .

Clear the roadside banks along Old Charlotte Rd . Cut stumps level with grade 1 inches and less grind stumps 1 inches and greater.



Proposal

Carolina Tree Care
520 Webb Rd PO Box 1118
Concord, NC 28025
704-788-8733

(SAFETY ALEAT) install a bright Orange fence along the cliff at side of church until site is completed and a permanent buffer can be installed.

This is a no go zone for site workers due to 50-60 ft drop .

site cost
tree service \$ 9,400.00
temp fence installation \$ 1,650.00

General Tree Care Subtotal: \$47,500.00

Subtotal: \$47,500.00

Tax: \$0.00

Total: \$47,500.00

Customer Signature

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Planning and Development - Proposed Amendment to Construction Standards Fee Schedule

BRIEF SUMMARY:

Cabarrus County adopted a completely new Construction Standards Fee Schedule effective in January 2020 that had a new framework than the previous schedule. After using the schedule for a year, staff has identified a few items that need clarification and/or revising.

REQUESTED ACTION:

Motion to approve revisions to Construction Standards Fee Schedule.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Todd Culp
Chief Codes Enforcement Officer

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

▢ Memorandum

MEMO

TO: Cabarrus County Board of Commissioners

FROM: Kelly Sifford

DATE: 12/16/2020

SUBJECT: Construction Standards Fee Schedule Update

Last year, Cabarrus County adopted an updated Construction Standards Fee Schedule that became effective on January 1, 2020. After using the amended fee schedule for a full year now, our staff has identified a few items that we would like to request that clarifications and/or adjustment be made. As the fees were applied to certain items, our staff discovered that the choices available in the fee schedule for these items were not really an accurate description for the work being performed and did not accurately capture the time taken by staff to produce the associated permits and to perform the inspections. The proposed fees for these items are all lower than the fee options available to staff in the currently adopted schedule. Based on customer feedback on the options and pricing and a year of working with the completely revamped fee schedule our staff is proposing the following changes to the fee schedule effective February 1st 2021:

Storage Sheds:

Storage Shed – First 150sf. (Max 400sf.) (single elect. circuit)

Current Fee:	\$246.17	recommend \$150.00
Storage Shed – each additional 100sf.	\$22.75	<u>recommend \$25.00</u>
		Max fee \$200.00

Structural Repairs:

Additional Fee	Structural Repair- single component	\$125.00
Existing Fee	Structural Repair- first 100sf.	\$250.00
Existing Fee	Structural Repair- each additional 100sf.	\$25.00

Data and Low Voltage:

Data Wiring (First 1000sf.) Change from per 1000sf. To First 1000sf.	\$81.25
Data Wiring (each addition 1000sf.) New Fee Title	\$10.00

Low voltage (First 1000sf.) New Fee Title	\$81.25
Low Voltage (each additional 1000sf.) New Fee Title	\$10.00

The proposed fees are based on the system used to do the original pricing. These are scenarios we did not envision during the original process.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Planning and Development Department - TEXT2020-00001- Proposed Amendments to the Cabarrus County Zoning Ordinance

BRIEF SUMMARY:

Legislation was passed by the North Carolina General Assembly in 2020 that combined city and county planning and zoning regulations into a new Chapter of the North Carolina General Statutes called 160D. The intent of the legislation was to update and streamline the laws related to development, to include plain language and to provide one central location for statutory requirements. Due to the statutory changes and the dissolution of 153A, which previously outlined county planning and zoning regulations, amendments to the Cabarrus County Development Ordinance are needed. The original deadline for local governments to implement the statutory changes in 160D was January 1, 2021. The original legislation, however, was amended in July of 2020. This legislation extended the implementation date to July 1, 2021 due to the pandemic, but also made 160D effective immediately. Cabarrus County needs to proceed with amending the Ordinance.

There are several chapters impacted by the legislation. Additionally, there are few general updates proposed and some typos that need to be corrected. A brief description of the proposed changes is provided for each chapter being amended in the attached memo. The proposed changes to the CCDO are also included for reference.

REQUESTED ACTION:

1. Receive staff report
2. Hold public hearing
3. Motion to consider approving text amendment TEXT2020-00001, amending Chapter 1, 2, 3, 5, 6, 7, 8, 9, 12, 13, 14, 15 and Appendix A of the Cabarrus County Development Ordinance.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Susie A. Morris, AICP, CFM, CZO
Planning and Zoning Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- TEXT2020-00001 Information

Memo

To: Cabarrus County Board of Commissioners

From: Susie Morris, AICP, CFM, CZO, Planning and Zoning Manager

cc: File

Date: 11/23/2020

Re: Proposed Text Amendments and 160D Legislation

Legislation was passed by the North Carolina General Assembly in 2020 that combined city and county planning and zoning regulations into a new Chapter of the North Carolina General Statutes called 160D. The intent of the legislation was to update and streamline the laws related to development, to include plain language and to provide one central location for statutory requirements. Due to the statutory changes and the dissolution of 153A, which previously outlined county planning and zoning regulations, amendments to the Cabarrus County Development Ordinance are needed.

The original deadline for local governments to implement the statutory changes in 160D was January 1, 2021. The original legislation, however, was amended in July of 2020. This legislation extended the implementation date to July 1, 2021 due to the pandemic, but also made 160D effective immediately. Cabarrus County needs to proceed with amending the Ordinance.

There are several chapters impacted by the legislation. Additionally, there are few general updates proposed and some typos that need to be corrected. A brief description of the proposed changes is provided for each chapter being amended.

Chapter 1

Proposed changes related to 160D only to change statutory references and to remove outdated language.

Chapter 2

Changes to definitions are proposed, and required, for consistency with 160D. Definitions for existing permitted uses that were previously not defined, as well as a few new uses where legal interpretations had to be made, are proposed to be added. The proposed uses are further discussed in the summary for Chapter 3.

Chapter 3

The listed and tabular forms of permitted uses in Chapter 3 have been updated to reflect “Special Use” where “Conditional Use” was previously used. The term Conditional Use is no longer applicable based on changes to 160D. Uses that require Board of Adjustment review must be called Special Uses and the resulting permits called Special Use Permits. A handful of uses where interpretations had to be made over the last year have been added to the permitted use list and permitted use table to codify zoning districts where these uses are allowed and the standards for development. These uses include wellness retreat, furniture repair/reupholstering, crematorium, ATV/other motor vehicle dealer, fabrication and storage lot, logistic and freight related. Additionally, Trucking Company/Heavy Equipment Company/Dispatch Facility with Storage and Truck Stop/Truck Terminal are proposed to be added to the LI zoning district as permitted by right uses. As required by 160D, Health Care Structures are being added as a temporary use. Development standards for this new temporary use are located in Chapter 7.

Chapter 5

Chapter 5 includes clarifications for the required side setback and removes the structural coverage requirement for individual lots. Impervious area will be used as the control for permitting, which is consistent with NCDEQ standards for stormwater and sedimentation and erosion control permitting. Setbacks for the GI district are proposed to be reduced to allow additional use of property. An increase in allowable impervious area is also proposed for the GI and LI districts. Language from Chapter 15 has been incorporated into Chapter 5 for individual lot design standards so that information related to lot development and subdivision design is located in one chapter instead of in multiple chapters.

Chapter 6

Chapter 6 deals with exceptions and modifications based on specific existing land conditions, including administrative adjustment allowances for permitting. Language is proposed to clarify fence installation in relation to adjacent property and to the regulated floodplain, to codify legal interpretations related to county line and Extra Territorial Jurisdiction (ETJ) boundary administration, to clarify the number of panels permitted as a residential accessory use and to include 160D language related to how the more stringent standard applies if there are multiple applicable standards.

Chapter 7

Chapter 7 includes clarifications and codifies legal interpretations that have been made related to specific uses, including accessory dwelling unit structures and home occupations. Fine Arts or Crafts Lessons, Embroidery/Hydro-graphics/Screen Printing, On-line Sales of Hand Crafted Items, and Home Based Food Business (low risk packaged foods as defined by NC law only) are proposed to be added to the list of permitted Home Occupations. Accessory Dwelling Unit

(ADU) and Rural Home Occupation (RHO) standards are being updated to include language for collocation of uses in accessory buildings. RHOs are also being updated to provide flexibility for allowable square footage as property size increases. Proposed language updates standards for Multi-Family and Townhomes for consistency with the standards outlined in Chapter 5 for the High Density Residential (HDR) zoning district. In accordance with 160D, Health Care Structures are being added as a permitted use in the temporary use section.

Chapter 8

Chapter 8 is related to Conditional Uses. Pursuant to 160D, all uses listed as Conditional Uses and referencing the issuance of Conditional Use Permits must be changed to Special Uses and Special Use Permits. Pursuant to the requirements of 160D, Wireless Telecommunications standards and definitions have been updated for consistency. Solar farm supplemental standards have been clarified. Performance standards for a proposed new Special Use, Wellness Retreat/Spa, have been added.

Chapter 9

Proposed minor edits to change the ratio of required shrubs in the street yard from 5/15 linear feet to 5/30 linear feet and the ratio of perimeter parking lot shrubs from 3/10 to 3/20 linear feet.

Chapter 12

Language in Chapter 12 has been updated in accordance with 160D as it relates to administration of the ordinance and to statutory procedural requirements. Standards for Traffic Impact Analysis (TIA) studies have been updated for consistency with NCDOT and surrounding jurisdiction administration. Traffic and transportation related revisions in this chapter have been reviewed by the County Engineer, NCDOT Western Regional Engineer, NCDOT Division 10 Traffic Engineer and the Division 10, District 1 Division and Assistant Division Engineers. The table at the end of the chapter outlining the fees for violation of the ordinance has been updated to include the currently adopted fee schedule.

Chapter 13

Language in Chapter 13 has been updated in accordance with 160D as it relates to administration of the ordinance and to statutory procedural requirements. Conditional Use Rezoning has been removed and replaced with Conditional Zoning. As allowed by 160D, the list of minor administrative adjustments has been updated to provide additional administrative flexibility related to Board of Adjustment or Planning and Zoning Commission approved site plans.

Chapter 14

Chapter 14 has been updated in accordance with the requirements of 160D. Additionally, language is proposed to codify legal interpretations related to multiple structures on properties that were built prior to the adoption of the ordinance and for subdividing properties where existing structures do not meet the setbacks. Diagrams to help illustrate these types of situations are included with the update.

Chapter 15

Chapter 15 has been updated in accordance with the requirements of 160D. Chapter 15 has also been updated to remove duplicative information located in Chapter 5, to update NCDOT standards and to include additional language outlining the subdivision review process. Existing language was rearranged to streamline use of this Chapter and to make it easier to read. Due to the amount of changes to the overall framework of the Chapter, the entire Chapter will be replaced with the Chapter provided.

Appendix A

Appendix A works in conjunction with Chapter 12 and provides detailed information on the requirements for Transportation Impact Analysis (TIA) studies. Road typical diagrams and pavement structure tables are located in this Chapter and are being updated for consistency with NCDOT requirements. The revisions in this chapter have been reviewed by the County Engineer, NCDOT Western Regional Engineer, NCDOT Division 10 Traffic Engineer and NCDOT Division 10, District 1 Division and Assistant Division Engineers

Proposed changes and updates are noted in red text. Text to be deleted is shown as strikethrough text.

The proposed text changes have been reviewed by the Text Amendment Committee, the County Attorney, the County Engineer, Cabarrus Health Alliance staff and NCDOT staff as needed.

On November 10, 2020, the Planning and Zoning Commission voted unanimously (9-0) to forward the proposed amendments to the Board of Commissioners for final consideration.

The Board of Commissioners will need to hold a public hearing to receive input on the proposed amendments and consider adopting the proposed changes.

General Provisions

Section 1-1 Title and Intent

This Ordinance shall be known and may be cited as the Cabarrus County Development Ordinance. It is the intent of this Ordinance to provide a system of intelligent land usage through the creation of zoning districts and accompanying standards, the creation of an administrative mechanism, and such other allied rules and regulations that enable Cabarrus County government to fulfill its obligation to provide for and to promote the public safety, health, and general welfare of its residents. To that end, these regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

These regulations have been made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of land and buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations have been made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.

Section 1-2 Authority

This Ordinance is adopted pursuant to the authority contained in North Carolina General Statutes Chapter ~~153A, Article 18 (Planning and Regulation of Development)~~. **160D Local Planning and Development Regulation.**

Whenever any provision of this Ordinance refers to or cites a section of the North Carolina General Statutes and that section is later amended or superseded, the Ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

Section 1-3 Jurisdiction

This Ordinance shall be effective:

- everywhere throughout the County outside corporate municipalities except for any areas that lie within the extraterritorial planning areas now or hereafter established for any such municipality; and

Cabarrus County Development Ordinance

Chapter 1-General Provisions

- everywhere within the corporate limits or extraterritorial planning areas of any municipality that has adopted a resolution authorizing the Ordinance to be applicable within such areas.

Section 1-4 Bona fide farms exempt

The provisions of this Ordinance shall not affect bona fide farms, owner-operated or leased, but any farm property used for non-farm purposes shall be subject to the provisions of this Ordinance. For purposes of this Ordinance, see Chapter 2, Rules of Construction and Definitions, for the definition of a Bona Fide Farm and Agriculture.

Section 1-5 Re-enactment and repeal of existing Development Ordinance R

This Ordinance carries forward by enactment some of the provisions of the prior Cabarrus County Zoning Ordinance, originally adopted February 2, 1982, and as subsequently amended (The "1982 Ordinance as Amended" or the "Prior Ordinance"). It is not the intention to fully repeal The 1982 Ordinance as Amended, but rather to re-enact and continue in force several provisions of such Ordinance so that all rights and liabilities that have accrued thereunder are preserved and may be enforced under this Ordinance. ~~Other provisions of that Ordinance that are not re-enacted or vested according to the following provisions are hereby repealed.~~

~~Section 1-6 Vesting~~

~~Recognizing that it is necessary and desirable as a matter of public policy to:~~

- ~~1. provide for the establishment of certain vested rights in order to ensure reasonable certainty, stability, and fairness in the land use planning process, and~~
- ~~2. secure the reasonable expectations of landowners, and foster cooperation between the public and private sectors in the area of land use planning, a vesting process is described through which the zoning districts and schedule of uses of the 1982 Ordinance as Amended, may be claimed to secure either a zoning permit, a building permit or to seek an established vested right as described in Sections 1-7, 1-8, and 1-9. Except as specifically granted by this Ordinance, the vesting provisions of the Prior Ordinance are repealed.~~

~~Section 1-7 Vesting process during transition period~~

~~For a period of ninety (90) days beginning on the date of enactment of this Ordinance, a landowner may claim use of the former zoning district and that district's accompanying schedule of uses to secure a zoning permit for a particular use. Alternatively, a landowner who desires a vesting of a former zoning district's use but does not wish to secure the necessary zoning permit or is unable to do so within the ninety day time period, shall submit a "site specific plan" (drawn in accordance with Section 5.4 and 5.5 of the Prior Ordinance) or a "phased development plan" (drawn in accordance with the~~

~~Cabarrus County Subdivision Regulations) within one hundred eighty (180) days of the enactment of this Ordinance.~~

~~Section 1-8 Establishment of vested right~~

~~A vested right shall be deemed established with respect to any property upon the valid approval, or conditional approval, of a site specific development plan or a phased development plan, following notice and public hearing by the Cabarrus County Planning and Zoning Commission (the "Commission"), acting as the Board of Adjustment. Such vested right shall confer upon the landowner the right to undertake and complete the development and use of such property for a period of two years. The Commission may approve a site specific development plan or a phased development plan upon such terms and conditions as may reasonably be necessary to protect the public health, safety and welfare. Such conditional approval shall result in a vested right. Failure to abide by any such terms and conditions will result in a forfeiture of any or all vested rights. The Commission cannot require a landowner to waive his vested rights as a condition of developmental approval. A site specific development plan or a phased development plan shall be deemed approved upon the effective date of the County's action or an ordinance relating thereto.~~

~~If a conditional use as identified in the Prior Ordinance is being sought, the use shall be heard by the Commission, acting as the Board of Adjustment in accordance with the pertinent provisions of Sections 8 and 9 of the Prior Ordinance. Approval of the use and any related conditions imposed as part of that approval process shall be sufficient for purposes of vesting the development rights for that property.~~

~~Section 1-9 Duration and termination of vested right.~~

~~A right which has been vested through public hearing, as provided for in this section, shall remain vested for a period of two years. Following approval or conditional approval of a site specific development plan or a phased development plan, nothing in this section shall exempt such a plan from subsequent reviews and approvals by the County to ensure compliance with the terms and conditions of the original approval, provided that such reviews and approvals are not inconsistent with the original approval. Nothing in this section shall prohibit the Zoning Administrator from revoking the original approval for failure to comply with applicable terms and conditions of the approval or the applicable Ordinance.~~

~~Upon issuance of a building permit, the provisions of North Carolina General Statutes §153A-358 and §153A-362 shall apply, except that a permit shall not expire or be revoked because of the running of time while a vested right under this section is outstanding.~~

Cabarrus County Development Ordinance
Chapter 1-General Provisions

~~A right which has been vested as provided in this section shall terminate at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed.~~

~~This provision shall be valid for 180 days beginning on the date of enactment running consecutively and terminating on the 181st day. The zoning permit or approved site specific plan and/or phased development plan shall be issued during this period in order to be considered valid.~~

Section 1-10 Enforcement

All suits at law or in equity and/or all prosecutions resulting from a violation of the Prior Ordinance which are now pending in any courts of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance but shall be prosecuted to their finality the same as if this Ordinance had not been adopted. Further, any prosecution of any and all violators of the Prior Ordinance which has not yet been instituted may be hereafter filed and prosecuted.

Section 1-11 Relationship to land development plan

It is the intention of the Cabarrus County Board of Commissioners (the "Board") that this Ordinance implement the planning policies adopted by the Board for the County as reflected in the Land Development Guide, Area Plans, and other planning documents.

Section 1-12 No use or sale of land or buildings except in conformity with Ordinance provisions

- a. Notwithstanding Chapter 14 of this Ordinance, Nonconformities, no person may use, occupy or sell any land or buildings or authorize or permit the use, occupancy or sale of land or buildings under that person's control except in accordance with all of the applicable provisions of this and/or other County ordinances.
- b. For purposes of this section, the "use" or "occupancy" of a building or land relates to anything and everything that is done to, on or in that building or land.

Section 1-13 Severability

It is hereby declared to be the intention of the Board that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such

unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance since the same would have been enacted without the incorporation into this Ordinance of such unconstitutional or invalid section, paragraph, sentence, clause or phrase.

Section 1-14 Computation of time

If the Ordinance requires a certain action (e.g., mailing or publishing a notice) on or before a specified number of days prior to the occurrence of an event (e.g., a public hearing), then, when computing such time period, the day of the event shall not be included but the day of the action shall be included. For example, if notice of a public hearing is required to be published at least ten days before the hearing, then notice published on the first day of the month would be satisfactory for a hearing on the eleventh day of the month.

Section 1-15 Repeal of conflicting ordinances

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect. The adoption of this Ordinance, however, shall not affect or prevent any pending or future prosecution of an action to abate an existing violation of such prior ordinance provision.

Section 1-16 Relationship to other ordinances

It is not intended that this Ordinance shall in any way repeal, annul, or interfere with the existing provisions of any other law or ordinance except any ordinance which this Ordinance replaces. It is not intended that this Ordinance shall interfere with any easements, covenants, or other agreements between parties except such which are subsequent to this Ordinance and which are in conflict with the Ordinance. If the provisions of this Ordinance impose greater restrictions or higher standards for the use of a building or land, for yards, or for the size of structures than is called for by other ordinances, permits, easements, or agreements, then the provisions of this Ordinance shall control.

SECTION 2-1 GENERAL RULES OF CONSTRUCTION

The following rules of construction shall govern the application and interpretation of this Ordinance:

1. When the text of this Ordinance conflicts with any caption, figure, illustration, table or map, the text shall control.
2. In the event of any conflict in limitations, requirements, or standards applying to an individual use or structure, the more restrictive provision shall apply.
3. The words shall, must, and will are mandatory in nature, implying an obligation or duty to comply with the particular provision.
4. The word "may" is permissive in nature.
5. Words used in the present tense include the future tense.
6. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
7. Words used in the masculine gender include the feminine gender.

SECTION 2-2 BASIC TERMS AND DEFINITIONS

ABANDONED VEHICLE - Any motor vehicle that is left or abandoned

1. On public grounds or county-owned property in violation of a law or ordinance prohibiting parking;
2. For longer than 24 hours on property owned or operated by the county;
3. For longer than two hours on private property without the consent of the owner, occupant, or lessee of the property; and/or,
4. Left for longer than seven days on public grounds

ABUT - Having property, district lines, rights-of-way or easements in common; lots abut if they have property lines in common.

ACCESS - A way of approaching or entering a property from a street.

ACCESSORY BUILDING, ACCESSORY STRUCTURE - A building or structure located on the same ~~lot~~ **parcel** as a properly permitted principal building or structure.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

ACCESSORY DWELLING UNIT- A secondary residence located on the same ~~lot~~ parcel as a properly permitted principal residence.

ACCESSORY USE - A subordinate use of a building or use of land which is:

1. Conducted on the same ~~lot~~ parcel as the principal use to which it is related, and
2. Clearly incidental to and customarily found in connection with the principal use of the building, structure or land.

ADDITION - An extension or increase in floor area or height of a building or structure.

~~ADULT USE- An establishment which excludes minors by virtue of the fact that most of its business is sexually explicit. Includes but not limited to adult book stores, adult theaters (drive-in, picture and mini-picture) adult cabaret, etc.~~

ADULT BUSINESS, SEXUALLY ORIENTED BUSINESS - Any business or enterprise that has as one of its principal business purposes or as a significant portion of its business an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities specified in G.S. 14-202.10.

ADJACENT - All properties immediately contiguous to a site, including those which are separated from the site only by a road, ~~or other~~ right-of-way or easement

ADMINISTRATIVE DECISION – Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.

ADMINISTRATIVE HEARING – A proceeding to gather facts needed to make an administrative decision.

ADMINISTRATOR - The officer charged with the authority and duty to administer this Ordinance.

AGRICULTURE –G.S. 106 581.1 defines Agriculture as:

- a. The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
- b. The planting and production of trees and timber.
- c. Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
- d. Aquaculture as defined in G.S. 106-758.

- e. The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
- f. When performed on the farm, agriculture also includes the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm. When performed on the farm shall include the farm within the jurisdiction of the county and any other farm owned, or leased to or from others, by the bona fide farm operator, no matter where located.
- g. A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry and store grain.

AGRICULTURAL LAND - Land that is a part of a farm unit that is actively engaged in the commercial production or growing of crops, plants, or animals under a sound management program.

AGRITOURISM - An enterprise or activity operated on a bona fide farm and offered to the public or to invited groups for the purpose of recreation, education, active involvement or the sale of value-added products and services. These activities must be related to agriculture or natural resources and be incidental to the primary farm operation on the site.

AGRITOURISM ACTIVITY— Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity. "Agritourism activity" includes an activity involving any animal exhibition at an agricultural fair licensed by the Commissioner of Agriculture pursuant to G.S. 106-520.3.

AIRPORT, COMMERCIAL - Any public airport including terminal buildings, towers, runways, and other facilities directly pertaining to the operation of the airport.

AIRSTRIP- An area of land or water on private property used by the owner or lessee for the landing and takeoff of aircraft. **Includes helipads and drone fields to be used by the property owner or the lessee only.**

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

ALLEY - Any public space or thoroughfare 20 feet wide or less which has been dedicated or deeded for public use.

ALTER, ALTERATION - Any change or modification in construction or occupancy.

AMBULATORY SURGICAL FACILITY - A facility designed for the provision of an ambulatory surgical program. An ambulatory surgical facility serves patients who require local, regional or general anesthesia and a period of post-operative observation. An ambulatory surgical facility may only admit patients for a period of less than 24 hours and must provide at least one designated operating room and at least one designated recovery room, have available the necessary equipment and trained personnel to handle emergencies, provide adequate quality assurance and assessment by an evaluation and review committee, and maintain adequate medical records for each patient.

AMENDMENT - An amendment to the Cabarrus County Zoning Ordinance or Subdivision Ordinance.

AMUSEMENT, OUTDOOR - An establishment that offers games, rides, or other similar activities on a commercial basis in a fixed location. Also commonly known as an amusement park.

ANIMAL HOSPITAL - Facility for the medical care and treatment of animals under the supervision of a licensed veterinarian and may include outdoor accommodations for the temporary boarding of animals.

ANIMAL SHELTER - A facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, government agency, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

ANTENNA - An apparatus, external to or attached to the exterior of a building, together with any supporting structure for sending or receiving electromagnetic waves.

APPEAL - A request for a review of the Administrator's interpretation of any provision of this Ordinance or a request for a determination that there is error in an order, requirement or decision made by the Administrator pursuant to this Ordinance. Also includes requests for review of Planning and Zoning Commission decisions.

APPLICANT - Any person, firm, association, group or organization applying for a development application.

APPLICATION - A complete request, including any required documentation, for any approval, permit, or action required by this Ordinance.

APPROVED USE - Any use that is or may be lawfully established in a particular district provided that it conforms with all requirements of these regulations for the district in which such use is located.

ARCADE, GAME ROOM - A primarily indoor structure, open to the public, which contains coin-operated games and similar entertainment facilities and devices for amusement purposes only.

ARCHITECT - A person who is duly licensed to practice architecture by the North Carolina Board of Architecture.

ASPHALT PLANT - A plant used for the manufacture of asphalt, macadam and other forms of coated roadstone, sometimes collectively known as blacktop.

ATLAS MAP, ZONING MAP-The official zoning maps of Cabarrus County which show the zoning classification for parcels of land.

ATM, AUTOMATED TELLER MACHINE - Equipment used for patrons to deposit or withdraw funds, typically located as an accessory use on bank or financial institution properties or other properties where appropriate.

AUCTION HOUSE - Any place where items are sold at auction to the highest bidder.

AUCTION, ESTATE OR ASSET LIQUIDATION – A temporary use where items from an estate or company are sold at auction to the highest bidder.

AUCTION, LIVESTOCK- A temporary use where livestock is sold at auction to the highest bidder.

AUTHORIZED AGENT - Any person with valid authority provided by the Owner, as evidenced by a legal document, authorizing representation of the Owner during the application process.

AUTOMOBILE PARTS, TIRES, ACCESSORIES - Establishments where automobile supplies are sold. These establishments are mainly retail in nature and parts are stocked inside the business on shelves or custom ordered for customers. For businesses that supply parts from wrecked vehicles or vehicles stored on site, see Salvage Yard.

AUTOMOBILE RENTAL - An establishment engaged in the rental of new or used motor vehicles.

AUTOMOTIVE REPAIR GARAGE - A facility which is used for the temporary storage, repair and servicing of automobiles and pick-up trucks, typically with two axles and four wheel spaces, and other similar small-scale vehicles.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

AUTOMOBILE SALES, NEW AND USED - An establishment engaged in the display, sale or lease of new and/or used motor vehicles.

AVERAGE LOT WIDTH - Measurement of average lot width shall be on an individual basis, not over several lots. For a regularly shaped lot (basically rectangular), two measurements shall be taken; at the front lot line (street frontage) and the rear lot line. The arithmetic mean lot size shall be used to determine average lot width. When a lot has multiple street frontages, the required lot width shall be measured along the narrowest street lot line (street frontage). Irregularly shaped lots shall be measured three times, with the arithmetic mean taken from those measurements. Measurement points will be determined on a case by case basis, but shall be roughly at the front, rear, and middle points of the lot.

BANK, FINANCIAL INSTITUTION - A business establishment where money is kept for savings or commercial purposes or is invested, supplied for loans or exchanged.

BANQUET HALL - A commercial establishment primarily engaged in renting space for wedding receptions, birthday parties, retirement parties, corporate events, awards banquets, graduations, etc. The establishment may or may not include on-site catering services.

BARBER, BEAUTY SALON- Establishments that provide personal hair care services to customers.

BARN - A building located on a farm or agricultural site used for storage, as a covered workplace, to house livestock or to store farming vehicles and equipment.

BED AND BREAKFAST - A business of not more than 12 guest rooms that offers bed and breakfast accommodations to at least nine but not more than 23 persons per night for a period of less than one week, and that:

- a. Does not serve food or drink to the general public for pay;
- b. Serves only the breakfast meal, and that meal is served only to overnight guests of the business;
- c. Includes the price of breakfast in the room rate; and
- d. Is the permanent residence of the owner or the manager of the business
- e. A bed and breakfast shall not operate as a reception facility.

BERM - A mound of earth designed so that slope drainage is directed away from a paved area and sidewalks which serves as a screen or buffer yard along with landscaping.

BEST MANAGEMENT PRACTICES (BMPs) - Methods, measures, practices, schedules of activities, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BLUEWAY - A water path or water trail that is developed with launch points and points of interest for canoeists and kayakers.

BODY PIERCING –The practice of puncturing or cutting a part of the human body, creating an opening in which jewelry may be worn, or where an implant could be inserted.

BONA FIDE FARM - The production and activities relating to or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S.106-581.1.

For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S.105-277.3.
- c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- d. A forest management plan.

BONA FIDE FARM PURPOSES. – Agricultural activities as set forth in G.S. 160D-903.

BOAT WORKS AND SALES - Establishments primarily engaged in the repair and/or sales of boats or personal watercraft.

BORROW PIT - An area from which soil or other unconsolidated materials are removed to be used, without further processing, for highway construction and maintenance.

BOTTLING WORKS - A commercial enterprise whose output is the bottling of beverages for distribution.

BRICK- A masonry unit of clay cured in a kiln, typically used for building veneer, shaped as a rectangle $2\frac{1}{4} \times 3\frac{3}{4} \times 8$ inches.

BUFFER YARD - A strip of land established to protect one type of land use from another land use or to provide screening between uses.

BUILDING AND CONTRACTOR SUPPLY- Establishments primarily involved in wholesale supply of building materials, such as lumber, pipe, brick, stone, landscape materials, roofing materials, etc.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

BULK GRAIN STORAGE - Establishments where bulk grain is stored for future use or processing.

BUILDING HEIGHT - The vertical distance from grade to the highest point of the building. The height limitations of this Ordinance do not apply to passive solar collectors, church spires, belfries, cupolas and domes not intended for human occupancy.

BUS STATION, BUS TERMINAL - A structure or building where busses stop to pick up and drop off passengers.

CAMPGROUND - A plot, parcel, or tract of land upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

CAR WASH - An establishment that provides washing and cleaning of passenger or recreational vehicles by hand, by use of automated equipment or by self-service facilities.

CAST CONCRETE - A construction product produced by casting concrete in a reusable mold or forms which is then cured in a controlled environment, transported to a construction site and lifted into place.

CATERING SERVICE - A business the primary purpose of which is preparation of food not consumed on site.

CEMETERY - Property used for the interment of the dead, which may also include commercial sale and location of burial lots, crypts, or vaults for use exclusively on subject property. A cemetery shall not be used for the preparation or embalming of bodies or the cremation of bodies. This definition shall include pet cemeteries.

CERTIFICATE OF OCCUPANCY - The certificate issued by Cabarrus County Building Construction Standards, indicating that all required building and service systems have been inspected for compliance with the Building Code and other applicable laws and ordinances and that the Building, or portion of the Building, may be occupied or used.

CHANGE OF USE - A change from one principal use of a building or parcel of land to another principal use of the building or parcel of land.

CHEMICAL MANUFACTURING - Facilities primarily engaged in the manufacture of chemicals.

CIVIC GROUP CAMP FACILITY - These types of establishments typically provide recreational or educational opportunities for school age children or adults. These types of facilities may or may not include overnight accommodations for camp participants. Examples include but are not

limited to: Religious Institution Camps or Retreats, Boy Scout Camps, Girl Scout Camps, YMCA, etc.

CIVIC ORGANIZATION FACILITY - A meeting place for organizations that promote civic enhancement including but not limited to: Jaycees, Rotary Club, Masons, Chamber of Commerce, Lions Club, VFW, American Legion, Boy Scouts and Girl Scouts.

COLISEUM - A large theater or building for public meetings, sporting events, exhibitions, etc.

COLLEGE, UNIVERSITY - An institution providing full-time or part-time education beyond the high school level which may also include lodging or housing for students or faculty.

COMBINE - To create one lot by combining two or more lots to meet development standards.

COMMERCIAL STABLE- A stable of horses, mules, or ponies which are let, hired, used or boarded on a commercial basis and for compensation. This facility may offer equestrian lessons and may include a show arena and viewing stands.

COMMERCIAL VEHICLE - Any motor vehicle with a manufacturer's chassis rating greater than one ton.

COMMUNICATIONS TOWER, 911 COMMUNICATIONS TOWER - A tower which supports communication (broadcast, receiving, or relay) equipment, utilized by government or other public and quasi-public users only. This does not include private home use of satellite dishes and television antennas or amateur radio operators as licensed by the Federal Communications Commission (FCC).

COMMUNITY GARDEN - A single piece of land gardened collectively by a group of people.

COMPREHENSIVE PLAN - Includes comprehensive plans, land-use plans, small area plans, neighborhood plans, transportation plans, capital improvement plans, and any other plans regarding land use and development that have been officially adopted by the governing board.

COMPREHENSIVE TRANSPORTATION PLAN (CTP) - A long-range, multimodal transportation plan that shows the future plans for the major highways, intersections, bus transit, passenger rail and other transportation facilities. It includes expected new facilities and whether there are planned improvements for current facilities. This information helps citizens and staff know whether to reserve right-of-way for future roadways and passenger rail during the development review process, and how to budget for future facilities. Projects included in the CTP are generally unfunded until ranked through the state prioritization process and placed on the State Transportation Improvement Plan.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

CONCRETE PLANT - A device that combines various ingredients to form concrete.

CONDITIONAL ZONING – A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

CONDOMINIUM - Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONFORMING USE - A use that is permitted within the applicable zoning district.

CONSERVATION EASEMENT - A non-possessory interest of a holder in real property imposing limitations or affirmative obligations for conservation purposes or to preserve the historical, architectural, archaeological or cultural aspects of the real property.

CONTIGUOUS - Bordering or adjoining.

CONTRACTOR OFFICE, CONSTRUCTION EQUIPMENT STORAGE - A temporary accessory use that is part of to an active Construction Project, permitted in any zoning district.

CONTRACTOR'S STORAGE YARD - An outside area where construction materials **and equipment** are stored for jobs, inclusive of the contractor's office, if on site. **Includes specialty trade contractors.**

CONTRACTOR OR TRADE SHOP - Establishments primarily engaged in providing contracted services for customers off site. These establishments may include an office and a storage area of less than 10,000 square feet for materials to be used at job sites.

CONTROLLED-ACCESS FACILITY - A State highway, or section of State highway, especially designed for through traffic, and over, from, or to which highway, owners or occupants of abutting property, shall have only a controlled right or easement of access.

~~REST HOME, CONVALESCENT HOME, NURSING HOME - A facility used to help patients recover gradually from health disorders.~~ **primarily designed to provide a home-like environment while patients recover from long term illnesses or medical procedures. Many residents return to their own homes after recovery but some may stay at the facility to receive long term health care.**

CONVENIENCE STORE WITH PETROLEUM SALES - A store offering for sale a limited selection and quantity of groceries and other articles normally found in grocery stores, and which may also offer delicatessen or fast food items, and whose business is mostly dependent on quick stops by its customers and self-service gasoline sales.

CONVENIENCE STORE WITHOUT PETROLEUM SALES - A store offering for sale a limited selection and quantity of groceries and other articles normally found in grocery stores, and which may also offer delicatessen or fast food items, and whose business is mostly dependent on quick stops by its customers.

CONVENTION CENTER FACILITY - A large civic building, or group of buildings, designed for conventions, industrial shows, and the like, having large unobstructed exhibit areas and often including conference rooms.

CORRECTIONAL FACILITY - A building, or group of buildings, for the confinement of persons held while awaiting trial, persons sentenced after conviction, etc.

COUNTY – Any one of the counties listed in G.S. 153A-10.

CTP INDEX-A document that is part of the Cabarrus-Rowan Metropolitan Planning Organization (CRMPO) Comprehensive Transportation Plan. It lists existing and proposed right-of-ways for roads and road widening projects located in Cabarrus and Rowan counties.

CUL-DE-SAC - A short street having ~~but~~ only one end open to traffic and with a vehicular turnaround at the other end.

CREMATORIUM - A place where a dead person's body is cremated.

CURTAIN WALL- An exterior wall having no structural function ~~made from brick~~.

DAIRY PROCESSING - Establishments primarily engaged in processing milk and milk based products for safe consumption by the general public.

DAY CAMP, SUMMER CAMP - These types of establishments typically provide recreational, educational or fine arts related opportunities for school age children during the summer or when school is not in session. These types of facilities may or may not include overnight accommodations for participants.

DECISION-MAKING BOARD – A governing board, planning board, board of adjustment, historic district board, or other board assigned to make quasi-judicial decisions.

DE NOVO HEARING - A new hearing, to hear anew.

DENSITY - The total number of dwelling units per acre.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

DETAIL SERVICE - An establishment that provides washing and cleaning of passenger or recreational vehicles, inside and out, by hand, by use of automated equipment or by self-service facilities.

DETERMINATION – A written, final, and binding order, requirement, or determination regarding an administrative decision.

DEVELOPER – A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

DEVELOPMENT – Unless the context clearly indicates otherwise, the term means any of the following:

- a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
- b. The excavation, grading, filling, clearing, or alteration of land.
- c. The subdivision of land as defined in G.S. 160D-802.
- d. The initiation or substantial change in the use of land or the intensity of use of land.

DEVELOPMENT APPROVAL – An administrative or quasi-judicial approval that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by local government regulations, including plat approvals, permits issued, development agreements entered into, and building permits issued.

DEVELOPMENT REGULATION – A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to G.S. 160D or a local act or charter that regulates land use or development.

~~DEVELOPMENT – The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, drilling, excavation, clearing of roadways or building sites, landfill or land disturbance and any use or extension of the use of land.~~

DEVELOPMENT ORDER - Any action granting, granting with conditions or denying an application for a development permit.

DOUBLE FRONTAGE LOT- A lot having frontage on two streets.

DRIVE-IN THEATER - A motion-picture theater designed to accommodate patrons in their automobiles.

DRUG STORE, PHARMACY - Any place where prescription drugs are dispensed or compounded.

DRY CLEANING, LAUNDRY PLANT - A business that primarily involves the on-site cleaning, treatment, or chemical processing of goods or materials, or the storage of chemicals, used in off-site cleaning, treatment, or processing.

DRY CLEANING PICK-UP STATION - A place where articles to be dry cleaned are dropped off and picked up but are not processed on site.

DUMPSTER - A large steel waste receptacle designed to be emptied into garbage trucks.

DUPLEX - A building containing two individual commercial units located on a parcel that is at least 150% of the minimum lot size for the zoning district.

DWELLING – Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

DWELLING UNIT - A building or portion of a building which is arranged, occupied or intended to be occupied as living quarters for a family. Facilities for food preparation, sleeping and sanitation are included. Dwelling units may either be attached, sharing common vertical walls or detached, possessing open yards on all sides.

EASEMENT - A limited right to make use of a property owned by another.

ELECTRIC GENERATING FACILITY - Any plant facilities and equipment used for the purposes of producing, generating, transmitting, delivering or furnishing electricity for the production of power.

ELEMENTARY SCHOOL - A school which embraces a part or all of the eight elementary grades and which may have a kindergarten or other early childhood program.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

EQUIPMENT SALES AND SERVICE - Establishments primarily involved in the retail sale and service of equipment, such as lawn mowers, tractors, bobcats, forklifts, etc.

ETHANOL FUEL PRODUCTION/ALCOHOL FUEL PLANT - A special type of distilled spirits plant for producing, storing, using or distributing distilled spirits to be used exclusively for fuel use. See Code of Federal Regulations, Title 27, Part 19.

1. Ethanol Fuel Production, Residential District, Personal Use Only, see Chapter 7 for standards.
2. Small Plant-An Alcohol fuel plant that produces (including receives) not more than 10,000 proof gallons of spirits per calendar year.
3. Medium Plant-An Alcohol fuel plant that produces (including receives) more than 10,000 but not more than 500,000 proof gallons of spirits per calendar year.

EVIDENTIARY HEARING – A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation

EXTERNAL BUFFER YARD - A buffer yard located along the exterior boundaries of a development which is maintained as open space in order to eliminate or minimize conflicts between development and adjacent land uses.

EXTRACTION OF EARTH PRODUCTS, **MINING** - Mining activities as defined in G.S. 74-49; summarized as the breaking of surface soil in order to remove minerals, ore, or other solid materials.

FABRICATION - Building structures by cutting, bending, and assembling pieces. **It is a value-added process involving the creation of machines, parts, and structures from various raw materials.**

FAMILY - For purposes of this Ordinance, family shall be defined as an individual or two or more persons related by blood, marriage or adoption, living together in a dwelling unit; or a group of not more than five persons who need not be related by blood, marriage, or adoption, living together in a dwelling unit. A "family" may include five or fewer foster children.

~~FAMILY CARE HOME—A home with support and supervisory personnel that provides room and board, personal care, and rehabilitation services in a family environment for not more than six (6) resident elderly or handicapped persons. "Handicapped person" means a person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including mentally ill persons who are dangerous to others, as defined in North Carolina General Statute § 122C-3(11)b. Such facilities are Permitted in AO, CR, LDR, MDR, HDR and LC districts or as required by the Fair Housing Act (42 U.S.C. §3602 et seq.)~~

FAMILY CARE HOME – A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.

FARM MACHINERY REPAIR SHOP - A facility used for the repair and servicing of farm related machinery, including but not limited to tractors, combines and front end loaders.

FARMER’S MARKET - A place where produce is brought for the purposes of retail sales. There may be more than one seller per parcel of land. The site may or may not include a permanent structure where the sellers can set up their produce. Typical items for sale at a farmer’s market include fruits, vegetables, eggs, baked goods, cheeses, meats, poultry and honey.

FARM SUPPLY SALES - Establishments primarily involved in retail sale of items typically used on a farm, including tractors, tractor parts and accessories, tillers, livestock feed, livestock housing, etc.

FENCE - A barrier of man-made construction, regardless of the material used, including walls but not retaining walls.

FEMA TRAILER - A FEMA manufactured trailer that is used as temporary shelter during the recovery phase of natural disaster or significant weather event.

FINAL PLAT - A survey map of record which indicates the final boundaries for streets, blocks, lots, easements, etc. and is recorded in office of the Register of Deeds.

FLAG LOT - A lot having no frontage or access to a street, right-of-way or place except by a narrow strip of land.

FLEA MARKET – Establishment where the use involves the setting up of two or more booths, tables, platforms, racks, or similar display areas inside a building for the purpose of selling, buying, or trading merchandise, goods, materials, products, or other items offered for sale.

FLOODPLAIN - A flat or nearly flat area of land adjacent to a stream or river that is susceptible to flooding during periods of high discharge. It includes the floodway, which consists of the stream channel and adjacent areas that carry flood flows, and the flood fringe, which are areas covered by the flood, but which do not experience a strong current.

FREEZER - Establishments primarily engaged in the processing of foods or the storage of frozen foods for distribution.

FRONTAGE - The distance in which a property line is common with a public or private street road right-of-way.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

FOUNDRY - A workplace for casting metal or glass.

FULL ACCESS DRIVEWAY. - A driveway providing access to and from a lot adjoining the frontage roadway, which is intended to provide both ingress to and egress from the lot for traffic entering and exiting the lot from the left and from the right.

FUNERAL HOME - An establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funeral services. **These establishments may include on-site crematories.**

GARAGE - An accessory building, or portion of a principal building, designed or used for the parking or temporary storage of motor vehicles.

GARDEN - An area used for the raising of fruits, vegetables or flowers usually found on residential property as an accessory use.

GAS **SERVICE** STATION - A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair activities, but not body work or painting, which are subordinate to the sale of petroleum products.

GOLF COURSE - An area that includes a series of holes, each consisting of a teeing ground, a fairway, rough and other hazards, and a green, all designed for the game of golf. A golf course may be publicly or privately owned.

GOVERNING BOARD – The city council or board of county commissioners. The term is interchangeable with the terms "board of aldermen" and "boards of commissioners" and shall mean any governing board without regard to the terminology employed in charters, local acts, other portions of the General Statutes, or local customary usage.

GOVERNMENT, EXCLUDING CORRECTIONAL FACILITY - Buildings used for the provision of government services. Examples include administrative offices, social service offices, tax collection, etc.

GOVERNMENT BUILDINGS, STORAGE ONLY - Buildings used by government as a storage facility only.

GOVERNMENT BUILDINGS, STORAGE ONLY, WITH OUTDOOR STORAGE AREA - Buildings used by government as a storage facility only which may include an area outside of the building that is also used for storage.

GOVERNMENTAL WASTEWATER SYSTEM (SEWER) - A single system of wastewater collection, treatment and disposal owned and operated by a water and sewer authority, a county or municipality.

GOVERNMENTAL WATER SYSTEM (WATER) - A single system for water distribution and treatment, owned and operated by a water and sewer authority, a county or municipality.

GREENHOUSE - An enclosed detached accessory structure consisting primarily of light-transmitting materials and used exclusively for growing plants.

GREENWAY - A greenway is a corridor of protected open space that is managed for recreation or conservation purposes.

GROUP CARE FACILITY – A facility licensed by the State of North Carolina, other than a Family Care Home, with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment for more than six resident persons with disabilities.

~~GROUP CARE FACILITY – A licensed facility caring for from seven to fifteen unrelated individuals (excluding supervisory personnel). Residents are handicapped, aged or disabled and are undergoing rehabilitation or extended care. The group care facility includes group homes for all ages, half-way houses, foster and boarding homes but does not include facilities treating alcohol or drug addiction nor persons being transitioned from prison life. Such facilities are Permitted in AO, CR, LDR, MDR, HDR, OI and LC districts or as required by the Fair Housing Act (42 U.S.C. §3602 et seq.)~~

GUNSMITH - A person who repairs, modifies, designs, or builds firearms.

HATCHERY - A facility for the reproduction of types of living species generated from eggs, typically, non-mammal species.

HAZARD MITIGATION - Actions taken to help reduce or eliminate long-term risks caused by hazards or disasters, such as flooding, earthquakes, wildfires, landslides, or dam failure.

HEALTH CLUB, FITNESS CENTER - An establishment that provides facilities for exercise activities, such as running, jogging, aerobics, weight lifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

HEAVY EQUIPMENT - Large equipment including, but not limited to: trucks with greater than a one and one-half ton rating, cranes, crawler-type tractors, earth movers, dump trucks and other equipment of equal or greater size and weight.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

HEIGHT - The vertical distance from the grade to the highest point of any portion of a structure.

HIGH SCHOOL - A school which embraces a high school department above the elementary grades and which offers at least the minimum high school course of study prescribed by the State Board of Education.

HOME OCCUPATION, GENERAL - A business, profession, occupation, or trade which is conducted within a residential ~~building~~ dwelling for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the ~~lot~~ dwelling lot, and which does not adversely affect the character of the ~~lot~~ property or the surrounding area. See Chapter 7 for list of permitted general home occupations.

HOME OCCUPATION, RURAL - An accessory use subordinate to the primary residential use of the property operated by persons residing in the principal ~~building~~ dwelling on the same parcel of land upon which the home occupation is located. Additionally, such use may be carried out in no more than one building separate from the principal ~~residential building~~ dwelling on the same parcel of land. See Chapter 7 for list of permitted rural home occupations.

HOSPITAL - A public or private institution which is primarily engaged in providing to inpatients, by or under supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of injured, disabled, or sick persons.

HOTEL - Any building containing guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.

ICE PLANT - Establishments primarily engaged in the production of ice.

ICE PRODUCTION, ICE DISPENSING - A self-contained plant that produces, stores, bags and sells ice to customers through a vending system.

IMPERMEABLE OR IMPERVIOUS SURFACE - Refers to land area which, by virtue of an outer coating, no longer permits the penetration of water.

INN - A commercial establishment, typically a smaller facility, that provides lodging and food for the public and whose primary customers are travelers.

INTERSTATE - A multi-lane express route with limited access connecting or existing between two or more states.

IRON WORKS - A building or site where iron is smelted and where heavy iron and/or steel products are made.

ITINERANT MERCHANT- Merchants that sell food, fruit, vegetables, beverages, or merchandise from a temporary stand, motor vehicle or food truck at existing business sites.

JUNK VEHICLE - Any motor vehicle that:

1. Does not display a current license tag and registration; or
2. Is partially dismantled or wrecked; or
3. Cannot be self-propelled or moved in a manner in which it originally was intended to move;
4. **Is not road worthy; or**
5. Is more than five years old and appears to have no resale value except as a source of parts or scrap.

KENNEL, COMMERCIAL - A use or structure intended and used for the breeding or storage of animals for sale or for the training or overnight boarding of animals for persons other than the owner of the lot.

KENNEL, PRIVATE - Considered to exist when five or more dogs over six (6) months of age are kept as pets and/or for hunting, dog shows, exhibitions, or field and obedience trials.

LAND DISTURBING ACTIVITY - Any use of the land by any person that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.

LANDFILL, DEMOLITION - A landfill that is limited to receiving stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth or other solid waste meeting the standards of the State of North Carolina. A clean fill operation which is conducted to improve or recontour land using only soil is not construed to be such a landfill. Demolition landfills are presumed to be an adjunct to an ongoing construction process and, as such, are to be reclaimed at the termination of construction.

LANDFILL, SANITARY - Any disposal facility or part of a disposal facility where waste is placed in or on land, whether publicly or privately owned, and holding a permit from the State of North Carolina.

LANDLOCKED PARCEL - A parcel of land without access of record.

~~**LANDOWNER**— Any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representative of such owner.~~

LANDOWNER OR OWNER— The holder of the title in fee simple. Absent evidence to the contrary, a local government may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

LANDSCAPE ARCHITECT - A person who holds a current certificate entitling him or her to practice "landscape architecture" and to use the title "landscape architect" in North Carolina.

LANDSCAPE CONTRACTOR - Within the meaning of this Ordinance, any person, partnership, association or corporation which holds a certificate issued by the North Carolina Landscape Contractors' Registration Board.

LAUNDROMAT - A commercial establishment where clothes can be washed and dried using coin-operated machines.

LEGISLATIVE DECISION – The adoption, amendment, or repeal of a regulation under this Ordinance or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement.

LEGISLATIVE HEARING – A hearing to solicit public comment on a proposed legislative decision.

LIVESTOCK - Shall include, but not be limited to, equine animals such as horses and donkeys, bovine animals such as cattle, bison, buffalo, water buffalo, yak, antelopes, sheep, goats, llamas, alpacas, poultry, such as chickens, quail, ducks, geese or turkeys, ostriches, emus, pheasants, rabbits, and swine, such as domesticated pigs, hogs or potbelly pigs. These types of animals are typically housed on a farm. Poultry Exception: See Chapter 7, Agriculture-Female Chickens (Limited Number)

LIVESTOCK SALES - Any business where the primary purpose is to buy livestock for the purpose of resale or auction.

LOADING AND UNLOADING SPACE - A permanently maintained space for the purpose of loading and unloading goods or receiving inventory.

LOCAL ACT – As defined in G.S. 160A-1(2).

LOCAL GOVERNMENT – A city or county.

LOCKSMITH - A person who makes or repairs locks and keys.

LOT - A parcel of land described by metes and bounds and held or intended to be held in separate lease or ownership, or shown as a lot or parcel on a recorded subdivision plat, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger lot, parcel, or tract.

LOT OF RECORD - A parcel of property indicated by deed or plat which is filed with the County Register of Deeds and that exists in the records of the Cabarrus County Register of Deeds.

LOT DEPTH (LENGTH) - The length (or depth) of a lot shall be:

1. If the front and rear lines are parallel, the shortest distance between such lines.
2. If the front and rear lines are not parallel, the shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.
3. If the lot is triangular, the shortest distance between the front lot line and the line parallel to the front lot line, not less than ten feet long lying wholly within the lot.

LOT FRONTAGE - The distance for which a lot abuts a street.

LOT LINE - Any boundary or boundary line which provides the legally defined limits of a lot, parcel or tract.

MACHINE SHOP - Establishments primarily involved with a form of subtractive manufacturing in which a collection of material-working processes utilizing power-driven tools such as lathes, milling machines, and drill presses, are used with a sharp cutting tool to physically remove material to achieve a desired geometry.

MAINTENANCE - The replacing or repairing of a minor part or parts of a building or structure which have degraded by ordinary wear or tear or by the weather.

MAJOR SUBDIVISION - All land subdivisions that are not exempted by state statute or previously described under the minor subdivision procedures shall be processed as a major subdivision.

~~MANUFACTURED HOME - A dwelling unit that: (i) is not constructed in accordance with the standards of the North Carolina Residential Building Code for One- and Two-Family Dwellings; (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; and (iii) exceeds forty feet in length and eight feet in width. Manufactured homes consist of only a single section or multi-section. See State of North Carolina Regulations for Manufactured Homes.~~

MANUFACTURED HOME, MOBILE HOME - A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein.

For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

Manufactured home also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

MANUFACTURED HOME PARK - Any area, lot, parcel or tract held in common ownership, and on which individual portions of said area, lot, parcel or tract are leased for the placement of manufactured homes as a primary residence.

MANUFACTURED HOME RETAIL SALES - Establishments where manufactured homes are set up and on display for potential buyers to view.

MANUFACTURED HOME SPACE - The portion of land area allotted and/or designated to be allotted to any one manufactured home in a manufactured home park.

MANUFACTURED HOME SUBDIVISION - A parcel or contiguous parcels of land subdivided into two or more lots configured for development and placement of manufactured housing.

MANUFACTURING - Establishments primarily engaged in the use of machines, tools, and labor to produce goods for use or sale.

METAL FABRICATION - Building metal structures by cutting, bending, and assembling pieces.

METAL WORKS, METAL PROCESSING - Establishments primarily engaged in the process of working with metals to create individual parts, assemblies, or large scale structures.

MIDDLE SCHOOL - A school which embraces not more than the first year of high school with not more than the upper two elementary grades.

~~CONVEYANCE~~ MINOR PLAT - A plat that may be used for the transfer of land qualifying as a minor subdivision as defined in the Cabarrus County Subdivision Ordinance.

MITIGATION - The minimization of impacts to existing vegetation and wildlife habitat as a result of development. Examples of mitigation include providing road improvements or traffic signals to lessen the impacts of increased traffic, installing additional buffering next to existing residential property lines to provide increased visual screening or increasing setbacks to lessen noise at property boundaries. areas where lost vegetation and wildlife habitat are restored or recreated.

MIXED USE DEVELOPMENT - A proposed development that includes primary non-residential and primary residential uses on the same site.

MOBILE OFFICE, TEMPORARY - Office space mostly used in conjunction with either construction or residential sales projects not of a permanent nature typically housed in a form of a mobile unit.

MOBILE PERSONAL STORAGE UNIT - A portable storage or shipping container typically used for local or long distance moving. Also known as POD units or SAM units.

MODULAR HOME - A dwelling unit constructed in accordance with the construction standards of North Carolina Residential Code for One-and Two-Family Dwellings and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly and placement on a permanent foundation. Without limiting the generality of the foregoing, a modular home may consist of two or more sections transported to the site on a chassis or steel frame, or a series of panels or room sections transported to the site and erected, assembled, or joined there.

MOTEL - A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients.

MOTOR HOME - A large motor vehicle, usually with facilities for sleeping and eating, used for recreational activities such as camping.

MOTOR VEHICLE - Any machine designed or intended to travel over land, water, or air by self-propulsion or while attached to a self-propelled vehicle.

MOTORCYCLE, ATV, AND OTHER MOTOR VEHICLE DEALERS - Establishments primarily engaged in retailing new and/or used motorcycles, motor scooters, motorbikes, mopeds, off-road all-terrain vehicles (ATV), personal watercraft (jet skis), utility trailers, and other motor vehicles or retailing these new vehicles in combination with activities, such as repair services and selling replacement parts and accessories. Does not include automobiles, light trucks, recreational vehicles, or boats.

~~**MOTORCYCLE SALES, NEW OR USED** - Establishments primarily engaged in the retail sales of new or used motorcycles.~~

MOTORSPORTS COMPLEX - A facility consisting of a racetrack, seating, concession areas, suites, and parking facilities, with accessory offices, residences, and/or retail facilities, and which is

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

utilized primarily for the hosting of automobile racing events.

MOVIE THEATER - A motion-picture theater. **May include in-house restaurant facility that serves patrons food while watching the motion-picture.**

MOVING VAN, TRUCK OR TRAILER RENTAL - Establishments primarily engaged in renting moving vans, trucks or trailers. These types of facilities may be permitted as a standalone use or as accessory use at self-storage facilities.

MULTIFAMILY RESIDENTIAL - A structure arranged, designed, and intended to be the residence of more than one family, with each family having independent cooking and bathing facilities. May be stacked or located side by side.

MULTI-PHASED DEVELOPMENT- A development containing 100 acres or more that (i) is submitted for site plan approval for construction to occur in more than one phase and (ii) is subject to a master development plan with committed elements, including a requirement to offer land for public use as a condition of its master development plan approval.

MULTIMEDIA PRODUCTION AND DISTRIBUTION COMPLEX - A facility, the principal use of which is to create varying forms of educational or entertainment products including but not limited to films, videos, and records. The facility also encompasses all allied accessory uses spanning both the construction and media production fields.

NAIL SALON - Establishments primarily engaged in providing nail services, such as manicures and pedicures.

NONCONFORMING BUILDING OR STRUCTURE - A building or structure that was lawfully developed, and legally existed prior to any change in the applicable zoning district ~~bulk~~ regulations, but does not comply with one or more of the applicable district ~~bulk~~ regulations, either on the Effective Date of this Ordinance or as a result of any amendments to this Ordinance.

NONCONFORMING LOT - A lot which was lawfully created prior to the adoption of this Ordinance but which does not conform to the dimensional requirements for lots in its zoning district as set forth in this Ordinance.

NONCONFORMING USE - A use of land that:

1. Legally existed before its current zoning or land use category designation; and
2. Has been maintained continuously since the time the applicable regulations governing the land changed; and
3. Because of subsequent changes, does not conform to the provisions of this Ordinance now governing such land.

NURSERY - A place where plants are raised, acquired, and maintained for transplanting or sale.

NURSERY, DAYCARE CENTER - An individual, agency, or organization providing pre-school instruction or care on a regular basis for more than five children who are not related by blood or marriage to, and who are not the legal wards or foster children of the supervising adult. Includes adult daycare facilities that provide adult care services and activities while the adult's primary care giver is at work.

OPEN SPACE - Any portion of a parcel or area of land or water which is open and unobstructed from the ground to the sky including areas maintained in a natural and undisturbed character.

OPEN SPACE, COMMON - Open space within or related to a development or subdivision, not a part of individually owned lots or dedicated for general public use, but designed and intended for the common ownership, use and enjoyment of the residents of the development.

ORDINANCE - Unless otherwise specified, refers to the Cabarrus County ~~Zoning~~ **Development Ordinance**.

OUTDOOR STORAGE **AREA**- An area provided for the storage of materials or equipment that is not located inside a building.

OWNER - Any person, agent, firm or corporation having a legal or equitable interest in the property.

PARK - Provides recreational opportunities and contains areas suited for intense recreational purposes such as a recreation center building, athletic fields, swimming, tennis, and walking/jogging. A park may also include areas of natural quality for outdoor recreation such as viewing, sitting and picnicking.

PARKING GARAGE, **COMMERCIAL** - An attached or detached building which is used for the parking or storing of motor and other vehicles. **These facilities are open to public use without and typically charge or for a daily or monthly fee.**

PARKING LOT, **COMMERCIAL** - Any lot, parcel, area or place for the parking or storing of motor and other vehicles. **These facilities are open to public use without and typically charge or for a daily or monthly fee.**

PARKING SPACE - A space, enclosed or unenclosed, exclusive of driveways or aisles, for the temporary parking of one vehicle, which has adequate access to permit ingress and egress of a motor vehicle to a street.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

PAWN SHOP - A business that offers secured loans to people, with items of personal property used as collateral.

PERMEABLE PAVEMENT - A pavement system with traditional strength characteristics, but which allows rainfall to percolate through it rather than running off. A permeable pavement system utilizes either porous asphalt, pervious concrete, or plastic pavers interlaid in a running bond pattern and either pinned or interlocked in place. Porous asphalt consists of an open graded course aggregate held together by asphalt with sufficient interconnected voids to provide a high rate of permeability. Pervious concrete is a discontinuous mixture of Portland cement, coarse aggregate, admixtures, and water which allow for passage of runoff and air.

PERMANENT TEMPORARY EVENT FACILITY-A permanent site intended to accommodate uses that are typically held outdoors and temporary in nature, such as festivals, car shows, RV shows, circuses, fairs, craft fairs, concerts, fund raising events, etc. and includes customary and incidental uses related thereto.

PERMIT - Any zoning clearance; building permit; home occupation permit; sign permit; temporary use permit; **certificate of compliance**, certificate of occupancy; **conditional special** use permit; or any other official action of the County or any other state or local government commission, board, agency, or department having the effect of permitting development of land located within the geographic area subject to the provisions of this Ordinance.

PERMITTED BASED ON STANDARDS (PBS) - The proposed land use in question could be compatible with the district as long as it meets certain additional standards.

PERMITTED BY RIGHT (P) - A proposed land use that is considered ~~completely~~ compatible in a particular zoning district. ~~No further governmental review is needed.~~

PERSON – An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

PERSON WITH DISABILITIES - A person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b.

PET SHOP, PET GROOMING, ENCLOSED FACILITY - Establishment that acquires for the purposes of resale, animals bred by others whether as owner, agent, or on consignment, and that sells, trades or offers to sell or trade such animals to the general public at retail or wholesale. Pet Shops may provide grooming services, such as bathing and nail trimming, for pets. Facilities that

provide grooming services only are also included in this category. Animals at these types of establishments must be kept and boarded inside the building.

PETITIONER - See applicant.

PHASED SUBDIVISION OR SITE PLAN APPLICATION - An application for subdivision or site plan approval in which the applicant proposes not to immediately subdivide or develop the property but to develop the property in individual phase(s) over a period of time.

~~PHOTOGRAPHIC STUDIO - The studio, office or work space used by a professional photographer.~~

PLANNING AND DEVELOPMENT REGULATION JURISDICTION – The geographic area within which a city or county may undertake planning and apply development regulations.

PLANNING BOARD – Any board or commission established pursuant to G.S. 160D-301.

PLANNING AND ZONING COMMISSION - The Cabarrus County Planning and Zoning Commission. Also referred to as the Planning Board.

PLAT - The legal map of a subdivision.

PRELIMINARY PLAT - The preliminary **survey** drawing or drawings indicating the proposed manner or layout of the **proposed** subdivision to be submitted to the ~~planning~~**proper** authority for approval.

PREMISES - A lot, parcel tract or plot of land together with the buildings and structures thereon.

PRIMARY BUILDING OR STRUCTURE - The building or structure where the principal use of the parcel is located. This shall include any buildings which are attached to the principal structure by a covered structure.

PRINCIPAL USE - The main or primary use of a parcel of land.

PRINTING, REPROGRAPHIC FACILITY - Establishments primarily engaged in the process of reproducing, reprinting, or copying graphic material especially by mechanical, photographic, or electronic means.

PRIVATE - Anything not owned or operated by the federal government, state government, or any political subdivision.

PRIVATE ROAD - Any road, street, or other means of vehicular access to a parcel of land not dedicated or intended for public use.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

PRIVATE STABLE - A detached accessory building for the keeping of horses, mules, or ponies owned by the occupants of the premises and not kept for remuneration, hire or sale.

PROFESSIONAL ENGINEER - A person who has been duly registered and licensed as a professional engineer by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

PROFESSIONAL OFFICE - A place where a particular kind of business is transacted or a professional service is ~~supplied~~ offered, excludes retailing, further described as follows: **Examples of professional office include accountant's office, physician, dentist or chiropractor's office, lawyer's office, engineer, architect or surveyor's office, consultant's office, photographer's office, etc.**

- ~~1. A place in which a function, such as consulting, record keeping or clerical work, is performed, or~~
- ~~2. A place in which a professional person (e.g., a physician or lawyer) renders his or her professional service.~~

PROMOTIONAL ACTIVITIES INVOLVING THE DISPLAY OF GOODS OR MERCHANDISE - Activities conducted on the premises of an existing business, typically near the entrance to the building, to advertise the goods or merchandise sold at that business.

PROPERTY - All real property subject to land-use regulation by a local government. The term includes any improvements or structures customarily regarded as a part of real property.

PROPERTY LINE, COMMON - A line dividing one lot from another.

PUBLIC CULTURAL FACILITY - The use of land, buildings, or structures by a governmental agency to provide cultural services directly to the general public, inclusive of public libraries and museums.

PUBLIC HEARING - A public meeting for which notice has been given and an opportunity for public testimony is provided.

PUBLIC MEETING - A meeting where the public may attend.

PUBLIC NOTICE - Notice to the public of a public hearing or meeting as required by state or local law.

PUBLIC RIGHT-OF-WAY - Any area on, or adjoining, a street, road, highway, alley, or pedestrian/bicycle way or other special purpose way or utility installation owned by, or reserved to, the public for present or future public use.

PUBLIC SERVICE FACILITY - The use of land, buildings, or structures by a public utility, railroad, or governmental agency. Includes, but is not limited to:

1. Water treatment plants or pumping stations
2. Sewage treatment plants or pumping stations
3. Non-nuclear power stations and substations
4. Telephone exchanges
5. Bus and railroad terminals or stations
6. Alternative power generation facilities, including solar fields, solar farms and wind farms
7. Natural gas facilities
8. Other similar public service structures

Land, buildings, or structures devoted solely to the storage and maintenance of equipment and materials are not considered public service facilities. See government buildings, storage only.

PUBLIC USE FACILITY - The use of land, buildings, or structures by a governmental agency to provide protective, administrative, social, or recreational services directly to the general public. Includes:

1. Police, fire and emergency medical services stations
2. Emergency services sub-stations
3. Community centers, senior centers
4. Public parks
5. Other public facilities providing any of the above services.

Land, buildings or structures devoted solely to the storage and maintenance of equipment and materials are not considered public use facilities.

PUBLIC UTILITY - A business organization (such as an electric, water or sewer company) performing a public service and subject to special governmental regulation.

QUASI-JUDICIAL DECISION – A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

QUARRY - See EXTRACTION OF EARTH PRODUCTS, **MINING**

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

RACE TRACK, ANIMAL - A facility consisting of a dirt track used primarily for the sport of animal racing, such as dogs or horses. The race track may include seating, concession areas and parking facilities and offices but does not include residences, or retail facilities.

RACE TRACK, AUTOMOBILE - A facility consisting of a paved or dirt roadway used primarily for the sport of automobile racing. The race track may include seating, concession areas, suites, parking facilities and accessory offices but does not include, residences, or retail facilities. This definition shall also include any facility used for driving automobiles under simulated racing or driving conditions (test tracks, "shakedown" tracks or other similar facilities), but does not include seating, concession areas, or retail facilities for the general public.

RACETRACK, OTHER - A facility consisting of tracks or courses used for racing go-karts, motorcycles, BMX bicycles, All-Terrain Vehicles (ATVs), etc. The race track may include seating, concession areas, parking facilities and accessory offices but does not include residences or retail facilities.

REAR SETBACK - The minimum ~~horizontal~~ distance between any building and the rear property line.

RACE SHOP - A facility used for the production, testing, and repair of competitively raced motor vehicles inclusive of offices and warehousing of vehicles and souvenirs.

RACE TEAM COMPLEX - A facility used for the production, testing, and repair of competitively raced motor vehicles inclusive of offices, warehousing of vehicles and souvenirs. Race Team complexes may include multiple buildings for multiple teams or separate fabrication, chassis construction, or painting facilities.

RADIO AND TELEVISION STUDIO - A facility for the production of films and/or the production and broadcast of television and radio programs.

RAIL STATION, RAIL TERMINAL - A railway facility where trains regularly stop to load or unload passengers or freight.

RAIL STORAGE YARD - A complex series of railroad tracks for storing, sorting, or loading or unloading, railroad cars or locomotives.

RECEPTION FACILITIES - Establishments located in rural Cabarrus County, which host banquets, wedding receptions, private events, parties, etc. Events are by reservation only, with food and beverage brought on site or prepared in an approved kitchen located on the site. A reception facility shall not be operated as a restaurant with entertainment or as a bed and breakfast.

RECREATIONAL FACILITY, INDOOR - An establishment providing amusement, entertainment or recreation indoors typically for an admission charge. Types of indoor recreational facilities include but are not limited to:

- a. Dance halls
- b. Live theater
- c. Bands, orchestra and other musical entertainment
- d. Bowling alleys
- e. Billiard and pool establishments
- f. Membership sports and recreation clubs
- g. Indoor swimming pools or waterparks
- h. Skating rinks
- i. Indoor kart racing

RECREATIONAL FACILITY, OUTDOOR - An establishment providing amusement, entertainment or recreation outdoors, typically for an admission charge or membership fee. Types of outdoor recreational facilities include but are not limited to:

- a. Ball field, ball field complex
- b. Soccer field, soccer field complex
- c. Miniature golf
- d. Outdoor Adventure Facilities, including zip lines, ropes courses and rock climbing walls
- e. Amphitheater
- f. Campground
- g. Non-competitive kart racing
- h. Radio controlled race car or truck course
- i. Radio controlled airplane flying fields, drone flying fields
- j. Paint ball fields
- k. Outdoor pools or waterparks open to the general public

RECREATIONAL THERAPY FACILITY, RURAL SETTING - A facility that provides recreational therapy to individuals with a wide range of cognitive, physical and emotional disabilities. Recreational therapy is the provision of services to an individual to restore and rehabilitate using recreational techniques, in order to improve functioning and independence, as well as reduce or eliminate the effects of illness or disability and promote well-being.

RECREATIONAL TRAIL - Any paved or unpaved surface used as a greenway, blueway or recreational facility.

RECREATIONAL VEHICLE - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: travel trailers, truck

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

campers, camping trailers, ~~and~~ motor homes and tiny homes on wheels. Recreational vehicles are intended for temporary occupancy and may not be used as a permanent residence.

RECYCLABLE MATERIALS DROP OFF - A bin or container-like device situated for the receipt and temporary storage of recyclable materials which is not enclosed within a building or structure.

REGISTERED LAND SURVEYOR - A person who, by reason of his special knowledge of mathematics, surveying principles and methods, and legal requirements which are acquired by education and/or practical experience, is qualified to engage in the practice of land surveying, as herein defined, as attested by his registration as a registered land surveyor by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

RELIGIOUS INSTITUTION - Any of a broad range of denominations organized primarily for the purpose of providing weekly religious services, Sunday school and occasional evening religious events.

RELIGIOUS INSTITUTION WITH SCHOOL - Any of a broad range of denominations organized primarily for the purpose of providing weekly religious services, Sunday school, occasional evening religious events, and standard secular teaching at both the elementary and secondary levels on weekdays, similar to that offered by the North Carolina Department of Education.

REQUIRED SETBACK - The distance required between a building or other structure and the property line.

RESTAURANT, EXCLUDING DRIVE THROUGH - An establishment serving food and beverages where all service takes place within an enclosed building or accessory outdoor seating area.

RESTAURANT WITH DRIVE-THRU FACILITY - An establishment serving food and beverages, where service takes place within an enclosed building, in accessory outdoor seating areas, or through a vehicular pickup window.

REST HOME, CONVALESCENT HOME, NURSING HOME - A facility ~~used to help patients recover gradually from health disorders.~~ primarily designed to provide a home-like environment while patients recover from long term illnesses or medical procedures. Many residents return to their own homes after recovery but some may stay at the facility to receive long term health care.

RETAIL SALES, NEIGHBORHOOD MARKET - Small ~~scale retail~~ store intended to serve the surrounding neighborhood. These types of markets typically sell bread, milk, snack foods, drinks, candy, bait and other basic grocery items and may include a small area where simple foods are prepared. These markets are ~~do not exceed~~ 1000 square feet or less.

RETAIL SALES, SHOPPING CENTER - A group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking, landscaped areas, and pedestrian malls or plazas provided on the property as an integral part of the unit.

RETAINING WALL - A manmade barrier constructed for the purpose of stabilizing soil, retarding erosion, or terracing a parcel or site.

~~REZONING - An amendment to the Official Zoning Map.~~

RIGHT-OF-WAY- The right to cross somebody else's property by a specific route.

ROADWAY - The improved portion of a street within a right-of-way and/or easement.

~~SAWMILL - An operation or facility which has, as its predominant purpose, the sawing or planning of logs or trees into rough slabs.~~ Establishments primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size.

SALVAGE YARD - An establishment operated for the purpose of storing, dismantling, salvaging, recycling, buying or selling scrap or used materials such as paper, metals, rubber, rags, glass, **construction materials**, wrecked, used or dismantled products and articles, such as machinery, vehicles, appliances, **manufactured homes, recreational vehicles**, and the like. Also known as a Junk Yard.

SCIENTIFIC RESEARCH AND DEVELOPMENT - Government or other organizations engaged in scientific research and/or new or enhanced product design or development.

SCREENING - Shielding, concealing or effectively hiding from view of a person standing at ground level on an abutting site by a wall, fence, hedge, berm or any combination of these methods, or any similar architectural or landscaped feature, such as a landscape perimeter strip or buffer yard.

SEDIMENT - Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

SEDIMENT AND EROSION CONTROL DEVICES - Sediment fences, sediment traps, or other devices necessary to reduce sedimentation.

SEDIMENTATION - The process by which sediment has been, or is being, transported off the site of land disturbing activity or into a lake or watercourse.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

SELF SERVICE STORAGE FACILITY - Buildings which are composed of contiguous individual rooms which are rented to the public for the storage of personal property and which have independent access and locks under the control of the tenant.

SEMI-ATTACHED HOUSE - Two houses sharing one common side, typically identical homes on each end with matching appearances and driveways, with a common front lawn.

SEPTIC TANK SYSTEM - A subsurface wastewater system consisting of a settling tank and a subsurface disposal field.

SETBACK - The minimum distance between any building and the property line.

SETBACK LINE - A line marking the distance from the street **right-of-way** or lot lines which establishes the minimum required front, side and rear setbacks.

SHOOTING RANGE, INDOOR - A firing range facility with targets for rifle or handgun practice located inside a building.

SHOOTING RANGE, WITH OUTDOOR TARGET PRACTICE - A firing range facility with targets for rifle or handgun practice located inside a building and also includes outdoor practice ranges.

SINGLE-FAMILY DETACHED RESIDENTIAL DWELLING - A separately owned residence for use by one family as a housekeeping unit with space for eating, living, and permanent provisions for cooking and sanitation.

SITE PLAN – A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, landscape and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

~~SITE PLAN— A development plan of one or more lots on which is shown~~

- ~~a. The existing and proposed conditions of the lot, including but not limited to: topography, vegetation, drainage, flood plains, wetlands and waterways;~~
- ~~b. The location of all existing and proposed buildings, drives, parking spaces, walkways, means or ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and~~
- ~~c. Location and extent of all landscape buffers.~~

SITE SPECIFIC DEVELOPMENT PLAN (SSDP) - A plan which has been submitted by a landowner describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. Such a plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways.

SKETCH PLAN - A sketch preparatory submitted prior to the preliminary plat or site plan to enable the applicant to save time and expense in reaching general agreement with the platting reviewing authority as to the form of the plat or site plan and the objectives of this Ordinance.

SKIN CARE SALON - Establishments primarily engaged in providing personal services related to skin care such as facials and laser treatments.

SLAUGHTERHOUSE, MEAT PACKING - A building or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage and/or sale of the product on the premises.

SLOPE - A vertical rise in feet measured over a horizontal distance, expressed as a percentage, measured generally at right angles to contour lines.

SMALL ENGINE REPAIR SHOP - A facility used for the repair and servicing of small engines, such as lawn mowers, lawn tractors, chain saws, trimmers, etc.

SOIL SURVEY - The Soil Survey of Cabarrus County, North Carolina, published by the Soil Conservation Survey of the U.S. Department of Agriculture, dated September 1988, which document is hereby incorporated by reference.

SOLAR FARM - Large Collections of solar panels that work together to capture sunlight and turn it into electricity.

SOLAR PANEL - A panel designed to absorb the sun's rays as a source of energy for generating electricity or heating.

SOLAR PANELS AS RESIDENTIAL ACCESSORY USE – A collection of up to 20 solar panels, located on a residential property, used for power generation for the subject property.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

~~CONDITIONAL~~ **SPECIAL USE** - A use which, because of its unique characteristics, cannot be properly classified as a permitted use and warrants review by the Planning and Zoning Commission, serving as Board of Adjustment.

SPECIAL USE PERMIT – A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.

SPORTS AND RECREATION INSTRUCTION OR CAMP - Establishments primarily involved in the instruction of sports or recreation, including but not limited to baseball, football, soccer, tennis, golf, lacrosse, dance or gymnastics. These facilities may or may not include overnight accommodations for participants.

SPLIT-FACE BLOCK-A concrete masonry unit, split lengthwise by a machine after curing to produce a rough, fractured face texture.

STADIUM - A sports arena, usually oval or horseshoe-shaped, with tiers of seats for spectators.

STEEL MILL - An industrial plant for the manufacture of steel.

STORAGE BUILDING SALES - Establishments primarily engaged in the display and sale of small accessory buildings to be used for storage.

STORAGE LOT, LOGISTICS AND FREIGHT - A lot used for the storage of logistics and freight related trailers and chassis. These lots typically charge a monthly fee.

STORMWATER - The flow of water which results from precipitation and which occur immediately following rainfall or a snowmelt.

STORMWATER RUNOFF - The direct runoff of water resulting from precipitation in any form.

STREET, PUBLIC - Any public thoroughfare, street, avenue, or boulevard which has been dedicated or deeded to the public for public use. Also includes any Road.

STREET FRONTAGE - The distance for which a lot line of a lot adjoins a public street, from one lot line intersecting said street to the furthest distance lot line intersecting the same street.

STRUCTURAL ALTERATION - Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders or any complete rebuilding of the roof or exterior walls.

STRUCTURAL COVERAGE - Refers to the amount of land area covered by structures.

STRUCTURE - Anything constructed or erected which requires location on or in the ground or is attached to something having a location on the ground or anything as defined by the Building Code.

STRUCTURE, ACCESSORY - A structure located on the same lot and customarily incidental and subordinate to the principal building **or structure**.

STRUCTURE, PERMANENT - Anything constructed or erected within a required location on the ground or which is attached to something having location on the ground, including a fence or free-standing wall.

STRUCTURE, TEMPORARY - A moveable structure not designed for human occupancy.

STUB-OUT, STUB-STREET - A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

SUBDIVIDE - The act or process of creating a Subdivision.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to the before damaged-condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

SWALE - An elongated depression in the land surface that is at least seasonally wet, is usually heavily vegetated, and is normally without flowing water. Swales direct storm water flows into primary drainage channels and allow some of the storm water to infiltrate into the ground surface.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

SWIM CLUB, TENNIS CLUB, COUNTRY CLUB - A private club that provides one or more of the following: tennis or swimming facilities, indoor or outdoor exercise facilities, recreation rooms, recreational equipment, tennis or swimming lessons, etc. These types of facilities are restricted to use by members and their guests. Country Clubs may also include golf courses and/or a clubhouse with dining and banquet facilities.

SWIMMING POOL - A structure designed to hold water to enable swimming or other water based leisure activities. Pools can be built into the ground or built above ground.

TANNING SALON - Establishments that provide tanning beds and/or spray tanning for customers.

TATTOO - A form of body modification made by inserting indelible ink into the dermis layer of the skin to permanently change the pigment.

TATTOO STUDIO - A place where people receive permanent decorative tattoos from a tattoo artist. Body piercing may also be performed at these facilities.

TAXI SERVICE - A service that provides vehicles for hire with a driver who conveys passengers between locations of their choice for a fee.

TAXIDERMY - The act of mounting, stuffing or reproducing dead animals for display.

TAXIDERMY STUDIO - A place where a taxidermist performs taxidermy.

TEMPORARY FAMILY HEALTH CARE STRUCTURE – A transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the State Building Code and G.S. 143-139.1(b).

TEMPORARY USE - A use that is established with the intent to discontinue such use upon the expiration of the permit and that does not involve the construction or alteration of any permanent structure. See Chapter 7, Temporary Uses for List of Uses.

THOROUGHFARE - Those roadways in Cabarrus County designated as thoroughfares (major or minor) by the North Carolina Department of Transportation (NCDOT) or the Long Range Transportation Plan.

THOROUGHFARE, MAJOR - Primary traffic arteries where the main function is to move traffic in and around the area.

THOROUGHFARE, MINOR - Roads that collect traffic from local streets and carry it to the major thoroughfares.

TIRE RECAPPING - Establishments where worn automobile tires are reconditioned.

TOUR BUS COMPANY - A bus service that takes visitors sightseeing, with routes around tourist attractions.

TOW TRUCK - A vehicle used to transport motor vehicles to another location or to recover vehicles which are no longer on a drivable surface.

TOWING SERVICE - Businesses primarily engaged in pulling or hauling vehicles in the case of breakdowns or collisions or that may be impounded for legal reasons.

TOWNHOUSE - A single-family dwelling unit constructed in a series, group or row of attached units separated by property lines and with a yard on at least two sides. The term "townhouse" also includes a single-family dwelling constructed in a series or group of attached units with property lines separating each unit.

TRADE OR VOCATIONAL SCHOOL - A school, other than a college or university, which may be operated as a commercial venture, and which provides part-time or full-time education beyond the high school level and does not provide lodging or dwelling units for students or faculty. Includes technical and cosmetology schools.

TRAIL HEAD - Area specifically designated for accessing a recreational trail.

TRUCKING AND HEAVY EQUIPMENT, SALES AND SERVICE - A commercial facility for the maintenance of trucks or their sale, rental or lease, including the sale, rental or lease of heavy equipment.

TRUCKING EQUIPMENT COMPANY, HEAVY EQUIPMENT COMPANY, DISPATCH FACILITY WITH STORAGE - A commercial facility for the dispatch of trucks or heavy equipment which includes the storage of such equipment on site between jobs.

TRUCK STOP, TRUCK TERMINAL - A facility which accommodates the trucking industry by providing fueling stations, weigh stations, restaurants, convenience foods, and occasionally, overnight rooming accommodations. These facilities are typically located near state, federal or interstate highways.

UNDERLYING ZONING DISTRICT - A standard zoning district classification which is combined with an overlay district for purposes of development regulation specificity. The base (underlying) district regulations shall apply unless expressly superseded by overlay district provisions.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

UPZONING - The reclassification of land from a residential to a non-residential zoning district, or to a zoning district which permits greater density or intensity than the current zoning classification of the property.

USE - The purpose or purposes for which land or a building is occupied, maintained, arranged, designed, or intended.

USE, APPROVED - Any use that is or may be lawfully established in a particular district provided that it conforms with all requirements of these regulations for the district in which such use is located.

USE VARIANCE - A variance as to the permissible use of land. A use variance is not permitted under North Carolina law.

UTILITY USE – See Public Service Facility

VARIANCE - A relaxation of the terms of this Ordinance where such variance will not be contrary to the public interest and, where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. A variance is authorized only for the dimensional controls of this Ordinance. Establishment or expansion of a use otherwise prohibited shall not be permitted by a variance.

VESTED RIGHT - The right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan for a specified time, regardless of changes in this Ordinance.

VETERINARIAN - A person rendering surgical and medical treatment to animals which may include overnight accommodations for the animals for purposes of recovery or boarding. Crematory facilities shall not be allowed as part of a veterinarian office or establishment.

WAREHOUSE, ENCLOSED STORAGE - The indoor storage of goods, materials, or merchandise for shipment to or processing on other property with no on site retailing.

WAREHOUSE WITH OUTDOOR STORAGE - The outside storage of goods, materials, or merchandise for shipment to or processing on other property with no on site retailing.

WAREHOUSE, VOLATILE MATERIALS - The indoor or outside storage of materials considered to be volatile, i.e., explosive. Petroleum products, propane, oxygen, dynamite and blasting supplies are among those items considered volatile materials.

WATER TREATMENT FACILITY - Any facility or facilities used or available for use in the collection, treatment, testing, storage, pumping, or distribution of water for a public water system.

WATERSHED - A natural area of drainage, including all tributaries contributing to the supply of at least one major waterway within the State, the specific limits of each separate watershed to be designated by the North Carolina Environmental Management Commission.

WELDING SHOP - Establishments primarily engaged in the process of metal welding or metal repair.

WELLNESS RETREAT, WELLNESS SPA- A retreat, camp or spa where the focus of the facility is physical fitness, holistic care, relaxation, emotional balance, stress reduction and spiritual health. These facilities are typically located in a natural setting where clients enjoy nature and activities related to, or occurring in, the natural setting. Facilities may or may not include overnight accommodations. Day spas may also be included as a part of these types of facilities.

WETLAND - Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

WIND ENERGY FACILITY- A facility generating electricity, for personal use only, through using a wind turbine or multiple turbines on the same site.

WIND FARM - Large collections of wind turbines that work together to capture wind energy and turn it into electricity.

WIND TURBINE- a device that converts kinetic energy from the wind into electrical power.

WIRELESS TELECOMMUNICATION SERVICES (WTS) - Licensed or unlicensed wireless telecommunication services including cellular, digital cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), commercial or private paging services, or similar services marketed or provided to the general public. This definition does not include services for non-commercial entities in the amateur radio service, public safety radio service, or licenses assigned to non-profit organizations such as the Red Cross, Civil Air Patrol, or other military affiliated radio services that are licensed by the Federal Communications Commission.

ZONING ADMINISTRATOR - The employee of the Cabarrus County Planning and Development charged with overseeing the administration and enforcement of these regulations and his/her designee(s).

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

ZONING DISTRICT - Any portion of the area of the County in which the same Zoning regulations apply.

ZONING ~~INSPECTOR~~ ENFORCEMENT OFFICER- The Administrator and/or his or her duly authorized representative.

ZONING MAP AMENDMENT, REZONING – A request to change the zoning designation and applicable regulations applied to a specified property or properties.

Section 3-1 Introduction

The purpose of this Chapter is twofold. First, 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 the zoning district and want to understand what is allowed within it, this section provides the answer. If, on the other hand, you have a use in mind and want to know where it fits, find the use in the Table of Permitted Uses located at the end of this Chapter to understand the 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 and twenty-four hour operation. Many of the PBS uses have more than one standard.
- ~~Conditional Use (C)~~ **Special Use (SU)** - This means that the land use considered needs to be reviewed by a public body, in this case, the Planning & Zoning Commission acting as a Board of Adjustment. Often, these are land uses with the potential for far reaching consequences. A public airport is a good example. The creation of an airport may profoundly affect an area's transportation system, may greatly affect surrounding land use from a noise standpoint, etc. Accordingly, these types of land uses merit consideration and debate in a public forum. In order to assure compatibility with surrounding land uses, conditions may be placed on the proposed development of the property.
- **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 the heading of "Accessory". A utility shed in the backyard of a residentially developed property is a good example of an accessory use. Accessory uses must be considered compatible with both the original use and the surrounding land uses. Accessory uses cannot exist by themselves. They must be accessory to ~~another use~~ **the primary use of the property.**

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 jurisdictions, if any, are divided into the following districts. Such districts are designed to both assure the compatibility of land uses within each district and to partially implement the officially adopted Cabarrus County Area Plans, and other planning documents which serve as part of the overall county comprehensive plan.

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

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

AGRICULTURAL/RESIDENTIAL:

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 to it are hereby made a part of this Ordinance. These documents are kept in the Office of the Zoning Administrator and are available for public inspection. Other supplements, in the form of maps, 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 or 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.
- f. 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 (f) above shall also be construed.

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

- a. Where physical or cultural features existing on the ground vary 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.
- b. 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 as either Permitted (P), Permitted Based on Standards (PBS), or ~~Conditional (C)~~ **Special Use (SU)**.

AGRICULTURAL/RESIDENTIAL DISTRICT:

AGRICULTURAL/OPEN SPACE

This district is comprised mostly of lands usually found on the eastern side of the County which, due to physical characteristics such as soil type, topography, etc., should remain agrarian. To a lesser degree, these are also those lands which are conducive to providing recreationally

oriented open space. These land areas should remain the farmland and undeveloped/forested land of the County. Public utilities will not be planned for these areas. Consequently, residential uses that support those working and/or owning the land, home occupations allied with existing residences, and very limited business endeavors 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 farmland preservation. Less a matter of market economics is the concept of retaining unspoiled, undeveloped lands for future generations to enjoy.

AGRICULTURE/OPEN SPACE USES

AO Permitted (P) Uses

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

AO Permitted based on Standards (PBS) Uses

Accessory Dwelling Unit	Accessory Building	Auction House
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CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 3-ESTABLISHMENT OF **DISTRICTS**

Auction, Estate or Asset Liquidation, Temporary Use	Communications Tower, 911 Communications Tower	Convenience Store without Petroleum Sales
Auction, Livestock, Temporary Use	Community Garden, Accessory Use	Country Club with Golf Course
Barn, Greenhouse as Primary Structure	Contractor Office, Construction Equipment Storage, Temporary Use	Dumpsters, Commercial Waste Containers, Temporary Use
Bed and Breakfast	Contractor or Trade Shops	Ethanol Fuel Production, Residential District, Private Use Only, Accessory Use
Cemetery		
Civic Organization Facility	Convenience Store with Petroleum Sales	

AO Permitted based on Standards (PBS) Uses Continued

FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Landfill, Demolition-Less Than One Acre	Modular Unit, Commercial/Mixed Use Projects, Temporary Use
Gas Service station	Mobile Personal Storage Unit, Renovation, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use
Golf Course, Public or Private	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Real Estate Office in Model Home, Temporary Use
Home Occupation, General	Nursery, Daycare Center	Recyclable Materials Drop Off
Home Occupation, Rural	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business	Recreational Trail, Greenway, or Blueway Connector
Ice Production, Dispensing, Accessory to Convenience Store		Religious Institution with Total Seating Capacity 350 or Less
Ice Production, Dispensing, Accessory to Gas Service Stations	Public Cultural Facility	
Kennel, Private	Real Estate Office in Construction Trailer or	

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Repair Garage, Automobile	Scientific Research and Development, Accessory to Agriculture	Towing Service, Accessory to Automobile Repair
Repair Shop, Farm Machinery	Swim Club, Tennis Club, Country Club	Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales
Repair Shop, Small Engine	Swimming Pool, Accessory to Single Family Residential	Trail Head, Accessory
Rest Home, Convalescent Home, Nursing Home with 10 Beds or Less	Temporary Dwelling for Large Construction Projects, Temporary Use	Trail Head, Primary Use Site
Restaurant, Excluding Drive-Thru	Temporary Health Care Structure	Wind Energy Facility, Accessory Use, On Site Use Only
Retail Sales, Neighborhood Market 1,000 Square Feet or Less	Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use	Wireless Telecommunications Services, Co-location
Sawmill		

AO Conditional (C) Special Uses (SU)

Airstrip, as Accessory Use	Public Service Facility	Shooting Range with Outdoor Target Practice
Animal Hospital	Public Use Facility	Slaughter House, Meat Packing
Animal Shelter	Race Shop, Race Team Complex	Sports and Recreation Instruction or Camp
Correctional Facility	Reception Facilities	Trade and Vocational Schools
Colleges, Universities	Recreational Facility, Outdoor	Veterinarian
Day Camp, Summer Camp, Civic Group Camp Facility	Recreational Therapy Facility, Rural Setting	Wireless Telecommunications Services
Elementary, Middle and High Schools	Religious Institution with Total Seating Capacity 351 or More	Wellness Retreat, Wellness Spa
Kennel, Commercial	Religious Institution with School	
Landfill, Demolition-One Acre or More	Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds	
Landfill, Sanitary		
Multimedia Production & Distribution Complex		

RESIDENTIAL DISTRICTS:

COUNTRYSIDE RESIDENTIAL

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

Rationale

This land use district was created as a direct result of the County's systematic area planning process. As a reaction to the growth of the past decade (as much as 80% in some townships) many residents are anxious to see their areas retain the appeal that inspired the resident to

make his or her original investment. This district helps implement a growth management philosophy before the fact, rather than after. 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.

COUNTRYSIDE RESIDENTIAL USES

CR Permitted (P) Uses

Agriculture Excluding Livestock	Family Care Home	Nursery, Greenhouse
Agriculture Including Livestock	Group Care Facility	Single Family Detached Residential
Agritourism, Accessory to Agriculture	Livestock Sales	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Dairy Processing	Manufactured Home, In Manufactured Home Overlay District Only- See Chapter 4	

CR Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Community Garden, Accessory Use	Ethanol Fuel Production, Residential District, Private Use Only, Accessory Use
Accessory Building	Contractor Office, Construction Equipment Storage, Temporary Use	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary
Auction House	Convenience Store with Petroleum Sales	Gas Service Station
Auction, Estate or Asset Liquidation, Temporary Use	Convenience Store without Petroleum Sales	Golf Course, Public or Private
Auction, Livestock, Temporary Use	Country Club with Golf Course	Home Occupation, General
Barn, Greenhouse as Primary Structure	Dumpsters, Commercial Waste Containers, Temporary Use	Home Occupation, Rural
Bed and Breakfast		
Cemetery		
Civic Organization Facility		

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 3-ESTABLISHMENT OF **DISTRICTS**

Ice Production,
Dispensing, Accessory to
Convenience Store

Kennel, Private

Landfill, Demolition-Less
Than One Acre

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

Ice Production,
Dispensing, Accessory to
Gas **Service** Stations

Mobile Personal Storage
Unit, Renovation,
Temporary Use

CR Permitted Based on Standards (PBS) Uses Continued

Nursery, Daycare Center

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

Recreational Trail,
Greenway, or Blueway
Connector

Religious Institution
with Total Seating
Capacity 350 or Less

Temporary Dwelling for
Large Construction
Projects, Temporary Use

**Temporary Health Care
Structure**

Public Cultural Facility

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

Rest Home,
Convalescent Home,
Nursing Home with 10
Beds or Less

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

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

Restaurant, Excluding
Drive-Thru

Sawmill

Trail Head,
Accessory Use

Real Estate Office in
Model Home,
Temporary Use

Scientific Research and
Development, Accessory
to Agriculture

Trail Head, Primary Use
Site

Stables, Commercial

Wind Energy Facility,
Accessory Use, On Site
Use Only

Swim Club, Tennis Club,
Country Club

Wireless
Telecommunications
Services, Co-location

Swimming Pool,
Accessory to Single
Family Residential

CR Conditional (C) Special Uses (SU)

Animal Hospital	Public Service Facility	Nursing Home with More Than 10 Beds
Animal Shelter	Public Use Facility	
College, University	Reception Facilities	Shooting Range with Outdoor Target Practice
Communications Tower, 911 Communications Tower	Recreational Facility, Outdoor	Slaughter House, Meat Packing
Day Camp, Summer Camp, Civic Group Camp Facility	Recreational Therapy Facility, Rural Setting	Sports and Recreation Instruction or Camp
Elementary, Middle and High Schools	Religious Institution with Total Seating Capacity 351 or More	Veterinarian
Kennel, Commercial	Religious Institution with School	Wireless Telecommunications Services
Multimedia Distribution & Production Complex	Rest Home, Convalescent Home	Wellness Retreat, Wellness Spa

LOW DENSITY RESIDENTIAL DISTRICT

This district is intended to permit development with a low density residential community character. This district allows conventional, open space and amenity subdivisions. This district is located where public utilities 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.

LOW DENSITY RESIDENTIAL USES

LDR Permitted (P) Uses

Agriculture Excluding Livestock	Manufactured Home, In Manufactured Home Overlay District Only- See Chapter 4	Single Family Detached Residential
Agritourism, Accessory to Agriculture	Nursery, Greenhouse	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Family Care Home	Semi-Attached House	
Group Care Facility		

LDR Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Auction, Livestock, Temporary Use	Cemetery
Accessory Building	Automated Teller Machine, as Accessory	Civic Organization Facility
Agriculture-Female Chickens, Limited Number, Less than 5 Acres	Bank, Financial Institution, Automated Teller Machine	Community Garden, Accessory Use
Agriculture, Including Livestock	Barn, Greenhouse as Primary Structure	Contractor Office, Construction Equipment Storage, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Bed and Breakfast	Convenience Store with Petroleum Sales

Convenience Store without Petroleum Sales	Ice Production, Dispensing, Accessory to Convenience Store	Temporary Use at Existing Business
Country Club with Golf Course	Ice Production, Dispensing, Accessory to Gas Service Stations	Public Cultural Facility
Dumpsters, Commercial Waste Containers, Temporary Use	Itinerant Merchant, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial or Mixed Use Projects, Temporary Use
Ethanol Fuel Production, Residential District, Private Use Only, Accessory Use	Landfill, Demolition-Less Than One Acre	Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Mobile Personal Storage Unit, Renovation, Temporary Use	Real Estate Office in Model Home, Temporary Use
Gas Service station	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use	Recreational Trail, Greenway, or Blueway Connector
Golf Course, Public or Private	Nursery, Daycare Center	Religious Institution with Total Seating Capacity 350 or Less
Home Occupation, General	Promotional Activities Involving the Display of Goods or Merchandise,	
Home Occupation, Rural		

LDR Permitted Based on Standards (PBS) Uses Continued

Rest Home, Convalescent Home, Nursing Home with 10 Beds or Less	Scientific Research and Development, Accessory to Agriculture	Swimming Pool, Accessory to Single Family Residential
Restaurant, Excluding Drive-Thru	Stables, Commercial	Temporary Dwelling for Large Construction Projects, Temporary Use
	Swim Club, Tennis Club, Country Club	

<p>Temporary Health Care Structure</p> <p>Temporary Residence in Mobile Home during Construction of New Home</p>	<p>on Same Site, Temporary Use</p> <p>Trail Head, Accessory Use</p> <p>Trail Head, Primary Use</p>	<p>Wind Energy Facility, Accessory Use, On Site Use Only</p> <p>Wireless Telecommunications Services, Co-location</p>
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LDR Conditional (C) Special Uses (SU)

<p>College, University</p> <p>Communications Tower, 911 Communications Tower</p> <p>Elementary, Middle and High Schools</p> <p>Public Service Facility</p>	<p>Public Use Facility</p> <p>Recreational Facility, Outdoor</p> <p>Religious Institution with Total Seating Capacity 351 or More</p> <p>Religious Institution with School</p>	<p>Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds</p> <p>Wireless Telecommunications Services</p>
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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 district include a variety of housing types, including townhouses. This district is located where public utilities are available.

RATIONALE

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

MEDIUM DENSITY RESIDENTIAL USES

MDR Permitted (P) Uses

<p>Agriculture, Excluding Livestock</p>	<p>Agritourism, Accessory to Agriculture</p>	<p>Family Care Home</p>
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CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Group Care Facility	Nursery, Greenhouse	Wireless
Manufactured Home, In Manufactured Home Overlay District Only-See Chapter 4	Semi-Attached House Single Family Detached Residential	Telecommunications Services, Stealth Antennae, 65 Feet or Less

MDR Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Community Garden, Accessory Use	Itinerant Merchant, Temporary Use, Existing Business
Accessory Building	Contractor Office, Construction Equipment Storage, Temporary Use	Ice Production, Dispensing, Accessory to Convenience Store
Agriculture-Female Chickens, Limited Number, Less than 5 Acres	Convenience Store without Petroleum Sales	Landfill, Demolition-Less Than One Acre
Agriculture, Including Livestock	Country Club with Golf Course	Mobile Personal Storage Unit, Renovation, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Dumpsters, Commercial Waste Containers, Temporary Use	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Auction, Livestock, Temporary Use	Ethanol Fuel Production, Residential District, Private Use Only, Accessory Use	Nursery, Daycare Center
Automated Teller Machine as Accessory	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business
Bank, Financial Institution, Automated Teller Machine	Golf Course, Public or Private	Public Cultural Facility
Barn, Greenhouse as Primary Structure	Home Occupation, General	Real Estate Office in Construction Trailer or Modular Unit, Commercial or
Bed and Breakfast	Home Occupation, Rural	
Cemetery		
Civic Organization Facility		

<p>Mixed Use Projects, Temporary Use</p> <p>Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use</p> <p>Real Estate Office in Model Home, Temporary Use</p> <p>Recreational Trail, Greenway, or Blueway Connector</p> <p>Religious Institution with Total Seating Capacity 350 or Less</p>	<p>Rest Home, Convalescent Home, Nursing Home with 10 Beds or Less</p> <p>Restaurant, Excluding Drive-Thru</p> <p>Scientific Research and Development, Accessory to Agriculture</p> <p>Swim Club, Tennis Club, Country Club</p> <p>Swimming Pool, Accessory to Single Family Residential Temporary Dwelling for Large Construction Projects, Temporary Use</p>	<p>Temporary Health Care Structure</p> <p>Temporary Residence in Mobile Home during Construction of New Home on Same Site, Temporary Use</p> <p>Townhouses</p> <p>Trail Head, Accessory Use</p> <p>Trail Head, Primary Use</p> <p>Wind Energy Facility, Accessory Use, On Site Use Only</p> <p>Wireless Telecommunications Services, Co-location</p>
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MDR Conditional (C) Special Uses (SU)

<p>College, University</p> <p>Communications Tower, 911 Communications Tower</p> <p>Elementary, Middle and High Schools</p> <p>Public Service Facility</p>	<p>Public Use Facility</p> <p>Recreational Facility, Outdoor</p> <p>Religious Institution with Total Seating Capacity 351 or More</p> <p>Religious Institution with School</p>	<p>Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds</p> <p>Restaurant with Drive-Thru Facility</p> <p>Wireless Telecommunications Services</p>
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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 districts will typically develop near municipal boundary lines but should always be located near major thoroughfare level roads.

RATIONALE

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

HIGH DENSITY RESIDENTIAL/MIXED USES

HDR Permitted (P) Uses

Agriculture, Excluding Livestock	Group Care Facility	Retail Sales-Shopping Centers 10,000 Square Feet and Less
Agritourism, Accessory to Agriculture	Laundromat	Semi-Attached House
Barber, Beauty, Tanning, Nail or Skin Care Salon	Manufactured Home, In Manufactured Home Overlay District Only-See Chapter 4	Single Family Detached Residential
Drug Store	Movie Theater	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Dry Cleaning Pick-Up Station	Pet Shop, Grooming, Enclosed Facility	
Family Care Home		

HDR Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Auction, Estate or Asset Liquidation, Temporary Use	Bank, Financial Institution, Automated Teller Machine
Accessory Building	Automated Teller Machine as Accessory	Bed and Breakfast
		Cemetery

Civic Organization Facility

Community Garden,
Accessory Use

Contractor Office,
Construction Equipment
Storage, Temporary Use

Convenience Store without
Petroleum Sales

HDR Permitted Based on Standards (PBS) Uses Continued

Country Club with Golf
Course

Dumpsters, Commercial
Waste Containers,
Temporary Use

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

Golf Course, Public or
Private

Home Occupation, General

Itinerant Merchant,
Temporary Use, Existing
Business

Ice Production, Dispensing,
Accessory to Convenience
Store

Landfill, Demolition-Less
Than One Acre

Mobile Personal Storage
Unit, Renovation,
Temporary Use

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

Multifamily Residential

Nursery, Daycare Center

Office, Professional Less
Than 5,000 SF

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

Public Cultural Facility

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

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

Real Estate Office in Model
Home, Temporary Use

Recreational Facility,
Indoor

Recreational Trail,
Greenway, or Blueway
Connector

Religious Institution with
Total Seating Capacity 350
or Less

Rest Home, Convalescent
Home, **Nursing Home** with
10 Beds or Less

Restaurant, Excluding
Drive-Thru

Scientific Research and
Development, Accessory to
Agriculture

Swim Club, Tennis Club,
Country Club

Swimming Pool, Accessory
to Single Family
Residential

Temporary Dwelling for
Large Construction
Projects, Temporary Use

**Temporary Health Care
Structure**

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

Townhouses

Trail Head, Accessory Use	Wireless
Trail Head, Primary Use	Telecommunications Services, Co-location

HDR Conditional (C) Special Uses (SU)

College, University	Public Use Facility	Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds
Communications Tower, 911 Communications Tower	Recreational Facility, Outdoor	Restaurant with Drive-Thru Facility
Elementary, Middle and High Schools	Religious Institution with Total Seating Capacity 351 or More	Wireless Telecommunications Services
Public Service Facility	Religious Institution with School	

OFFICE/INSTITUTIONAL DISTRICT:

OFFICE/INSTITUTIONAL

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

RATIONALE

This district is used to provide for low intensity office and institutional uses that 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 or on weekends. This district should be located adjacent to residential districts or in areas where its use would serve as a transition between residential land uses and higher intensity non-residential land uses. Higher intensity non-residential land uses may include commercial districts, light industrial or mixed use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

OFFICE/INSTITUTIONAL USES

OI Permitted (P) Uses

Banquet Hall	Group Care Facility	Printing and Reprographic Facility
Barber, Beauty, Tanning, Nail or Skin Care Salon	Hospital, Ambulatory Surgical Care Facility	Public Cultural Facility
Civic Organization Facility	Office, Professional Less Than 30,000 Square Feet	Public Use Facility
College, University	Parking Lot, Parking Garage, Commercial or Private	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Crematorium		
Farmer's Market		
Funeral Home		

OI Permitted Based on Standards (PBS) Uses

Accessory Building	Country Club with Golf Course	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Dumpsters, Commercial Waste Containers, Temporary Use	Nursery, Daycare Center
Automated Teller Machine as Accessory	Duplex, Commercial Use, Individual Lots	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business
Bank, Financial Institution, Automated Teller Machine	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Real Estate Office in Construction Trailer or Modular Unit, Commercial or Mixed Use Projects, Temporary Use
Catering Service	Golf Course, Public or Private	Recreational Facility, Indoor
Community Garden, Accessory Use	Mobile Personal Storage Unit, Renovation, Temporary Use	
Contractor Office, Construction Equipment Storage, Temporary Use		

Recreational Trail, Greenway, or Blueway Connector	Rest Home, Convalescent Home, Nursing Home with 10 Beds or Less	Scientific Research and Development
Recyclable Materials Drop Off	Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins, Temporary Use	Swim Club, Tennis Club, Country Club
Religious Institution with Total Seating Capacity of 350 or Less		

OI Permitted Based on Standards (PBS) Uses Continued

Temporary Dwelling for Large Construction Projects, Temporary Use	Tent or Temporary Structure, Including Cell on Wheels, Temporary Use Trail Head, Accessory Use	Trail Head, Primary Use Site Wireless Telecommunications Services, Co-location
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OI-Conditional (C) Special Uses (SU)

Communications Tower, 911 Communications Tower	Recreational Facility, Outdoor	Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds
Convention Center Facility	Religious Institution with Total Seating Capacity of 351 or More	Trade and Vocational Schools
Elementary, Middle and High Schools	Religious Institution with School	Wireless Telecommunication Services
Public Service Facility		

COMMERCIAL DISTRICTS:

OFFICE/LIMITED COMMERCIAL

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

RATIONALE

This district is used to provide both the convenience of neighborhood oriented goods and services and 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 districts, light industrial or high density residential/mixed use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility, so the nonresidential activities are not a nuisance to residential uses.

USES IN THE OFFICE/LIMITED COMMERCIAL ZONE:

LC Permitted (P) Uses

Arcade, Game Room	Convenience Store without Petroleum Sales	Health Club, Fitness Center
Automobile Parts, Tires, Accessories	Crematorium	Hospitals, Ambulatory Surgical Care Center
Banquet Hall	Drug store	Hotels, Motels, Inns
Barber, Beauty, Tanning, Nail or Skin Care Salon	Dry Cleaning Pick Up Station	Laundromat
Building and Contractor Supply, No Outdoor Storage	Equipment Sales and Service	Locksmith
Car Wash, Detail Service	Family care home	Mobile Home Retail Sales
Catering Service	Farm Supply Sales	Movie Theater
Civic Organization Facility	Farmer's Market	Nursery, Greenhouse
College, University	Flea Market, Indoor Vendors Only	Office, Professional, Less Than 30,000 Square Feet
Convenience Store with Petroleum Sales	Funeral Home	Parking Lot, Parking Garage, Commercial or Private
	Group care facility	Pawn Shop
	Gunsmith	

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Pet shop, Grooming, Enclosed	Capacity of 351 or More	Taxidermy Studio, No Outdoor Processing
Photographic studio	Restaurant, Excluding Drive-Thru	Towing Service, No Vehicle Storage Lot, Office Only, Storage of Tow Truck, Car Haulers Permitted On Site
Printing and Reprographic Studio	Retail Sales-Shopping Centers 10,000 - 50,000 Square Feet	Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less
Public cultural facility	Retail Sales-Shopping Centers 10,000 Square Feet and Less	
Public use facility		
Religious Institution with Total Seating Capacity of 350 or Less	Reupholstery, Furniture Repair	
Religious Institution with Total Seating	Tattoo Studio	

LC Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Bed and Breakfast	Day Camp, Summer Camp, Civic Group Camp Facility
Accessory Building	Community Garden, Accessory Use	Dumpsters, Commercial Waste Containers, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Communications Tower, 911 Communications Tower	Duplex, Commercial
Automated Teller Machine as Accessory	Contractor or Trade Shop	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use
Automobile Rental	Contractor Office, Construction Equipment Storage, Temporary Use	Golf Course, Public or Private
Automobile Sales, New and Used	Country Club with Golf Course	
Bank, Financial Institution, Automated Teller Machine		

<p>Government Buildings, Storage Only</p> <p>Home Occupation, General</p> <p>Ice Production, Dispensing, Accessory to Convenience Store</p> <p>Itinerant Merchant, Temporary Use, Existing Business</p> <p>Landfill, Demolition-Less Than One Acre</p> <p>Mobile Personal Storage Unit, Renovation, Temporary Use</p>	<p>Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use</p> <p>Moving Van, Truck or Trailer Rental</p> <p>Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility</p> <p>Motorcycle, ATV, Other Motor Vehicle Dealers, New and Used</p> <p>Multifamily Residential</p>	<p>Nursery, Daycare Center</p> <p>Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business</p> <p>Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use</p> <p>Real Estate Office in Construction Trailer or Modular Unit, Residential Projects, Temporary Use</p>
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LC Permitted Based on Standards (PBS) Uses Continued

Real Estate Office in Model Home, Temporary Use	Scientific Research and Development	Temporary Dwelling for Large Construction Projects, Temporary Use
Recreational Facility, Indoor	Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins, Temporary Use	Tent or Temporary Structure, Including Cell on Wheels, Temporary Use
Recreational Trail, Greenway, or Blueway Connector	Self-Service Storage Facility	Townhouses
Recyclable Materials Drop Off	Shooting Range, Indoor	Trail Head, Accessory Use
Repair Garage, Automobile	Sports and Recreation Instruction or Camp	Trail Head, Primary Use Site
Repair Shop, Small Engine	Storage Building Sales, with Display Area	Wireless Telecommunications Services, Co-location
Restaurant with Drive-Thru Facility	Swim Club, Tennis Club, Country Club	

LC Conditional (C) Special Uses (SU)

Animal Hospital	Recreational Facility, Outdoor	Wireless Telecommunications Services
Animal Shelter	Trade and Vocational Schools	
Kennel, Commercial	Veterinarian	
Public Service Facility		

GENERAL COMMERCIAL DISTRICT

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

RATIONALE

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

USES IN THE GENERAL COMMERCIAL DISTRICT:

GC Permitted (P) Uses

Arcade, Game Room	Civic Organization Facility	Equipment Sales and Service
Auction House	College, University	Equipment Sales and Service with Outdoor Storage
Automobile Parts, Tires, Accessories	Convenience Store with Petroleum Sales	Farm Supply Sales
Automobile Rental	Convenience Store without Petroleum Sales	Farm Supply Sales with Outdoor Storage
Automobile Sales, New and Used	Contractor or Trade Shop	Farmer's Market
Banquet Hall	Contractor's Storage Yard	Flea Market, Indoor Vendors Only
Barber, Beauty, Tanning, Nail or Skin Care Salon	Crematorium	Freezer, Ice Plant
Boat Works and Sales, with Sales Lot	Drive-In Theater	Funeral Home
Building Contractor Supply	Drug store	Gas Service Station
Car Wash, Detail Service	Dry Cleaning Pick Up Station	Gunsmith
Catering Service	Dry Cleaning, Laundry Plant	

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Health Club, Fitness Center	Motorcycle, ATV, Other Motor Vehicle Dealers, New and Used	Parking Lot, Parking Garage, Commercial or Private
Hospitals, Ambulatory Surgical Care Center	Movie Theater	Pawn Shop
Hotels, Motels, Inns	Multimedia Production and Distribution Complex	Pet Shop, Grooming, Enclosed
Laundromat	Nursery, Greenhouse	Photographic Studio
Locksmith	Office, Professional, Less Than 30,000 Square Feet	Printing and Reprographic Studio
Machine Shop	Office, Professional, 30,000 Square Feet or More	Public Cultural facility
Mobile home retail sales		

GC Permitted (P) Uses Continued

Public Use facility	Repair Garage, Automobile	Taxi Service, Dispatch and Taxi Storage
Race Shop, Race Team Complex	Repair Shop, Small Engine	Taxidermy Studio, No Outdoor Processing
Radio and Television Studio	Restaurant, Excluding Drive-Thru	Tour Bus Company, Travel Agency with On Site Bus Storage
Recreational Facility, Indoor	Retail Sales-Shopping Centers 10,000 Square Feet and Less	Towing Service, No Towed Vehicle Storage Lot, Office Only, Storage of Tow Trucks and Car Haulers Permitted On Site
Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot	Retail Sales-Shopping Centers 10,000 - 50,000 Square Feet	Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot
Religious Institution with Total Seating Capacity of 350 or Less	Retail Sales-Shopping Centers 50,000-100,000 Square Feet and Less	Truck Stop or Truck Terminal
Religious Institution with Total Seating Capacity of 351 or More	Reupholstery, Furniture Repair	
	Tattoo Studio	

Warehouse, Enclosed Storage		Wireless
Welding Shop		Telecommunications, Stealth Antennae, 65 Feet or Less

GC Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Duplex, Commercial, Individual Lot	Mobile Personal Storage Unit, Renovation, Temporary Use
Accessory Building	FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Mobile Personal Storage Unit, Vacate or Occupy Premises, Temporary Use
Auction, Estate or Asset Liquidation, Temporary Use	Golf Course, Public or Private	Moving Van, Truck or Trailer Rental, Accessory to Self-Storage Facility
Automated Teller Machine as Accessory	Government Buildings, Storage Only	Moving Van, Truck or Trailer Rental
Bank, Financial Institution, Automated Teller Machine	Government Buildings, Storage Only, Outdoor	Nursery, Daycare Center
Community Garden, Accessory Use	Ice Production, Dispensing, Accessory to Convenience Store	Permanent Temporary Event Facility
Communications Tower, 911 Communications Tower	Ice Production, Dispensing, Accessory to Gas Service Station	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business
Contractor Office, Construction Equipment Storage, Temporary Use	Itinerant Merchant, Temporary Use, Existing Business	Real Estate Office in Construction Trailer or Modular Unit, Commercial or Mixed Use Projects, Temporary Use
Country Club with Golf Course	Landfill, Demolition- Less Than One Acre	
Day Camp, Summer Camp, Civic Group Camp Facility		
Dumpsters, Commercial Waste Containers, Temporary Use		

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Recreational Trail, Greenway, or Blueway Connector	Recyclable Materials Drop Off Restaurant with Drive- Thru Facility	Scientific Research and Development
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GC Permitted Based on Standards (PBS) Uses

Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins, Temporary Use Self-Service Storage Facility Shooting Range, Indoor Sports and Recreation Instruction or Camp Storage Building Sales, with Display Area	Swim Club, Tennis Club, Country Club Temporary Dwelling for Large Construction Projects, Temporary Use Tent or Temporary Structure, Including Cell on Wheels, Temporary Use Towing Service, Accessory to Automobile Repair	Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales Trail Head, Accessory Use Trail Head, Primary Use Site Wireless Telecommunications Services, Co-location
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GC Conditional (C) Special Uses (SU)

Adult use Business Airport, Commercial Airstrip, as Accessory Use Amusement, Outdoor Animal Hospital Animal Shelter Coliseum, Stadium Convention Center Facility Kennel, Commercial	Manufactured Home, Single Section 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 Company, Heavy Equipment Dispatch Facility with Storage Veterinarian Wireless Telecommunications Services
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INDUSTRIAL DISTRICTS:

LIMITED INDUSTRIAL

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

LI Permitted (P) Uses

Automobile Rental	Cast Concrete Production, Distribution and Storage	Dry Cleaning, Laundry Plant
Automobile Parts, Tires, Accessories	Catering Service	Equipment Sales and Service
Boat Works and Sales, with Sales Lot	Convenience Store with Petroleum Sales	Equipment Sales and Service, with Outdoor Storage
Bottling Works	Convenience Store without Petroleum Sales	Fabrication
Building and Contractor Supply	Contractor or Trade Shop	Farm Supply Sales with Outdoor Storage
Building and Contractor Supply, with Outdoor Storage	Contractor's Storage Yard	Freezer, Ice Plant
Bulk Grain Storage	Dairy Processing	Gas Service Station
		Hatchery

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Machine Shop
 Manufacturing

Metal Works, Metal
 Processing, Fabrication

Multimedia Production
 and Distribution
 Complex

LI Permitted (P) Uses Continued

Nursery, Greenhouse

Repair Garage,
 Automobile

Yard, No Salvage or
 Parts Sales

Office, Professional,
 30,000 Square Feet or
 Less

Repair Shop, Farm
 Machinery

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

Office, Professional,
 30,000 Square Feet or
 More

Repair Shop, Small
 Engine

Parking Lot, Parking
 Garage, Commercial or
 Private

Restaurant, Excluding
 Drive-Thru

Trucking Company,
 Heavy Equipment
 Dispatch Facility with
 Storage

Printing and
 Reprographic Facilities

Slaughter House, Meat
 Packing

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

Public Use Facility

Storage Lot, Logistics
 and Freight

Race Shop, Race Team
 Complex

Taxi Service, Dispatch
 and Taxi Storage

Truck Stop, Truck
 Terminal

Radio and Television
 Studios

Taxidermy Studio, No
 Outdoor Processing

Warehouse, Enclosed
 Storage

Rail Storage Yard

Tire Recapping

Recreational Facility,
 Indoor

Tour Bus Company,
 Travel Agency with On
 Site Bus Storage

Welding Shop

Recreational Vehicle
 Sales and Service with
 Outdoor Storage or
 Sales Lot

Towing Service, with
 Towed Vehicle Storage

Wireless
 Telecommunications
 Services, Stealth
 Antennae, 65 Feet or
 Less

LI Permitted Based on Standards (PBS) Uses

Accessory Dwelling Unit	Landfill, Demolition-Less Than One Acre	Scientific Research and Development
Accessory Building		
Auction, Estate or Asset Liquidation, Temporary Use	Mobile Personal Storage Unit, Renovation, Temporary Use	Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins, Temporary Use
Communications Tower, 911 Communications Tower	Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use	Self-Service Storage Facilities
Contractor Office, Construction Equipment Storage, Temporary Use	Moving Van, Truck or Trailer Rental	Shooting Range, Indoor
Dumpsters, Commercial Waste Containers, Temporary Use	Moving Van, Truck or Trailer Rental, Accessory to Self Service Storage	Sports and Recreation Instruction or Camp
FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use	Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use at Existing Business	Storage Building Sales, with Display Area
Government Buildings, Storage Only	Real Estate Office in Construction Trailer or Modular Unit, Commercial /Mixed Use Projects, Temporary Use	Temporary Dwelling for Large Construction Projects, Temporary Use
Government Buildings, Storage Only, Outdoor Only	Recreational Trail, Greenway or Blueway, Connector	Tent or Temporary Structure, Including Cell on Wheels, Temporary Use
Ice Production, Dispensing, Accessory to Convenience Store	Recyclable Materials Drop Off	Towing Service, Accessory to Automobile Repair
Ice Production, Dispensing, Accessory to Gas Service Stations	Restaurant with Drive-Thru Facility	Trail Head, Accessory
		Trail Head, Primary Use Site
		Warehouse with Outside Storage

Wireless
Telecommunications
Services, Co-location

LI Conditional (C) Special Uses (SU)

Airport, Commercial	Landfill, Sanitary	Single-Family Detached Residential
Airstrip, as Accessory Use	Manufactured Home, Single Section	Trade and Vocational Schools
Animal Hospital	Nursery, Daycare Center	Veterinarian
Animal Shelter	Public Service Facility	Wireless Telecommunications Services
Coliseum, Stadium	Race Track, Animal, Automobile or Other	
Correctional Facility	Recreational Facility, Outdoor	
Kennel, Commercial	Shooting Range with Outdoor Target Practice	
Landfill, Demolition-One Acre or More		

GENERAL INDUSTRIAL

While this district permits both large and small scale industrial and office development, its primary purpose is to provide a location for large scale development. It is designed to permit a very wide variety of industrial uses which may occur both indoor and outdoor, including certain land uses which are permitted in no other zoning district because of their potential to create nuisances for adjoining properties. **In no case, should a general industrial district be located where the result is industrial or commercial traffic penetrating a residential neighborhood.**

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 will be permitted only upon issuance of a conditional use permit. General industrial districts are compatible neighbors with the light industrial and general commercial districts. Care should be taken to site this district on major roadways or near other forms of transportation, such as rail lines, airports, etc.

USES IN THE GENERAL INDUSTRIAL ZONE

GI Permitted (P) Uses

Asphalt or Concrete Plant	Fabrication	Printing and Reprographic Facilities
Boat Works and Sales, with Sales Lot	Farm Supply Sales with Outdoor Storage	Public Use Facility
Bottling Works	Foundry, Iron Works, Steel Mill	Race Shop, Race Team Complex
Building and Contractor Supply	Freezer, Ice Plant	Radio and Television Studios
Building and Contractor Supply with Outdoor Storage	Gas Service Station	Rail Storage Yard
Bulk Grain Storage	Hatchery	Recreational Vehicle Sales and Service with Outdoor Storage or Sales Lot
Cast Concrete Production, Distribution and Storage	Machine Shop	Repair Shop, Farm Machinery
Chemical Manufacturing	Manufacturing	Restaurant, Excluding Drive-Thru
Contractor's storage yard	Metal Works, Metal Processing, Fabrication	Sawmill
Convenience Store without Petroleum Sales	Moving Van, Truck or Trailer Rental	Slaughter House, Meat Packing
Dairy Processing	Multimedia Production and Distribution Complex	Storage Lot, Logistics and Freight
Dry Cleaning, Laundry Plant	Nursery, Greenhouse	Taxi Service, Dispatch and Taxi Storage
Equipment Sales and Service	Office, Professional, 30,000 Square Feet or Less	Tire Recapping
Equipment Sales and Service with Outdoor Storage	Office, Professional, 30,000 Square Feet or More	Tour Bus Company, Travel Agency with Outdoor Bus Storage
	Parking Lot, Parking Garage, Commercial or Private	

<p>Towing Service, with Towed Vehicle Storage Yard, No Salvage or Parts Sales</p> <p>Towing Service, No Towed Vehicle Storage Lot, Office</p>	<p>Only, Storage of Tow Trucks and Car Haulers Permitted On Site</p> <p>Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot</p>	<p>Trucking Company, Heavy Equipment, Dispatch with On-Site Storage</p>
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GI Permitted (P) Uses Continued

<p>Truck Stop, Truck Terminal</p> <p>Warehouse, Enclosed</p>	<p>Warehouse, Volatile Materials</p> <p>Welding Shop</p>	<p>Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less</p>
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GI Permitted Based on Standards (PBS) Uses

<p>Accessory Buildings</p> <p>Auction, Estate or Asset Liquidation, Temporary Use</p> <p>Communications Tower, 911 Communications Tower</p> <p>Contractor Office, Construction Equipment Storage, Temporary Use</p> <p>Dumpsters, Commercial Waste Containers, Temporary Use</p> <p>Ethanol Fuel Production Plant, Small Plant</p> <p>Ethanol Fuel Production Plant, Medium Plant</p>	<p>FEMA Trailers, Natural Disaster or Significant Weather Event, Temporary Use</p> <p>Government Buildings, Storage Only</p> <p>Government Buildings, Storage Only, Outdoor Only</p> <p>Ice Production, Dispensing, Accessory to Convenience Store</p> <p>Ice Production, Dispensing, Accessory to Gas Service Stations</p> <p>Landfill, Demolition-Less Than One Acre</p>	<p>Mobile Personal Storage Unit, Renovation, Temporary Use</p> <p>Mobile Personal Storage Unit, Vacate or Occupy Premise, Temporary Use</p> <p>Promotional Activities Involving the Display of Goods or Merchandise, Temporary Use</p> <p>Public Use Facility</p> <p>Real Estate Office in Construction Trailer or Modular Unit, Commercial/ Mixed Use Projects, Temporary Use</p>
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CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 3-ESTABLISHMENT OF ZONING DISTRICTS

Recreational Trail, Greenway or Blueway, Connector	Temporary Dwelling for Large Construction Projects, Temporary Use	Trail Head, Primary Use Site
Recyclable Materials Drop Off	Tent or Temporary Structure, Including Cell on Wheels, Temporary Use	Warehouse with Outside Storage
Restaurant with Drive-Thru Facility	Towing Service, with Salvage	Wireless Telecommunications Services, Co-location
Salvage Yard	Towing Service, Accessory to Salvage Yard	
Sports and Recreation Instruction or Camp	Trail Head, Accessory	

GI Conditional (C) Special Uses (SU)

Airport, Commercial	Landfill, Sanitary	Shooting Range with Outdoor Target Practice
Airstrip, as Accessory Use	Manufactured Home, Single Section	Single Family Detached Residential
Coliseum, Stadium	Nursery, Daycare	Trade and Vocational Schools
Correctional Facility	Public Service Facility	Wireless Telecommunications Services
Extraction of Earth Products	Race Track, Animal, Automobile or Other	
Landfill, Demolition-One Acre or More	Recreational Facility, Outdoor	

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 Professional Office Uses

Institutional, Civic and Public Uses

Industrial Uses

Temporary Uses

Transportation Related Uses

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional , "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
RESIDENTIAL USES										
Family Care Home	P	P	P	P	P		P			
Group Care Facility	P	P	P	P	P	P	P			
Manufactured Home, Single Section or Mobile Home , Multi-Section	Permitted in Residential Districts, Manufactured Home Overlay District Required – see Chapter 4									
Manufactured Home Park (8-4, 14)	Permitted in Residential Districts, Manufactured Home Park Overlay District Required – see Chapter 4									
NOTE: All manufactured homes subject to installation requirements outlined in Chapter 4										
Multifamily Residential (7-3, 33)					PBS		PBS			
Semi-Attached House			P	P	P					
Single Family Detached Residential	P	P	P	P	P					
Single Family Detached Residential (8-4, 29)								SU	SU	SU
Manufactured Home, Single Section (8-4, 29)								SU	SU	SU
Townhouses (7-3, 62)				PBS	PBS		PBS			

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional , "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
AGRICULTURAL USES										
Agriculture, Including Livestock (7-3,2A)	P	P	PBS	PBS						
Agriculture, Female Chickens, Limited Number, Less Than 5 Acres (7-3, 2B)			PBS	PBS						
Agriculture Excluding Livestock	P	P	P	P	P					
Agritourism, Accessory to Agriculture	P	P	P	P	P					
Barn, Greenhouse, as Primary Structure (7-3, 7)	PBS	PBS	PBS	PBS						
Bulk Grain Storage	P								P	P
Dairy Processing	P	P							P	P
Hatchery	P								P	P
Livestock Sales	P	P								
Nursery, Greenhouse	P	P	P	P			P	P	P	P
Scientific Research and Development, Accessory to Agriculture (7-3, 52)	PBS	PBS	PBS	PBS	PBS					

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional, "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
ACCESSORY USES										
Accessory Dwelling Unit (7-3,1)	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	PBS
Accessory Building, Lot 2 Acres or Greater (7-3, 1)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Airstrip (8-4, 3)	SU							SU	SU	SU
Automated Teller Machine (7-3, 6, b)			PBS	PBS	PBS	PBS	PBS	PBS		
Community Garden, as Accessory Use (7-3, 13)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Ethanol Fuel Production, Residential District, Private Use Only (7-3, 20)	PBS	PBS	PBS	PBS						
Home Occupation, General (7-3, 27)	PBS	PBS	PBS	PBS	PBS		PBS			
Home Occupation, Rural (7-3, 28)	PBS	PBS	PBS	PBS						
Ice Production, Dispensing, Accessory to Convenience Store (7-3, 30)	PBS	PBS	PBS	PBS	PBS		PBS	PBS	PBS	PBS
Ice Production, Dispensing, Accessory to Gas Station (7-3, 29)	PBS	PBS	PBS					PBS	PBS	PBS
Kennel, Private (7-3, 31)	PBS	PBS								
Moving Van, Truck or Trailer Rental, Accessory to Self Storage (7-3, 34, 53)							PBS	PBS	PBS	
Swimming Pool, Accessory to Single Family Residential (7-3,1)	PBS	PBS	PBS	PBS	PBS					
Towing Service, Accessory to Automobile Repair (7-3, 60, a-c)	PBS							PBS	PBS	
Towing Service, Accessory to Salvage Yard (7-3, 59, a-c)										PBS
Trail Head, Accessory (7-3, 63)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Wind Energy Facility, Accessory Use, On Site Use Only (7-3, 66)	PBS	PBS	PBS	PBS						

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "G" - Conditional, "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
COMMERCIAL, RETAIL AND OFFICE USES										
Adult Business Use (8-4, 1)								SU		
Amusement, Outdoor (8-4, 4)								SU		
Animal Hospital (8-4, 39)	SU	SU					SU	SU	SU	
Arcade, Game Room							P	P		
Auction House (7-3, 3)	PBS	PBS						P		
Automobile Parts, Tires, Accessories							P	P	P	
Automobile Rental (7-3, 4)							PBS	P	P	
Automobile Sales, New and Used (7-3, 5)							PBS	P		
Bank, Financial Institution, Automated Teller Machine (7-3, 6)			PBS	PBS	PBS	PBS	PBS	PBS		
Banquet Hall						P	P	P		
Barber, Beauty, Tanning, Nail or Skin Care Salon					P	P	P	P		
Bed and Breakfast (7-3, 8)	PBS	PBS	PBS	PBS	PBS		PBS			
Boat Works and Sales, with Sales Lot								P	P	P
Building and Contractor Supply, No Outdoor Storage							P	P	P	P
Building and Contractor Supply with Outdoor Storage									P	P
Car Wash, Detail Service							P	P		
Catering Service (7-3, 9)						PBS	P	P	P	
Contractor or Trade Shops (7-3, 17)	PBS						PBS	P	P	
Contractor's Storage Yard								P	P	P
Convenience Store with Petroleum Sales (7-3, 14)	PBS	PBS	PBS				P	P	P	
Convenience Store without Petroleum Sales (7-3, 15)	PBS	PBS	PBS	PBS	PBS		P	P	P	P
Country Club with Golf Course (7-3, 16)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Crematorium						P	P	P		
Day Camp, Summer Camp, Civic Group Camp Facility (8-4, 10)	SU	SU								
Day Camp, Summer Camp, Civic Group Camp Facility (7-3, 18)							PBS	PBS		
Drive-In Theater								P		
Drug Store					P		P	P		
Dry Cleaning, Laundry Plant								P	P	P
Dry Cleaning Pick Up Station					P		P	P		
Duplex, Commercial Use, Individual Lots (7-3, 19)						PBS	PBS	PBS		
Equipment Sales and Service							P	P	P	P
Equipment Sales with Outdoor Storage Area								P	P	P
Farmer's Market						P	P	P		
Farm Supply Sales, No Outdoor Storage							P	P		
Farm Supply Sales with Outdoor Storage Area								P	P	P
Flea Market, Indoor Vendors Only							P	P		
Funeral Home						P	P	P		
Gas Service Station (7-3,23)	PBS	PBS	PBS					P	P	P
Golf Course, Public or Private (7-3, 24)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Gunsmith							P	P		
Health Club or Fitness Center							P	P		
Hotels, Motels and Inns							P	P		
Kennel, Commercial (8-4, 37)	SU	SU					SU	SU	SU	
Laundromat					P		P	P		
Locksmith							P	P		
Manufactured Home Retail Sales							P	P		
Motorcycle, ATV, Other Motor Vehicle Dealers , New and Used (7-3, 5)							PBS	P		
Movie Theater					P		P	P		
Moving Van, Truck or Trailer Rental (7-3, 34)							PBS	PBS	PBS	P
Nursery, Daycare Center (7-3, 35)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Nursery, Daycare Center (8-4, 16)									SU	SU
Office Professional, 5,000 Square Feet or Less (7-3, 36)					PBS					

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional, "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
COMMERCIAL, RETAIL AND OFFICE USES (Continued)										
Office professional, 30,000 Square Feet or Less						P	P	P	P	P
Office professional, 30,000 Square Feet or More								P	P	P
Parking Lot, Parking Garage, Commercial or Private						P	P	P	P	P
Pawn Shop (NCGS Chapter 91A)							P	P		
Permanent Temporary Event Facility (7-3, 37)								PBS		
Pet Shop, Grooming, Enclosed Facility					P		P	P		
Photographic Studio							P	P		
Printing and Reprographic Facility						P	P	P	P	P
Race Shop, Race Team Complex (8-4, 19)	SU									
Race Shop, Race Team Complex								P	P	P
Radio and Television Studio								P	P	P
Reception Facilities (8-4, 21)	SU	SU								
Recreational Facility, Indoor (7-3, 39)					PBS	PBS	PBS	P	P	
Recreational Facility, Outdoor (8-4, 22)	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU
Recreational Therapy Facility, Rural Setting (8-4, 23)	SU	SU								
Recreational Vehicle Sales, With Outdoor Storage or Sales Lot								P	P	P
Recyclable Materials Drop Off (7-3, 41)	PBS					PBS	PBS	PBS	PBS	PBS
Repair Garage, Automobile (7-3, 43)	PBS						PBS	P	P	
Repair Shop, Farm Machinery (7-3, 44)	PBS								P	P
Repair Shop, Small Engine (7-3, 45)	PBS						PBS	P	P	
Restaurant, Excluding Drive-thru (7-3, 47)	PBS	PBS	PBS	PBS	PBS		P	P	P	P
Restaurant with Drive-Thru Facility (7-3, 48)							PBS	PBS	PBS	PBS
Restaurant with Drive-Thru Facility (8-4, 27)				SU	SU					
Retail Sales, Neighborhood Market 1,000 Square Feet or Less (7-3, 49)	PBS									
Retail Sales, Shopping Centers, 10,000 Square Feet and Less					P		P	P		
Retail Sales, Shopping Centers, 10,000 – 50,000 Square Feet							P	P		
Retail Sales, Shopping Centers, 50,000 – 100,000 Square Feet								P		
Retail Sales, Shopping Centers, 100,000 Square Feet or More (8-4, 28)								SU		
Reuphostery, Furniture Repair							P	P		
Sawmill (7-3, 51)	PBS	PBS							P	P
Scientific Research and Development (7-3, 53)						PBS	PBS	PBS	PBS	
Self-Service Storage Facilities (7-3, 54)							PBS	PBS	PBS	
Shooting Range, Indoor (7-3, 55)							PBS	PBS	PBS	
Shooting Range, with Outdoor Target Practice (8-4, 30)	SU	SU							SU	SU
Signs, Off-Premise	See Chapter Eleven, Table Six for Regulations									
Signs, On-Premise										
Sports and Recreation Instruction or Camp (8-4, 31)	SU	SU								
Sports and Recreation Instruction or Camp (7-3, 56)							PBS	PBS	PBS	PBS
Stables, Commercial (7-3, 58)	P	PBS	PBS							
Storage Building Sales, with Display Area (7-3, 57)							PBS	PBS	PBS	
Swim Club, Tennis Club, Country Club (7-3, 59)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS		
Tattoo Studio							P	P		
Taxidermy Studio, No Outdoor Processing							P	P	P	
Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales (7-3, 61)	PBS							PBS	P	P
Towing Service, with Salvage (7-3, 60)										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)	SU	SU					SU	SU	SU	
Wellness Retreat, Wellness Spa (8-4, 38)	SU	SU								
Wireless Telecommunications Services (8-4, 36)	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU
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-location (7-3, 67)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional, "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
INSTITUTIONAL, CIVIC AND PUBLIC USES										
Animal Shelter (8-4, 37)	SU	SU					SU	SU	SU	
Cemetery (7-3, 10)	PBS	PBS	PBS	PBS	PBS					
Civic Organization Facility (7-3,11)	PBS	PBS	PBS	PBS	PBS	P	P	P		
Coliseum, Stadium (8-4, 5)								SU	SU	SU
College, University (8-4, 6)	SU	SU	SU	SU	SU					
College, University						P	P	P		
Communications Tower, 911 Communications Tower (7-3, 12)	PBS						PBS	PBS	PBS	PBS
Communications Tower, 911 Communications Tower (8-4, 7)		SU	SU	SU	SU	SU				
Convention Center Facility (8-4, 8)						SU		SU		
Correctional Facility (8-4, 9)	SU								SU	SU
Elementary, Middle and High Schools (8-4,11)	SU	SU	SU	SU	SU	SU				
Government, Excluding Correctional Facilities	See Public Service Facility, Public Use Facility or Public Cultural Facility									
Government Buildings, Storage Only (7-3, 25)							PBS	PBS	PBS	PBS
Government Buildings, Storage Only with Outdoor Storage Area (7-3, 26)								PBS	PBS	PBS
Hospital, Ambulatory Surgical Care Facility						P	P	P		
Public Cultural Facility (7-3, 38)	PBS	PBS	PBS	PBS	PBS	P	P	P		
Public Service Facility (8-4, 17)	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU
Public Use Facility (8-4, 18)	SU	SU	SU	SU	SU					
Public Use Facility						P	P	P	P	P
Recreational Trail, Greenway or Blueway, Connector (7-3, 40)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Recreational Trail, Greenway or Blueway as Part of Public Use Facility	See Public Use Facility and Appendix C									
Religious Institution with Total Seating Capacity 351 or More (8-4, 24)	SU	SU	SU	SU	SU	SU				
Religious Institution with Total Seating Capacity 351 or More							P	P		
Religious Institution with Total Seating Capacity 350 or Less (7-3, 42)	PBS	PBS	PBS	PBS	PBS	PBS				
Religious Institution with Total Seating Capacity 350 or Less							P	P		
Religious Institution with School (8-4, 25)	SU	SU	SU	SU	SU	SU				
Rest Home, Convalescent Home, Nursing Home with 10 Beds or Less (7-3, 46)	PBS	PBS	PBS	PBS	PBS	PBS				
Rest Home, Convalescent Home, Nursing Home with More Than 10 Beds (8-4, 26)	SU	SU	SU	SU	SU	SU				
Trade and Vocational Schools (8-4, 33)	SU						SU	SU	SU	SU
Trail Head, Primary Use Site (7-3, 64)	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional, "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
INDUSTRIAL										
Asphalt or Concrete Plant										P
Bottling Works									P	P
Cast Concrete Production, Distribution, Storage									P	P
Chemical Manufacturing										P
Ethanol Fuel Production, Small Plant (7-3, 21)										PBS
Ethanol Fuel Production, Medium Plant (7-3, 22)										PBS
Extraction of Earth Products, Mining (8-4, 12)										SU
Fabrication									P	P
Foundry, Ironworks and Steel Mills										P
Freezer, Ice Plant								P	P	P
Landfill, Demolition, Less Than One Acre (7-3, 32)	PBS	PBS	PBS	PBS	PBS		PBS	PBS	PBS	PBS
Landfill, Demolition, One Acre or More (8-4, 13)	SU								SU	SU
Landfill, Sanitary (8-4, 13)	SU								SU	SU
Machine Shop								P	P	P
Manufacturing									P	P
Metal Works, Metal Processing, Fabrication									P	P
Multimedia Production and Distribution Complex (8-4, 15)	SU	SU								
Multimedia Production and Distribution Complex								P	P	P
Race Track, Animal, Automobile or Other (8-4, 20)									SU	SU
Salvage Yard (7-3, 50)										PBS
Slaughter House, Meat Packing (8-4, 32)	SU	SU								
Slaughter House, Meat Packing									P	P
Tire Recapping									P	P
Trucking Equipment, Heavy Equipment, Sales and Service with Sales Lot								P	P	P
Public Utilities	See Public Service Facility, (8-4, 17)									
Warehouse, Enclosed Storage								P	P	P
Warehouse with Outside Storage (7-3, 65)									PBS	PBS
Warehouse, Volatile Materials										P
Welding Shop								P	P	P

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional , "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
TEMPORARY USES										
See Chapter 7 Section 7-3, #68 for Specific Standards Related to Temporary Uses and Zoning Districts Where Permitted										
Auction, Estate or Asset Liquidation	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Auction, Livestock	PBS	PBS	PBS	PBS						
Contractor Office, Construction Equipment Storage	PBS Accessory to Active Construction Project, Refer to Text									
Dumpsters, Commercial Waste Containers	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
FEMA Trailers, Natural Disaster or Significant Weather Event	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Itinerant Merchants at Existing Business			PBS	PBS	PBS		PBS	PBS		
Mobile Personal Storage Unit, Vacate or Occupy Premise	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Mobile Personal Storage Unit, Renovation	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS	PBS
Promotional Activities Involving the Display of Goods or Merchandise	PBS, Existing Business, Refer to Text									
Real Estate Office in a Construction Trailer or Temporary Modular Unit, Commercial/Mixed Use Projects	PBS, Active Mixed Use/Commercial Use Project Sites, Refer to Text									
Real Estate Office in a Construction Trailer or Temporary Modular Unit, Residential Projects	PBS, Active Residential Projects, Refer to Text									
Real Estate Office in Model Home	PBS, Accessory to Construction of New Residential Project, Refer to Text									
Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins						PBS	PBS	PBS	PBS	
Similar and Compatible Uses Not Specified	PBS, As Determined by Administrator									
Temporary Dwelling for Large Construction Projects	PBS, Active Construction Sites, Refer to Text									
Temporary Health Care Structure	PBS	PBS	PBS	PBS	PBS					
Temporary Residence in Mobile Home During Construction of New Home, Same Site	PBS	PBS	PBS	PBS	PBS					
Temporary Signs	See Chapter Eleven, Signage									
Temporary Tent or Temporary Structure, Including Cell on Wheels						PBS	PBS	PBS	PBS	PBS

Section 3-8 TABLE OF PERMITTED USES

PERMITTED USE TABLE										
"P" - Permitted, "C" - Conditional , "PBS" - Permitted Based on Standards, "SU"-Special Use										
	AO	CR	LDR	MDR	HDR	OI	LC	GC	LI	GI
TRANSPORTATION RELATED										
Airport, Commercial (8-4, 2)									SU	SU
Airstrip (8-4,3)	See Accessory Use									
Rail Storage Yard									P	P
Storage Lot, Logistics and Freight									P	P
Taxi Service, Dispatch and Storage								P	P	P
Tour Bus Company, Travel Agency with On Site Bus Storage								P	P	P
Trucking Company, Heavy Equipment Company, Dispatch Facility With Storage								P	P	P
Truck Stop, Truck Terminal								p	P	P

Section 5-1 Intent

The district development standards of this Zoning Ordinance establish lot sizes and certain restrictions for residential and nonresidential development. These standards allow for variety in housing types while maintaining the overall character of neighborhoods and commercial areas of the County. Development standards are based on the County’s suburban and rural planning tiers. Separate standards are established to regulate development in each residential district. This approach to district development standards and planning tiers has several public benefits:

1. It allows for development that is more sensitive to the environment and allows for the preservation of open and natural areas.
2. It promotes quality site layout and energy-efficient development.
3. It promotes affordable and life-cycle housing.
4. It promotes development intensities that match existing and proposed infrastructure investments.

Section 5-2 How to use this Chapter

This Chapter is divided into the following parts:

PART I. RESIDENTIAL DISTRICTS. This Part sets forth the standards for all types of residential subdivisions in all residential districts.	Section 5-3 through 5-8
PART II. NON-RESIDENTIAL DISTRICTS. This Part sets forth the standards for development in non-residential districts.	Section 5-9

PART I. RESIDENTIAL DISTRICTS

Section 5-3 Subdivision types

Development within the residential districts allows three types of subdivision.

A. Conventional Subdivision

Conventional subdivision is a pattern of residential development that provides a majority of property owners with substantial yards on their own property.

B. Open Space Subdivision

Open space subdivisions trade smaller lot sizes (with smaller yards) for additional common open space. An open space subdivision shall be a minimum size to ensure sufficient common open space can be incorporated into the subdivision design.

C. Subdivision Design Type by Planning Tier

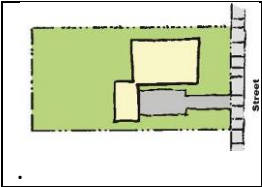
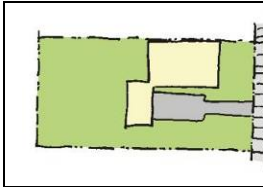
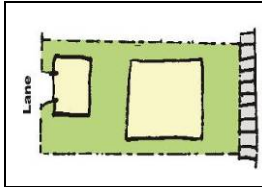
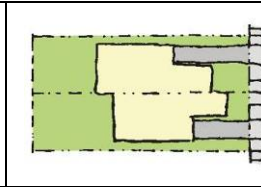
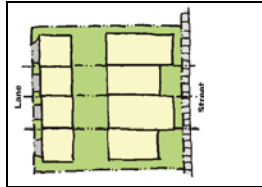
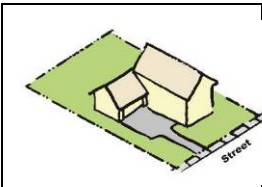
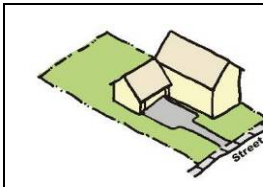
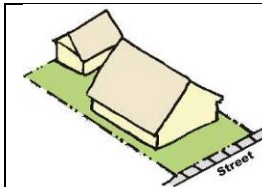
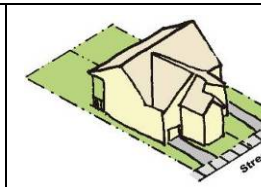
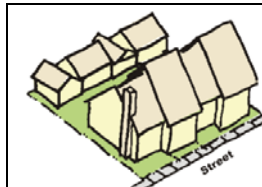
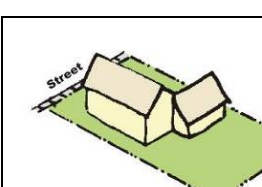
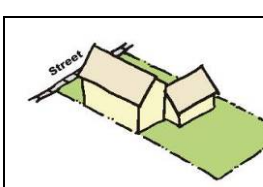
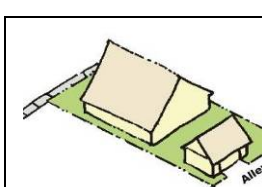
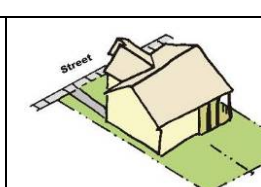
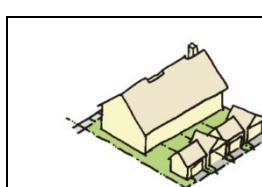
The district standards set forth in this Chapter provide for alternative subdivision types in each planning tier, as follows.

	R U R A L		S U B U R B A N		
	AO	CR	LDR	MDR	HDR
Conventional Subdivision	✓	✓	✓		
Open Space Subdivision	✓	✓	✓	✓	✓

Section 5-4 Housing types

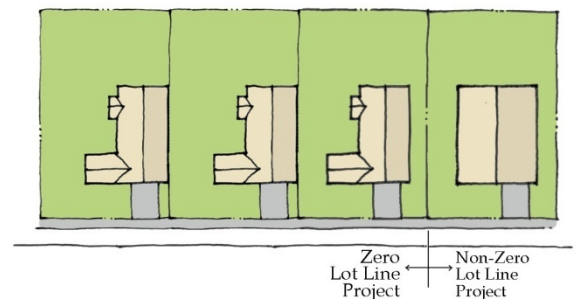
A. Definitions

The following housing types are established to provide a common terminology for housing in the County. All drawings are for illustrative purposes only.

<i>Single Family Detached</i>	<i>Zero Lot Line House</i>	<i>Alley-Loaded House</i>	<i>Semi-Attached House</i>	<i>Townhouse</i>
<i>A dwelling unit located on a single lot with private yards on all four sides</i>	<i>A dwelling unit located on a single lot with private yards on three sides. The house has only a single side yard comprising the equivalent of the two side yards of a single-family detached house.</i>	<i>A dwelling unit located on a single lot with private yards on all four sides. The house is set much closer to the street than a single-family detached house, and alley access is required.</i>	<i>Two attached single-family units located on two lots that share a common wall along the lot line, providing for fee-simple ownership.</i>	<i>Three or more attached units where the units are lined up in a row and share side walls. Access to garages is from the rear.</i>
				
				
				

B. Special standards for a zero lot line house

1. A single side yard shall be provided. This reduction shall not be allowed for the front yard on a corner lot or for the side yard adjacent to lots developed with other housing types.
2. An easement between the two property owners to allow for maintenance or repair of the house shall be required when the roof overhang or side wall of the house are within four feet of the adjacent property line (no roof overhang shall be permitted to extend across the property line). The easement on the adjacent



property must provide at least five feet of unobstructed space. The easement shall be recorded on the subdivision plat.

C. Special standards for an alley-loaded house

1. An alley shall be provided to the rear of all alley-loaded houses. All vehicular access shall take place from the alley. No parking shall be permitted in the required front yard.

D. Special standards for a townhouse

1. Side yards are not required for interior townhouses, but street and rear yards shall be provided for all townhouses, and building separation requirements shall be maintained for all townhouse structures.
- ~~2. All townhouse garages and parking areas shall be located to the rear.~~
3. The maximum number of units allowed in a single building is eight.

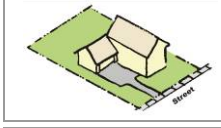
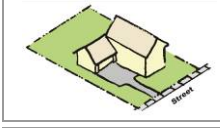
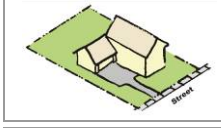
Section 5-5 Conventional subdivision standards

A. Applicability

A conventional subdivision is permitted in the AO, CR, and LDR districts. Applicants shall comply with all other provisions of this ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

B. Dimensional standards

Applicants using the conventional subdivision option shall meet the following standards.

	AO	CR	LDR
	<i>Single-Family Detached</i>	<i>Single-Family Detached</i>	<i>Single-Family Detached</i>
CONVENTIONAL SUBDIVISION			
Tract			
Density (maximum units/acre)	0.33	0.50	0.50
Public water and sewer	not permitted*	not permitted*	optional
Lot Dimensions (minimum)			
Lot area (acres)	3	2	2
Average lot width (feet)	150	150	150
Principal (minimum feet)			
Front yard (minor collector)	75	75	75
Front yard (local road)	50	50	50
Side yard	20	20	20
Rear yard	30	30	30
Height (maximum feet)	40	40	40
Lot Coverage (maximum)			
Impermeable surface	15%	20%	20%

* Governmental water may be provided to individual lots in these areas for public health reasons.

C. Minor Subdivisions

In the AO, CR, LDR, MDR and HDR Districts, **applications** meeting the standards for a minor subdivision as defined by the subdivision ordinance may create no more than one conventional minor subdivision out of each parent tract existing as of June 20, 2005 with lots at least one acre in size, provided that each lot meets any minimum area requirements for public health purposes. The property may be further divided. However, any additional divisions shall be deemed major subdivisions and shall be processed as such and subject to all ordinances and policies related to major subdivisions.

Minor subdivision dimensional standards

Subdivisions that are classified as minor subdivisions in the AO, CR, and LDR zoning districts shall be subject to the tract requirements listed for public water and sewer, the minimum average lot width listed in lot dimensions, the setbacks, height and lot coverage standards in Section 5-5, Conventional Subdivision Standards, Section B,

Dimensional Standards. NOTE: Density standards in table shall not apply. Minimum lot size shall be one acre (43,560 SF) as stated above.

Subdivisions in the MDR and HDR zoning districts shall be subject to the tract requirements as listed for governmental water and sewer, the lot dimension minimum average lot width listed in the lot dimensions, the setbacks, height and lot coverage standards established in Section 5-6, Open Space Subdivision Standards, Section D, Dimensional Standards. NOTE: Density standards in table shall not apply. Minimum lot size shall be one acre (43,560 SF) as stated above.

D. Front yard tree planting required for major subdivision lots

1. Front yard trees

- a. One canopy tree shall be provided for each 1,000 square feet of area in the required front yard for each lot. For the purpose of calculating required trees, any fraction shall require an additional tree (always round up). Portions of the required front yard covered by allowed encroachments such as front porches (see section 6-15) shall be deleted from the calculation. The tree shall have a minimum size of 2½-inch caliper. Two ornamental trees may be substituted for one canopy tree in a front yard.
- b. One additional front yard tree shall be required for corner lots.
- c. Existing healthy trees in the required front yard area over 6 caliper inches shall **be retained** and credited toward meeting the front yard tree requirement.

Section 5-6 Open space subdivision standards

A. Intent

The intent of an open space subdivision is to provide a development alternative to a conventional subdivision. An open space subdivision involves placing a cluster of home-sites within a portion of the development site, allowing housing units on smaller lots than those permitted in a conventional subdivision to promote environmentally sensitive, more efficient use of the land and provide additional common open space. Other purposes of an open space subdivision include the following:

- To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- To preserve important historic and archaeological sites.
- To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- To promote interconnected greenways and corridors throughout the community.
- To create contiguous greenspace within and adjacent to the development site.
- To protect scenic views.
- To protect prime agricultural land and retain farming as an economic activity.

1. Applicability

An open space subdivision is permitted in the AO, CR, LDR, MDR and HDR districts. Applicants shall comply with all other provisions of this ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

2. Ownership of development site

The development site to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

3. Dimensional standards

Applicants utilizing the open space subdivision option shall meet the following standards.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 5- DISTRICT DEVELOPMENT STANDARDS

OPEN SPACE SUBDIVISION

AO

Tract

Density (maximum units/acre) 0.50
Area (minimum acres) 10
Open space (minimum) 40%
Public water and sewer not permitted*

Lot Dimensions (minimum)

Lot area (square feet) **
Average lot width (feet) 150

Principal (minimum feet)

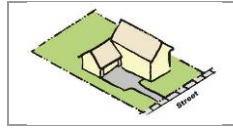
Front yard (minor collector) 75
Front yard (local road) 50
Side yard 20
Rear yard 30

Height (maximum feet)

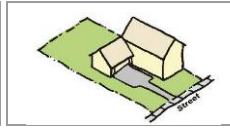
Lot Coverage (maximum)

Impervious surface 15%

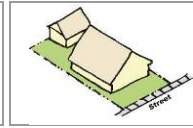
Single-Family Detached



Zero Lot Line House



Alley-Loaded House



Semi-Attached House



Density (maximum units/acre)	0.50	--	--	--
Area (minimum acres)	10	--	--	--
Open space (minimum)	40%	--	--	--
Public water and sewer	not permitted*	--	--	--
Lot Dimensions (minimum)				
Lot area (square feet)	**	--	--	--
Average lot width (feet)	150	--	--	--
Principal (minimum feet)				
Front yard (minor collector)	75	--	--	--
Front yard (local road)	50	--	--	--
Side yard	20	--	--	--
Rear yard	30	--	--	--
Height (maximum feet)	40	--	--	--
Lot Coverage (maximum)				
Impervious surface	15%	--	--	--

CR

Tract

Density (maximum units/acre) 1.00
Area (minimum acres) 5
Open Space (minimum) 40%
Public water and sewer not permitted*

Lot Dimensions (minimum)

Lot area (square feet) **
Average lot width (feet) 125

Principal (minimum feet)

Front yard (minor collector) 75
Front yard (local road) 50
Side yard 20
Rear yard 30

Height (maximum feet)

Lot Coverage (maximum)

Impervious surface 20%

Density (maximum units/acre)	1.00	--	--	--
Area (minimum acres)	5	--	--	--
Open Space (minimum)	40%	--	--	--
Public water and sewer	not permitted*	--	--	--
Lot Dimensions (minimum)				
Lot area (square feet)	**	--	--	--
Average lot width (feet)	125	--	--	--
Principal (minimum feet)				
Front yard (minor collector)	75	--	--	--
Front yard (local road)	50	--	--	--
Side yard	20	--	--	--
Rear yard	30	--	--	--
Height (maximum feet)	40	--	--	--
Lot Coverage (maximum)				
Impervious surface	20%	--	--	--

** Minimum lot size shall be no less than one acre. All lots shall be required to meet Cabarrus Health Alliance (formerly known as the County Health Department) requirements for septic system installation prior to approval of any zoning or building permits.

* Governmental water may be provided to individual lots in these areas for public health reasons.

**CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 5- DISTRICT DEVELOPMENT STANDARDS**

OPEN SPACE SUBDIVISION

LDR

Tract

Density (maximum units/acre)
Area (minimum acres)
Open space (minimum)
Governmental water and sewer

Lot Dimensions (minimum)

Lot area (square feet)
Average lot width (feet)

Site Dimensions (minimum feet)


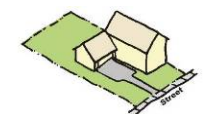
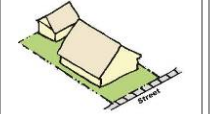

Per building
Per unit
Width

Principal (minimum feet)

Front yard (minor collector)
Front yard (local)
Front yard (corner)
Side yard
Rear yard

Height (maximum feet)

Lot Coverage (maximum)
Impervious surface

	<i>Single-Family Detached</i>	<i>Zero Lot Line House</i>	<i>Alley-Loaded House</i>	<i>Semi-Attached House</i>
				
Density (maximum units/acre)	1.5	1.5	1.5	1.5
Area (minimum acres)	5	5	5	5
Open space (minimum)	35% required	35% Required	35% Required	35% Required
Governmental water and sewer				
Lot Dimensions (minimum)				
Lot area (square feet)	15,000	15,000	12,000	--
Average lot width (feet)	75	75	65	--
Site Dimensions (minimum feet)				
Per building	--	--	--	15,000
Per unit	--	--	--	7,500
Width	--	--	--	75
Principal (minimum feet)				
Front yard (minor collector)	75	75		75
Front yard (local)	30	30	10	30
Front yard (corner)	20	20	10	20
Side yard	10	0	10	10
Rear yard	30	30	30	30
Height (maximum feet)	40	40	40	40
Lot Coverage (maximum)				
Impervious surface	35%	35%	35%	35%

OPEN SPACE SUBDIVISION

MDR

Tract

Density (maximum units/acre)
Area (minimum acres)
Open space (minimum)
Governmental water and sewer

Lot Dimensions (minimum)

Lot area (square feet)
Average lot width (feet)


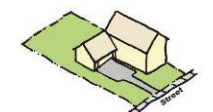
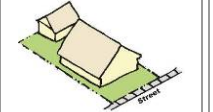

Site Dimensions (minimum feet)

Per building
Per unit
Width

Principal (minimum feet)

Front yard
Front yard (corner)
Side yard
Rear yard

Height (maximum feet)

	<i>Single-Family Detached</i>	<i>Zero Lot Line House</i>	<i>Alley-Loaded House</i>	<i>Semi-Attached House</i>
				
Density (maximum units/acre)	2.50	2.50	2.50	2.50
Area (minimum acres)	5	5	5	5
Open space (minimum)	35%	35%	35%	35%
Governmental water and sewer	Required	Required	Required	Required
Lot Dimensions (minimum)				
Lot area (square feet)	8,000	8,000	7,000	--
Average lot width (feet)	60	60	55	--
Site Dimensions (minimum feet)				
Per building	--	--	--	8,000
Per unit	--	--	--	4,000
Width	--	--	--	60
Principal (minimum feet)				
Front yard	25	25	10	25
Front yard (corner)	15	15	10	15
Side yard	5	0	5	5
Rear yard	20	20	20	20
Height (maximum feet)	40	40	40	40

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 5- DISTRICT DEVELOPMENT STANDARDS

Lot Coverage (maximum)
Impervious surface

40%	40%	40%	40%
-----	-----	-----	-----

*Single-Family
Detached*

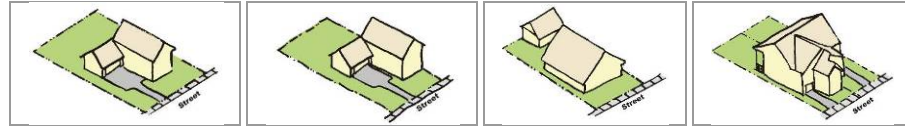
*Zero Lot Line
House*

*Alley-Loaded
House*

*Semi-Attached
House*

OPEN SPACE SUBDIVISION

HDR



Tract

Density (maximum units/acre)
Area (minimum acres)
Open space (minimum)
Governmental water and sewer

4.50	4.50	4.50	4.50
5	5	5	5
35%	35%	35%	35%
Required	Required	Required	Required

Lot Dimensions (minimum)

Lot area (square feet)
Average lot width (feet)

4,000	4,000	3,500	--
40	40	35	--

Site Dimensions (minimum feet)

Per building
Per unit
Width

--	--	--	4,000
--	--	--	2,000
--	--	--	40

Principal (minimum feet)

Front yard
Front yard (corner)
Side yard
Rear yard

15	15	10	15
10	10	10	10
5	0	5	5
15	15	15	15

Height (maximum feet)

Principal
Accessory

40	40	40	40
40	40	40	40

Lot Coverage (maximum)

Impervious surface

45%	45%	45%	45%
-----	-----	-----	-----

NOTE: Fire or building code may require fire-resistant construction for elements located less than 10 feet apart.

Section 5-7. Residential development standards (all subdivisions)

A. Open space

1. Applicability

The minimum protected open space for each subdivision type by district is set forth in this *Section*. Once this minimum open space requirement has been met, no additional open space shall be required on the site, except where otherwise required by state or federal law.

2. Primary open space

The following are considered primary open space areas and shall be included within the open space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and is counter to the purposes of this chapter:

- a. The 100-year floodplain;
- b. Stream buffer areas required by the County along each side of all perennial and intermittent streams;
- c. Slopes above 25 percent of at least 10,000 square feet contiguous area;
- d. Jurisdictional wetlands under federal law (Section 404) that meet the definition applied by the Army Corps of Engineers;
- e. Habitat for federally-listed endangered or threatened species;
- f. Archaeological sites, cemeteries and burial grounds;
- g. State-designated Natural Heritage Sites;
- ~~h. Existing healthy native forests of at least 10 contiguous acres in size that are subject to a forestry management plan approved by the NC Division of Forestry; and~~
- ~~i. Agricultural lands of at least 20 contiguous acres located in the Rural Tier containing at least 25 percent prime farmland soils or other soils of statewide importance.~~

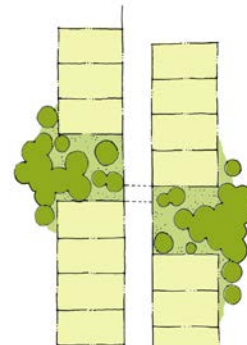
3. Secondary open space

The following are considered secondary open space areas and shall be included **or retained** within the required open space to the maximum extent feasible.

- a. Important historic sites;
- ~~b. Existing healthy, native forests of at least one acre contiguous area;~~
- c. Individual existing healthy trees greater than 12 inches DBH **in open space areas or required buffer areas;**
- d. Other significant natural features and scenic viewsheds such as ridge lines, hedge rows, field borders, meadows, fields, peaks and rock outcroppings, particularly those that can be seen from public roadways;
- ~~e. Agricultural lands of at least five contiguous acres located in the Suburban Tier containing at least 25 percent prime farmland soils or other soils of statewide importance;~~
- f. Areas that connect the tract to neighboring open space, trails or greenways;
- g. Soils with "Severe" limitations for development due to drainage problems, including but not limited to, Armenia loam (Ar) Altavista sandy loam (AaB), Chewacia sandy loam (Ch), Iredell loam (IdA), Sedgefield sandy loam (SfB) and Wedhadkee (We); and
- h. Landscaped site elements such as arterial street buffers, district boundary buffers, civic greens and landscaped medians.

4. Configuration of open space

- a. The minimum width for any required open space shall be 50 feet. Exceptions may be granted for items such as trail easements, mid-block crossings, linear parks/medians, when their purpose meets the intent of the open space section.
- b. At least 60 percent of the required open space shall be in a contiguous tract. For the purposes of this section, contiguous shall include any open space bisected by a residential street (including a residential collector), provided that:
 - i. A pedestrian crosswalk is constructed to provide access to the open space on both sides of the street; and
 - ii. The right-of-way area is not included in the calculation of minimum open space required.
- c. The open space shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
- ~~d. At least 25 percent of the open space shall be activated using trails, active recreation areas or other similar improvements that are available and accessible to all residents of the neighborhood. Trails shall be developed in accordance with Appendix C, Trail and Trailhead Design Standards. Active recreation areas shall be developed in accordance with the requirements in Chapter 5, Recreational Areas, of the Subdivision Ordinance. Where open space consists of prime agricultural land, this accessibility requirement shall not apply.~~



- e. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space (i.e. mid-block connections in logical locations). No lot within the subdivision shall be further than a ¼ -mile radius from the required open space. This radius shall be measured in a straight line, without regard for street, sidewalk or trail connections to the open space.

5. Permitted uses of open space

Uses of open space may include the following:

- a. Conservation areas for natural, archeological or historical resources;
- b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- c. Pedestrian or multipurpose trails;
- d. Passive recreation areas, including pocket parks;
- e. Active recreation areas, such as ballfields and playgrounds, provided that impervious area is limited to no more than 10 percent of the total open space (active recreation areas in excess of this impervious area limit shall be located outside of the protected open space);
- f. Golf courses in the Suburban Tier (excluding clubhouse areas and maintenance facilities), provided the area does not exceed 50 percent of the overall required open space for the development and further provided that impervious area is limited to no more than 10 percent of the total open space the proposed course area.
- g. Above-ground utility rights-of-way, provided the area does not exceed 50 percent of the required open space;
- h. Water bodies, such as lakes and ponds, and floodways provided the total surface area does not exceed 50 percent of the required open space;
- ~~i. Agriculture, horticulture, silviculture or pasture uses as provided for in a conservation plan approved by the Cabarrus Soil and Water Conservation District;~~
- j. Landscaped stormwater management facilities;
- k. Easements for drainage, access, and underground utility lines; and
- l. Other conservation-oriented uses compatible with the purposes of these regulations.

6. Prohibited uses of open space

Open space shall not include the following:

- ~~a. Golf courses and above ground utility rights of way in the Rural Tier.~~
- b. Wastewater disposal systems in the Rural Tier;
- c. Streets (except for street crossings as expressly provided above) and parking areas;
- ~~d. Agricultural and forestry activities not conducted according to a conservation plan approved by the Cabarrus Soil and Water Conservation District or a forest management plan approved by the NC Division of Forestry; and~~
- e. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

7. Ownership and management of open space

a. Ownership of open space

No residential lots shall be allowed to extend into the required open space. Open space shall be accepted and owned by one of the following entities:

- ~~i. Cabarrus Soil and Water Conservation District. The responsibility for maintaining the open space and any facilities shall be borne by the District.~~
- ii. Land conservancy or land trust. The responsibility for maintaining the open space and any facilities shall be borne by a land conservancy or land trust.
- iii. Homeowners association. A homeowners association representing residents of the subdivision shall own the open space. Membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. The Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities shall be borne by the Homeowner's Association.
- iv. Private landowner. A private landowner may retain ownership of open space, provided that a conservation easement approved by the Cabarrus County Soil and Water Conservation District is recorded. The responsibility for maintaining the open space and any facilities shall be borne by the private landowner.

b. Management plan required

Applicants shall submit an Open Space Management Plan for open space and other common facilities that:

- i. Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
- ii. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
- iii. Provides that any changes to the Plan be approved by the County; and
- iv. Provides for enforcement of the Plan.

c. Maintenance of open space

- i. Passive open space maintenance is limited to removal of litter, dead tree and plant materials (that is obstructing pedestrian movement), removal of brush; and weeding and mowing. Natural water courses are to be maintained as free flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
- ~~ii. No specific maintenance is required for agricultural uses.~~
- iii. Active open space areas shall be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances or unhealthy conditions.
- iv. For any parts of the stream that are included in the open space for the development. Streambeds shall be maintained and kept free of debris, logs, timber, junk and other accumulations that would clog or dam the passage of waters in their downstream course or that would create a flooding condition.

d. Failure to maintain open space

In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the County may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The County may file an enforcement action for failure to maintain open space. The costs of such maintenance and the enforcement action may be charged to the Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

8. Legal instrument for permanent protection

- a. The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed and enforceable by Cabarrus County. The instrument shall be one of the following:
 - i. A permanent conservation easement in favor of either:
 - a) ~~The Cabarrus Soil and Water Conservation District; or~~
 - b) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be *bona fide* and in perpetual existence and the conveyance instruments shall

- contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or
- c) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. ~~If the entity accepting the easement is not the County, then a third party right of enforcement favoring the County shall be included in the easement.~~
 - ii. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
 - iii. An equivalent legal tool that provides permanent protection, if approved by the County.
- b. The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this chapter, as well as any further restrictions the Applicant chooses to place on the use of the open space. Where appropriate, the instrument shall allow for stream or habitat restoration within the easement area.

B. Stream buffer and floodplain limitations

1. Land within a stream buffer shall not be used to meet the minimum area requirements for lots that are one acre or less.
2. If a lot is greater than one acre in area, the buffer area may be used to meet the minimum lot size requirements, however, at least 50 percent of the lot shall remain outside the stream buffer area. For additional stream buffer requirements see Chapter 4, Waterbody Buffer Zone.
3. When a lot is proposed that is subject to flooding and has regulated floodplain as part of the lot, usable area located outside of the regulated floodplain must be a minimum of 2500 square feet.
4. No new lots located entirely within the floodplain shall be approved.
5. All development on parcels with regulated floodplain are subject to the Cabarrus County Flood Damage Prevention Ordinance. See Chapter 15.

C. Utilities and Stormwater

- a. To the maximum extent determined feasible, utilities in open space subdivisions and non-residential development shall be placed underground.
- b. Proposed developments in unincorporated Cabarrus County are subject to Phase 2 Post-Construction and Soil and Erosion Control permitting with the North Carolina Department of Natural Resources. **Energy, Mineral and Land Resources.**
- c. When existing vegetation is proposed to be used to meet the landscape buffering requirements, stormwater and erosion control measures may not extend into, or be located in, the landscape buffer area. The buffer area is to remain undisturbed but for the installation of supplemental planting (if needed).

D. Perimeter compatibility

1. Applicability

Perimeter compatibility is required along project boundaries for open space subdivisions to provide a suitable transition between the proposed subdivision and adjacent development.

2. Buffer Required

A landscaped buffer shall be required along all boundaries of an open space subdivision. This buffer shall be a natural, undisturbed wooded area where possible, and shall count towards the provision of open space for the development where the buffer is not platted and made part of an individual, privately owned lot. Where an existing natural, undisturbed wooded area does not exist, a planted buffer shall be required as follows:

a. Project Boundary Buffer

A project boundary buffer shall be provided along all project boundaries other than arterial streets, and shall be measured perpendicular to the property lines that define the project area.

b. Minimum Project Boundary Buffer Width

- i. The minimum width of the project boundary buffer shall be 25 feet where the width of the project's perimeter lots **or the acreage of the perimeter lots** adjacent to the buffer is equal to or greater than the minimum lot width **or the acreage** of the adjoining development or the minimum lot width required by the zoning district applied to any adjoining undeveloped parcel.
- ii. When narrower lot widths **or smaller acreage lots** are ~~provided~~ **proposed in the new project**, the minimum buffer width shall be 50 feet.

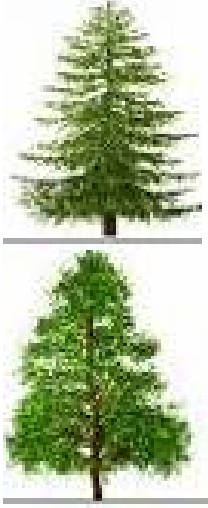


c. Arterial Street Buffer Required

An arterial street buffer shall be provided along any project boundary that abuts an arterial street. The buffer shall be measured perpendicular to the right-of-way line that defines the project area.

- i. The minimum width of the buffer shall be 50 feet.

d. Required Buffer Planting

Required project boundary and arterial street buffers shall incorporate existing natural vegetation to the maximum extent feasible. Where existing vegetation is inadequate to meet the planting standards below, additional plant material shall be required. The planting standard below is intentionally over-planted at maturity, in order to provide an immediate beneficial impact.

 <p>Large Trees</p>	 <p>Small Trees</p>	 <p>Shrubs</p>
<p>3 per 100 linear feet 2" caliper minimum 50% evergreen</p>	<p>6 per 100 linear feet 1" caliper minimum</p>	<p>22 per 100 linear feet 24" height minimum 50% evergreen</p>

e. **Credit for Existing Vegetation**

Credit shall be given for existing vegetation within the required buffer area that meets the planting requirements above. **Applicant must provide documentation showing that existing vegetation is consistent with the requirements outlined above when credit for existing vegetation is requested.**

f. **Trails within Required Buffers**

Trails may be incorporated into required buffer areas provided a minimum of 15 feet is added to the required buffer width to accommodate both the trail and the required buffer plantings. Buffers with trails may also count toward the provision of open space for the development.

PART II. NONRESIDENTIAL DISTRICTS.

Section 5-8. Nonresidential development standards.

Dimensional standards.

Nonresidential development shall meet the following standards.

	OI	LC	GC	LI	GI
Lot Dimensions (minimum)					
Lot area (square feet)	10,000	10,000	1 acre	1 acre	1 acre
Lot width (feet)	50	50	120	120	200
Principal (minimum feet)					
Front yard	30	30	40 30	50	75 50
Side yard (single)	5 10	5 10	10	10	30 15
Side yard (total)	20	20	30	30	30
Rear yard	20	20	20	20	30
Accessory (minimum feet)					
Front yard	30	30	same	same	same
Side yard	5	5	as	as	as
Side yard (total)	20	20	principal	principal	principal
Rear yard	5 10	5 10			
Height (maximum feet)					
Principal	40	40	60	60	60
Accessory	20	20	30	30	30
Lot Coverage (maximum)					
Impervious surface	75%	75%	75%	70% 75% 5	60% 75%

Commercial design standards (Appendix B)

Applicability

The Commercial Design Standards are intended to be used for all commercial developments located within the jurisdiction of Cabarrus County.

Purpose

The purpose of these design standards is to establish a general set of principles and specific recommendations to serve as a guide for new development of commercial properties.

Permitted Uses

Permitted uses shall be governed by Chapter 3, Establishment of Zoning Districts.

Section 1-Appendix B Design Standards (See Appendix B)

The Commercial Design Standards listed in Appendix B shall apply to all new commercial and office developments in the O-I, LC, and GC zoning districts (See Chapter 3, Table of Permitted Uses-Commercial Uses).

The design standards of Appendix B shall apply to the following commercial uses listed in Chapter 3, Table of Permitted Uses-Commercial Uses when permitted in the AO, CR, LDR, MDR or HDR zoning districts:

- Bank/financial institution/ATM
- Convenience stores with or without petroleum sales
- Gas stations
- Restaurants with or without drive thrus
- Retail sales/shoppers' goods
- Retail sales, shopping centers/10,000 SF and less
- Nursery/Daycare

Design Review Committee

All applications for commercial development approval ~~in residential zoning districts and~~ subject to the standards established in Appendix B shall be approved by the Cabarrus County Planning and Zoning Board, sitting as the Design Review Committee, based upon the design guidelines in effect at the time of review.

When reviewing applications for commercial development permitted in residential zoning districts, the Design Review Committee shall review the project in relation not only to Appendix B but also the following criteria:

- Architectural design of neighboring residential buildings
- Setbacks in relation to existing buildings and residential development
- Compatibility with neighborhood character, context and scale

As part of the formal **architectural** review process, the Design Review Committee may approve deviations from the standards listed in Appendix B when the Design Review Committee determines one or more of the following are applicable to the proposed project:

- To provide for architectural design compatibility in relation to the existing neighborhood or structures where appropriate
- To provide for adjusted setbacks in relation to existing buildings or residential development where appropriate
- To ~~request~~ **provide** changes in architectural character or site design when the ~~project is not~~ **design standards would not be** compatible with the context of the surrounding neighborhood
- To ~~request~~ **provide for** changes in scale where appropriate

Appeal of Design Review

An aggrieved party may appeal a decision of the Planning Administrator in writing within 30 days of a decision. All appeals shall be heard by the Cabarrus County Board of Adjustment.

An aggrieved party may appeal a decision of the Planning and Zoning Board, sitting as the Design Review Committee, in writing within 30 days of a decision. All appeals of Design Review Committee (Planning and Zoning Board) decisions shall be heard by the Cabarrus County Board of Commissioners.

Enforcement

Any violation of a permit issued under this section shall be enforced through the provisions of the Cabarrus County Zoning Ordinance.

Section 6-1 Introduction

While land use situations vary widely, there are a number of general regulations that typically apply across the board. These general regulations appear in this Chapter as well as regulations for situations when exceptions may be made to them.

Section 6-2 Zoning affects every structure and use.

Zoning affects every structure and land use throughout Cabarrus County. Accordingly, no structure shall be erected, reconstructed, moved or structurally altered, nor shall any structure or land be used except in compliance with both the general and any other applicable regulations of this Ordinance. Unless specific provisions state otherwise, no structure or use shall:

1. exceed its height or bulk limitation,
2. accommodate or house a greater number of families,
3. occupy a greater percentage of lot area, or
4. have narrower or smaller rear, side or front yard or other open space.

Section 6-3 Buffer area shall not be encroached upon or mutually claimed

Buffer areas required for one structure shall not be encroached upon by another nor shall it be claimed by a second structure as fulfilling its buffer requirement.

Section 6-4 One principal structure per lot

Residential: Only one principal residential ~~building~~ **dwelling unit** may be constructed per ~~lot~~ **parcel** unless specific Ordinance sections provide otherwise.

Commercial/Industrial: Not applicable.

~~NOTE:~~ Bona fide farms: ~~are~~ Exempt if all structures are agriculturally related.

Section 6-5 Impact of differing uses within the same building on yard requirements

When two or more uses occur simultaneously within the same structure, the required yard dimensions are the maximum required by the district within which the structure is located.

Section 6-6 Resolution of measurements which result in fractions

When a requirement of this Ordinance results in a fraction, the following rules apply:

1. Fractions of one-half and more are counted as a whole.
2. Fractions less than one-half are disregarded.
3. The above two rules are also applied in the computation of numbers of dwelling units per lot.

Section 6-7 Street access required

All structures must be constructed or placed on land that abuts a street that:

- 1) Is a dedicated and publicly maintained roadway,
- 2) Has been approved through the Cabarrus County Subdivision Regulations **and is subject to a road maintenance agreement.**

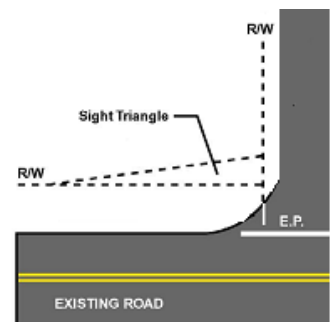
Agricultural uses on a bona fide farm are not subject to this requirement (~~see Chapter One, Section 1-4).~~

Additionally, the following configurations may be exempt pending determination by the Zoning Administrator:

- Multifamily units when at least one of the group abuts a street and access is made available to each unit via either a public right-of-way or a private vehicular or pedestrian way.

Sections 6-8 Visibility at intersections

- (1) Nothing may be erected, placed, planted or allowed to grow in such a manner as to materially impede vision at intersections. The area that must be kept free is known as the sight preservation triangle.
- (2) The above described ~~surface~~ area must be kept **free-clear** between a height of two and one half feet (2 1/2) feet and ten (10) feet above the centerline grades of the intersecting streets.
- (3) Required sight preservation triangles shall be noted on all site plans and plats. The required site preservation triangle is a 10' x 70' and shall be established at the existing right-of-way or the proposed right-of-way if the street or road is listed in the CTP Index.



Section 6-9 Height limitation on fences in residential districts

Fences and walls are subject to the following limitations:

1. Rear and side yard fences are not to exceed seven (7) feet.
2. Front yard fences are not to exceed five (5) feet.
3. Recreational fences are exempt.

A zoning permit is not required to install a residential fence. However, property lines should be identified prior to installation to prevent encroachments onto adjacent properties and/or into public right-of-ways. Fences installed in the regulated floodway must not impede the flow of water or the natural function of the floodway.

Section 6-10 Fencing Around Swimming Pools

Appendix G of the North Carolina Building Code requires that all outdoor swimming pools shall be protected by a barrier or fence, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. See Appendix G, North Carolina Building Code, Swimming Pools, Spas and Hot Tubs for requirements.

Section 6-11 Abandoned and Junk Vehicles

Abandoned and junked motor vehicles constitute a hazard to the health, safety, and general welfare of the citizens of Cabarrus County. Such vehicles can harbor noxious disease, provide shelter and breeding places for vermin, and present physical dangers to the safety of our children as well as the general public. These vehicles also detract from the physical appearance of the community. Therefore, the purpose of this section is to eliminate existing junk and abandoned vehicles and to prevent future storage of these vehicles.

No junked or abandoned vehicles shall be stored on any lot within any residential, commercial, or industrial zoning district ~~so as to be easily seen from an adjacent property and/or a public right of way.~~

~~Section 6-11~~ This section does not apply to any motor vehicle that is:

1. Stored in an enclosed building
2. **Stored** on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the business

3. Is presently being restored to an operable stage (limited to one vehicle **per parcel**) as long as:
 - **The vehicle cannot easily be seen from a public right-of-way and**
 - **The vehicle cannot easily be seen from adjacent properties lines**
 - **The vehicle is covered with a car cover**

Agricultural/Open Space District: This section does not apply to the Agricultural/Open Space Zoning District **where the lot of record is 3 acres or greater.**

Any violation of this section will be processed as a violation of this Ordinance.

Section 6-12 Antennae and ~~Standalone Mounted Solar~~ **Accessory Use of Solar Panels to be treated as accessory building use for setbacks**

Antennae and ~~standalone mounted~~ **accessory use of** solar panels (**collections up to 20 panels**) are subject to the same placement requirements as accessory buildings set forth in Chapter 7, Section 7-3 #1, Accessory Building, Accessory Dwelling Unit and Swimming Pools Accessory to Single Family Residential.

Section 6-13 Exceptions and modifications

Front setback requirements for dwellings

Setback requirements for dwellings may be modified when the setbacks of contiguous existing buildings are less than required. These decreased setbacks are determined by computing the average setback on adjacent lots 500 feet on either side of the lot of the proposed dwelling.

The modified setback may be equivalent to the average of the existing structures or 25 feet from the street right-of-way line, whichever is greater. For lots on any roadway planned for widening as shown on the approved North Carolina Department of Transportation Comprehensive Transportation Plan, the setback shall be established from the proposed right-of-way line.

Height limitations for certain types of structures

The following are exempt from height limitations unless they are located in the vicinity of an airport. See Airport Overlay District, Chapter Four, for clarification.

1. Church spires, belfries, cupolas, domes, and other architectural embellishments not intended for human habitation

2. Monuments
3. Towers: water, observation, and transmission, ~~both radio, and television~~ and **cellular telephone**
4. Chimneys
5. Flag poles and masts
6. Silos, grain elevators and conveyors

Height limitation, general

Any principal or accessory structure (not including signage) may exceed the zoning district's height limitation provided there is a proportional increase in the minimum front, side and rear setback requirements. Each foot of height over the maximum allowed height must be matched by an increase of one linear ground foot in each direction for the required front, rear, and side setbacks.

Section 6-14 Setback encroachments

The following features may encroach into a required building setback:

1. Chimneys, overhanging roof, eave, gutter, cornice, or other architectural feature, not to exceed 2 feet
2. Bay windows, not to exceed 3 feet
3. Heating and cooling units, not to exceed 3 feet but in no case shall any such units be closer than five feet to any property line
4. Uncovered, unenclosed decks ~~and terraces~~ **or patios**, but in no case shall any such decks ~~or terraces~~ **or patio** be closer than ~~five~~ 5 feet to any property line
5. Unenclosed fire escapes, not to exceed 6 feet
6. Covered, unenclosed porches in a required front yard, not to exceed 8 feet

Building Code Requirements:

The applicable Building Code may require fire-resistant construction for elements located less than 10 feet apart.

Section 6-15 Setbacks for Lots with Multiple Street Frontages

For undeveloped lots with multiple frontages, the developer has the option to determine which side shall be considered the "front" so long as the structure to be constructed has its front facing the same ~~yard~~ **street**.

For the purposes of applying setbacks to an existing developed lot, the front setback shall be defined as the yard with the shortest amount of street frontage. All other frontages shall be considered side yards.

Section 6-16 Accessory structures on individual lots

Unless specifically allowed by this ordinance, accessory structures shall not be permitted as primary structures. Additionally, no new lot shall be created having an accessory structure as the primary structure unless said structure is specifically allowed by this ordinance and properly permitted.

Section 6-17 Easement encroachment not permitted

In no case shall an encroachment be permitted into an easement of record area unless the applicant provides sufficient evidence from the easement holder that the encroachment is permitted.

Section 6-18 Effect of county line and municipal ETJ boundary

When an existing lot of record is located near the county line or a municipal ETJ boundary or extends across the county line or into the municipal ETJ boundary, the county line or ETJ boundary shall be recognized as the property line. The same shall apply for existing lots of record being subdivided.

Proposed structures must be located on either side of the county line or the municipal ETJ boundary. Structures that straddle the county line or the municipal ETJ boundary are not permitted.

Section 6-19 More stringent requirement applies

When applicable requirements of this ordinance differ or when applicable state and local requirements differ, the more stringent requirement shall apply.

Section 7-1 Introduction

The purpose of this Chapter is to describe those uses, which may be approved administratively by Planning and Zoning staff, known as "performance based standards" (PBS) uses.

Performance based standards uses are those which can be made compatible within a given zoning district as long as pre-established standards are met which will control for any potential negative effects of the use. PBS uses provide landowners with more flexibility in using their property yet still affords protection to neighboring landowners.

Section 7-2 How to use this chapter

The uses based on performance standards are listed below. At the beginning of each section is a statement showing which zoning districts allow the performance based standards uses. The standards that must be met to permit the use are then listed. THE "PBS" STANDARDS ARE IN ADDITION TO THE REGULAR DEVELOPMENT STANDARDS THAT ALL DEVELOPMENT IS OBLIGATED TO COMPLY WITH UNDER THE TERMS OF THIS ORDINANCE, INCLUDING ZONING SITE PLAN REVIEW WHERE APPLICABLE.

Section 7-3 USES PERMITTED BASED ON STANDARDS (PBS)

1. Accessory Building, Accessory Dwelling Unit and Swimming Pools Accessory to Single Family Residential

Accessory Dwelling Unit

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, ~~Office~~/Limited Commercial, General Commercial and Limited Industrial districts

- a. Residential accessory dwelling units in the AO, CR, LDR, MDR and HDR districts shall not exceed fifty (50) percent of the square footage of the base floor area as listed on the Cabarrus County Tax Card. In residential districts, the accessory dwelling unit shall be sited to the rear of the primary structure or to the side as a secondary option. If sited as part of a commercial or industrial building, the accessory dwelling unit shall be incorporated into the overall building design and shall not exceed twenty five (25) percent of the structure in which it is located.
 - a. Accessory dwelling units shall meet the principal building setbacks listed in Chapter 5 for the zoning district.
 - b. The accessory dwelling unit height shall not exceed the height of the principal structure.

- c. Manufactured homes may not be used as an accessory dwelling unit.
- d. Adequate off-street parking must be provided for any vehicles owned by occupants of the accessory unit. All parking shall be screened from public rights-of-way either by buffer yard or by the mass created by the house/accessory dwelling unit.
- e. Only one accessory dwelling unit per parcel is permitted.

When an accessory dwelling is proposed as part of an accessory building or structure, the same standards apply to the accessory building or structure, along with the limitations on square footage for the accessory dwelling unit. Where this is the case, the property owner must submit a notarized statement (provided by the County) attesting to the use of the accessory building and the allotted square footage for the accessory dwelling unit space.

Accessory Building, Accessory Structure

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, Office/Limited Commercial, General Commercial, Limited Industrial, General Industrial districts

- a. Accessory buildings up to 15 feet in height shall meet the front and side setback requirements of the principal structure. The rear setback shall be no less than five (5) feet. Buildings greater than 15 feet in height shall meet the principal building setbacks listed in Chapter 5.
- b. Accessory buildings shall be subject to all other dimensional, impermeable and structural coverage requirements listed in Chapter 5.

Swimming Pool, Accessory to Single Family Residential

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use

- a. The swimming pool must be located inside of the primary setbacks.
- b. Concrete or wood decking surrounding the pool may encroach into the primary setbacks, but shall in no case be located closer than ten (10) feet from the property line.

2-A. Agriculture Including Livestock

Low Density Residential, Medium Density Residential districts

- a. Minimum Lot Size:
 - o Low Density Residential - five acres
 - o Medium Density Residential - five acres

- b. Any building housing livestock shall be at least 150 feet from both the nearest building with human inhabitants and the nearest property line.

2-B. Agriculture-Female Chickens (limited number)-Less than 5 acres
Low Density Residential, Medium Density Residential districts

All lots that are utilized as single family detached residential will be permitted up to the following number of female chickens:

Number of Female Chickens Permitted:

- <1 acre-5
- 1 acre-10
- 2-5 acres-15

- a. Female chickens are for egg production only;
- b. The chicken house and run must be fully enclosed and the hens kept within it at all times. All chicken houses must be properly maintained in a safe, clean and sanitary condition that poses no health threat to the chickens or citizens and does not create a public nuisance. Runs must be well drained so that there will be no accumulation of moisture.
- c. The chicken house must be used for female chickens only and must be well ventilated. Houses shall be located a minimum of 25 feet from any property line. Run areas must be located a minimum of 25 feet from any property line and 50 feet from any stream.
- d. All feed and other items associated with the keeping of chickens shall be stored properly and protected from rodents;
- e. Waste products generated from the raising of chickens shall be disposed of properly. If on-site composting is performed, compost storage areas shall be located a minimum of 25' from any property line and 50' from any stream. (**See below for additional composting information.) If on-site composting is not used, all chicken related waste must be double bagged before being placed in on-site roll out trash bins.
- f. All structures, fencing, and hens must be located in the rear yard of the dwelling. The range area provided to any chickens must not include the crawl space of any residential structures.
- g. Male chickens (roosters) are prohibited.

**Compost is organic material that can be used as a soil amendment or as a medium to grow plants. It is created by: combining organic wastes (e.g., yard trimmings, food wastes, manures) in proper ratios into piles, rows, or vessels; adding bulking agents (e.g., wood chips) as

necessary to accelerate the breakdown of organic materials; and allowing the finished material to fully stabilize and mature through a curing process. See the United States Environmental Protection Agency site for proper composting techniques.

3. Auction House

Agricultural/Open, Countryside Residential districts

- a. An auction house, which includes any percentage livestock sales, may not be sited within 500' of a residential use, measurement to begin at the outermost facility housing animals. Auction houses not featuring livestock sales will meet the standard setbacks of the zone.
- b. Applicable in the *Countryside Residential zone only*, an auction house must front on either arterials or collector roads (major or minor, in each case).
- c. Signs shall be permitted in accordance with Chapter Eleven, Signage.
- d. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

4. Automobile Rental

~~Office~~/Limited Commercial district

- a. The outdoor display area may not exceed 60,000 square feet.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

5. Automobile, Motorcycle Sales, ~~ATV or Other Vehicle Dealers~~, New & Used

~~Office~~/Limited Commercial district

- a. The outdoor display area may not exceed 60,000 square feet.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and

- made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
6. Bank, Financial Institution, Automated Teller Machine (ATM), Freestanding Automated Teller Machine (ATM) as Accessory
Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial districts
- a. The use must front on either arterial or collector roads (major or minor, in each case).
 - b. ATMs, Freestanding ATMs as accessory use permitted in LDR, MDR, HDR, OI, LC, and GC districts.
 - The facility's lighting shall be shielded to prevent light and glare spillover on to adjacent residential properties.
 - Shall be located so that internal circulation for primary use is not disturbed.
 - Materials shall be compatible with design and building materials of the primary structure(s) on the site.
7. Barn, Greenhouse, As Primary Structure
Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential districts
- a. Permitted only when agriculture, as defined in Chapter 2, Rules of Construction and Definitions, is the primary use of the parcel.
 - b. May not be used as a dwelling unit.
 - c. Must meet setbacks of zoning district for primary structure.
8. Bed and Breakfast
Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, ~~Office~~/Limited Commercial districts
- a. In the AO, CR and LDR zoning districts, the lot size shall meet or exceed the conventional subdivision standards. For MDR, LDR and HDR zoning districts, the minimum lot size shall be at least one acre.
 - b. Any area to be used for parking or other guest amenity areas such as gardens, patios or outdoor guest reception areas shall be located a minimum of 100 feet from the property line of any residentially zoned or used property.

- c. Must provide at a minimum one parking space per guest bedroom and one parking space for each employee and the owner(s) or manager(s).
- d. The facility must provide a level three buffer yard as described in Chapter Nine, Landscaping & Buffer Requirements on all sides of the parking lot which abut public rights-of-way.

9. Catering Service

Office/Institutional district

- a. The maximum total square footage shall not exceed 5,000 square feet for all enclosed structures.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

10. Cemetery

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use districts

- a. The cemetery shall be sited so as to be within the primary setbacks required for buildings in the district.
- b. A boundary plat depicting the property to be used for interment shall be recorded with the office of the Register of Deeds and a copy provided to the Planning and Development Department.
- c. A Level Two buffer shall be provided when the adjacent property is residentially zoned or used. See Chapter 9, Landscaping and Buffering.

11. Civic Organization Facility

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,

- o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. Parking areas shall be located a minimum of 100 feet from the property line of any property that is residentially used or zoned.

12. Communications Tower, 911 Communications Tower

Agricultural/Open, ~~Office~~/Limited Commercial, General Commercial, Limited Industrial, General Industrial districts

- a. The tower must be designed to land upon its own property in the event of a fall and shall be certified by a North Carolina registered professional engineer.
- b. Certification is waived if the tower is located on the property such that the radial distance to the nearest structure or property line is equal to the height of the tower plus 50 feet.
- c. The tower shall be enclosed by a security fence not less than 6 feet in height and no taller than 8 feet.
- d. The tower base and any accessory buildings must be screened from public view by a buffer that is a minimum of 4 feet wide immediately adjacent to the perimeter of the compound. Plantings shall effectively screen the compound from adjacent residential properties.

13. Community Garden, Accessory Use

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial districts

- a. The primary use parking area shall serve as the parking area for the Community Garden.
- b. Emergency Service access to the Community Garden site shall be maintained if on street parking is utilized.

14. Convenience Store with Petroleum Sales

Agricultural/Open, Countryside Residential, Low Density Residential districts

- a. The store must be located within 300 feet of the centerline of an intersection and front on an arterial or collector road.
- b. The store's lighting shall be shielded to prevent light and glare spillover from adjacent residential properties.

- c. The maximum square footage shall not exceed 2,000 square feet for all enclosed structures.
- d. The total number of gasoline pumps shall not exceed two multi-product dispensers. In the event older pumping equipment is used, the total number shall not exceed a number capable of fueling four vehicles simultaneously.
- e. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

15. Convenience Store without Petroleum Sales

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use districts

- a. The store must be located within 300 feet of an intersection and front on an arterial or collector road.
- b. The store's lighting shall be shielded to prevent light and glare spillover on to adjacent residential properties.
- c. The maximum square footage shall not exceed 2,000 square feet.
- d. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

16. Country Club with Golf Course

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office/Limited Commercial~~, General Commercial districts

- a. Clubhouses shall meet the primary setbacks for the zoning district.
- b. There shall be a 100 foot minimum setback between any accessory buildings, swimming pool, lighted tennis court or any amenity area and adjacent residentially zoned or used property.
- c. Parking areas shall be located a minimum of 100 feet from any residentially zoned or used property.

- d. Lighting for amenity areas shall be designed such that it does not spill over onto adjacent properties.
- e. Outdoor swimming pools shall be protected by a fence, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. See Appendix G, North Carolina Building Code, Swimming Pools, Spas and Hot Tubs for requirements.

17. Contractor or Trade Shops

Agricultural/Open, ~~Office~~/Limited Commercial districts

- a. The maximum square footage shall not exceed 10,000 square feet for all enclosed structures in the ~~Office~~/Limited Commercial district and 5,000 square feet in the Agricultural/Open district.
- b. The maximum outdoor storage area may not exceed 10,000 square feet;
- c. All outside storage areas including dumpster areas must be:
 - o sited behind the rear wall of the building;
 - o within the required setbacks of the zoning district that the use is located in, and outside any required buffer yard;
 - o enclosed with a fence that is at least 6 feet high;
 - o screened from adjacent properties, and from public and private rights-of-way with a Level Two buffer yard;
- d. No storage of large construction vehicles is permitted (large construction vehicles means any vehicle with a gross weight in excess of 10,000 lbs.)
- e. Outside storage areas shall be located at least 50 feet from adjacent property lines.
- f. In the Agricultural/Open district only, uses shall only be permitted on major thoroughfares. In addition, such use may not be located in any watershed protection area.
- g. Uses shall meet all applicable landscaping standards in Chapter 9. When occupying an existing structure, landscaping shall be upgraded to meet requirements of Chapter 9, Landscaping and Buffering.
- h. The minimum property size shall be (3) three acres in the AO zone.

18. Day Camp, Summer Camp, Civic Group Camp Facility

~~Office~~/Limited Commercial, General Commercial districts

- a. A complete description of the facility including but not limited to:
 - Hours & days of operation
 - Total number of employees, both full-time and part-time
 - Projected number of users per weekday and weekend days

- Types of accessory uses, if any, envisioned on the site
 - Any and all other relevant information that will help describe the facility
- b. Play areas, sports fields and parking areas must be a minimum of ~~two five-hundred feet~~ ~~(500)~~ (200) from any adjacent residentially zoned or used property line.

19. Duplex, Commercial Use on Individual Lots

Office/Institutional, ~~Office~~/Limited Commercial, General Commercial districts

- a. The lot size shall be at least 150% of the minimum lot area for the zoning district.
- b. Setbacks must meet the principal structure setbacks for zoning district.
- c. Only one duplex shall be permitted per parcel.

20. Ethanol Fuel Production, Residential District, Private Use Only

Agriculture/Open Space, Countryside Residential, Low Density Residential, Medium Density Residential districts

- a. The minimum lot size to have such an operation is three (3) acres.
- b. The still and/or storage containers shall be placed:
 - A minimum of sixty (60) feet from any dwelling unit
 - A minimum of one hundred (100) feet from any street right-of-way or property line.
- c. General:
 - The use of ethanol is restricted to use as fuel by the owner or lessee of the property upon which the ethanol is produced.
 - The sale of ethanol fuel is prohibited.
 - The ethanol fuel must be dispensed from either a gravity flow or vacuum flow pump.
 - Only non-cellulose materials (fruits, grains, and vegetables) can be used to produce ethanol.
- d. Fuel production operations must be located inside a secure structure.
- e. Storage:
 - The maximum storage container size is fifty five (55) gallons.
 - The aggregate volume of ethanol fuel stored at any time on the property shall not exceed fifty five (55) gallons.
 - Acceptable storage container materials include aluminum, steel, fluorinated polyethylene, fluorinated polypropylene, Teflon and other similar durable, noncorrosive materials. Copper, brass, lead, tin, and zinc are prohibited.

- o Fuel storage containers must be located inside a secure building located on the property for which the permit is issued and shall be clearly labeled.
 - f. Applicant must present approved state and federal permits for the production of ethanol fuel prior to zoning permitting.
 - g. Waste by-product must be stored in 55-gallon sealed barrels. The aggregate volume of waste by-product to be stored at any time on the property is one hundred ten (110) gallons (equivalent to two (2) 55-gallon sealed barrels).
 - h. Locks for storage and fuel production areas and structures shall have at least five (5) tumblers and a casehardened shackle of at least 3/8 inch diameter.
 - i. Compliance with all applicable building codes required.
- 21. Ethanol Fuel Production Plant, Small (Not more than 10,000 proof gallons per calendar year)
General Industrial district
 - a. Applicant must present approved state and federal permits for the production of ethanol fuel prior to zoning permitting.
 - b. Compliance with all applicable building codes required.
- 22. Ethanol Fuel Production Plant, Medium (More than 10,000 but less than 500,000 proof gallons per calendar year)
General Industrial district
 - a. Site shall be a minimum of five (5) acres
 - b. Applicant must present approved state and federal permits for the production of ethanol fuel prior to zoning permitting.
 - c. Compliance with all applicable building codes required.
- 23. Gas Station
Agricultural/Open, Countryside Residential, Low Density Residential districts
 - a. The store must be located within 300 feet of the centerline of an intersection and front on an arterial or collector road.
 - b. The store's lighting shall be shielded to prevent light and glare spillover from adjacent residential properties.
 - c. The maximum square footage shall not exceed 2,000 square feet for all enclosed structures.

- d. The total number of gasoline pumps shall not exceed two multi-product dispensers. In the event older pumping equipment is used, the total number shall not exceed a number capable of fueling four vehicles simultaneously.
- e. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

24. Golf Course, Public or Private

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial districts

- a. Clubhouses shall meet the primary setbacks for the zoning district.
- b. There shall be a 100 foot minimum setback between any accessory buildings or parking areas and adjacent residentially zoned or used property.
- c. Lighting for amenity areas shall be designed such that it does not spill over onto adjacent properties.

25. Government Buildings, Storage Only

~~Office~~/Limited Commercial, General Commercial, Light Industrial, General Industrial districts

- a. Parking areas shall be located a minimum of 50 feet from any residentially zoned or used property.
- b. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent properties.

26. Government Buildings, Storage Only, with Outdoor Storage Area

General Commercial, Light Industrial, General Industrial districts

- a. Outside storage areas shall be located a minimum of 50 feet from any residentially zoned or used property.
- b. Parking areas shall be located a minimum of 50 feet from any residentially zoned or used property.
- c. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent properties.

27. Home Occupation, General

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, ~~Office~~ Limited Commercial districts

The following lists those occupations, which may be conducted at home in the AO, CR, LDR, MDR, HDR and LC districts or in townhomes in the MDR, HDR or LC districts. The purpose of the list is to function both as a guide and also to illustrate the spirit and intent of what is a legitimate home occupation. Essentially, the home occupation is conceived of as being reasonably permitted in a residential setting because it does not compromise the residential character of the area. A reasonable home occupation would not generate conspicuous traffic, would not visually call unusual attention to the home nor would it ever generate nonresidential level noise.

Accounting, Bookkeeping	Engineering	Musical Instruction, Voice or Instrument
Appraisal	Financial Planning and Investment Services	Office Work
Architecture	Fine Arts Studio (creation of individual works only, no mass production)	On-line sales of hand crafted items
Computer Repair/Programming	Fine Arts or Craft Lessons	Pet Grooming (Enclosed)
Legal Services	Home Based Food Business (Low-Risk Packaged Foods as defined by NC law only)	Photo Laboratory (no studio work)
Real Estate Sales	Interior Decoration (no studio permitted)	Planning Services
Insurance Sales	Mail Order Business or On-line Order Business, order taking only, no stock in trade	Tutoring
Daycare with Eight Children or Less (See NCGS §110-86)		One Chair Beauty or Barber Shop
Drafting Services		Similar, Low Impact Endeavor
Dressmaking, Alteration Services, Tailoring		
Embroidery/Screen Printing/Hydro-Graphics		

- a. The use must be conducted entirely within the interior of the residence, must be clearly incidental and secondary to residential occupancy, and may not change the residential character of the dwelling.
- b. The use of the dwelling for a Home Occupation may not exceed up to 25% of one floor of the principal building.
- c. Residents of the dwelling may be engaged in the home occupation with no more than one nonresident assistant employed.
- d. No activity can take place as a home occupation which involves any outdoor storage.
- e. All parking needs for the operation of the home occupation must be met through an off street parking arrangement, including customer parking.
- f. Home Occupations which allow clients or customers to visit the business may be subject to Accessibility Standards. Applicants should contact Building Standards for requirements prior to applying for the Home Occupation Permit.

28. Home Occupation, Rural

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential districts

The following lists those occupations, which may be conducted as a rural home occupation (RHO). The Rural Home Occupation differs from the home occupation in that it is not required to be conducted within the residence proper, but may be conducted in another building accessory to the residence. Slightly more intense uses may occur within the RHO since it is sited within less densely settled areas.

Accounting, Bookkeeping	Computer Repair/Programming	Financial Planning and Investment Services
Appraisal	Daycare with Eight Children or Less (See NCGS §110-86)	Fine Arts Studio
Architecture	Drafting Services	Home Based Food Business (Low-Risk Packaged Foods as defined by NC law only)
Auto Repair Work - Permitted as PBS in Agriculture/Open only.	Dressmaking, Alteration Services, Tailoring,	Interior Decoration
Building Contractor's Storage Yard Including Electrical, Plumbing, & Mechanical	Embroidery/Screen Printing/Hydro-Graphics	Insurance Sales
	Engineering	Landscape Contractor

Legal Services	On-line sales of hand crafted items	Tutoring
Real Estate Sales		One Chair Beauty or Barber Shop
Mail Order Business or On-line Order Business	Photo Laboratory or Studio	Office Work
Musical Instruction, Voice or Instrument	Planning Services	Similar, Low Impact Endeavor
	Real Estate Sales	

- a. The Rural Home Occupation may be carried out in no more than one building separate from the primary residence.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

NOTE: No outside storage shall be permitted in the MDR zoning district.

- c. All storage must be screened either by fencing or vegetative hedge from any abutting residential use or public rights of way.
- d. The accessory building in which the RHO is conducted may not exceed the **following** and shall be sited to the side or the rear of the existing residential structure:

Parcel Acreage	Maximum Square Footage for RHO Building	Number of Employees Permitted (Non-Occupant)
Less than one acre	50% of the base of the residence as listed on the Cabarrus County tax card	1
1-5 acres	50% of the base of the residence as listed on the Cabarrus County tax card or 2500 SF, whichever is less	2
5-10 acres	3000 SF	3
10-15 acres	3500 SF	3
15-20	4000 SF	4
Greater than 20 acres	4500 SF	4

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 7-PERFORMANCE BASED STANDARDS

Greater than 20 acres and tract qualifies as bona fide farm	5000 SF	5
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- e. —
- f. ~~base square footage of the footprint of the residence as identified on the tax card but in no event shall exceed 2,000 square feet.~~
- g. ~~Nonresident employees may work in the RHO as follows:~~
 - o ~~Up to 1,000 square feet of floor space — One nonresident employee~~
 - o ~~1,000 and over square feet of floor space — Two nonresident employees~~
- h. The rural home occupation will not create any smoke, odors, dust, or noise at a level discernable at any of its lot lines.
- i. ~~In the Agricultural/Open, Countryside Residential, and Low Density Residential zoning districts, lots must meet the standard minimum size requirements for minor subdivisions in those districts. In the Medium Density Residential zoning district, the minimum lot size shall be two (2) acres.~~
- j. Rural Home Occupations which allow clients or customers to visit the business may be subject to Accessibility Standards. Applicants should contact the Building Standards Department for requirements prior to applying for the Home Occupation Permit.
- k. All parking needs for the operation of the home occupation must be met through an off street parking arrangement, including customer parking.

When a RHO is proposed as part of an accessory building or structure housing multiple uses, the same standards apply to the accessory building or structure, along with the limitations on square footage for the RHO. Where this is the case, the property owner must submit a notarized statement (provided by the County) attesting to the use of the accessory building and the allotted square footage for the RHO.

28. Ice Production, Dispensing, Accessory to Gas Station

Agriculture/Open, Countryside Residential, Low Density Residential, General Commercial, Light Industrial, General Industrial districts

- a. Manufacturing/dispensing structure shall be located in the primary setbacks for the district.
- b. Structure shall be located on the site so as to not interfere with site circulation or gas pump stacking lanes.
- c. Where installation is part of new construction, structure shall be compatible with color scheme and building materials so as to blend in with other structures, canopies, etc.

29. Ice Production, Dispensing, Accessory to Convenience Store

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, ~~Office~~/Limited Commercial, General Commercial, Light Industrial, General Industrial districts

- a. Manufacturing/dispensing structure shall be located in the primary setbacks for the district.
- b. Structure shall be located on the site so as to not interfere with site circulation or gas pump stacking lanes.
- c. Where installation is part of new construction, structure shall be compatible with color scheme and building materials so as to blend in with other structures, canopies, etc.

30. Kennel, Private

Agricultural/Open, Countryside Residential districts

- a. The minimum distance between the outer edge of any buildings, animal enclosures or fenced areas must be at least 300 feet from the parcel boundary of any residentially zoned or used properties. This includes adjacent parcels and parcels located across street right-of-ways.
- b. The number of animals boarded outside or partially outside of the facility shall not exceed 25 animals. Animals boarded entirely inside shall not be counted as part of this limitation.
- c. The primary use, including all outside boarding areas, shall meet the Level two buffer standards of Chapter 9 of this ordinance.
- d. This use shall be required to be separated from educational institutions and places of worship by a distance of 1,000 feet. This distance shall be measured from the exterior property lines of the facility to the nearest property line of the educational institution or place of worship.
- e. All outdoor lights must be shielded to direct light and glare onto the facility's premises and may be of sufficient intensity to ensure security. Lighting and glare must be deflected, shaded and focused away from any adjoining residential or institutional property.
- f. All storage areas including dumpsters must be
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone; and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- g. Any kennel which is not wholly enclosed within a building shall be enclosed by a security fence at least six (6) feet in height.
- h. All private kennels are directed to the standards set forth in the Cabarrus County Animal Control Ordinance of 1992, incorporated herein by reference.

31. Landfill, Demolition, Less than one acre

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 CHAPTER 7-PERFORMANCE BASED STANDARDS

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, ~~Office~~/Limited Commercial, General Commercial, Limited Industrial, General Industrial districts.

A twelve month permit, which is renewable, must be obtained from the Zoning Administrator. The demolition landfill is presumed to be accessory to an ongoing construction project and as such, is permitted only for the life of the construction project.

The permit requires the submission of the following information at the time it is applied for:

- a. A survey showing the exact location of the proposed demolition landfill within the entire project must be submitted.
- b. A statement detailing all contents of the landfill
- c. A statement detailing the plans for reclaiming the landfill at the end of its use.
- d. A statement describing plans for future building, if any, on the landfill site.
- e. A boundary survey showing the location of the demolition landfill must be recorded with the Cabarrus County Register of Deeds.
- f. A description of the controls to be employed to assure the refuse stays on the site and that dust, debris, material scraps, etc. do not travel to or impact adjacent properties or right-of-ways in any way.

32. Multifamily Residential

High Density Residential/Mixed Use, ~~Office~~/Limited Commercial districts

Multifamily residential developments shall follow the density and dimensional standards listed below:

TABLE BELOW TO BE DELETED

Density (maximum units/acre)	3	Accessory (mimumum feet)	
Area (minimum acres)	5	Front yard	30
Open space (minimum)	50%	Side yard (single)	10
Governmental water and sewer	required	Side yard (total)	20
Principal (minimum feet)		Rear yard	10
Front yard	30	Height (maximum)	
Side yard (single)	10	Principal (maximum feet)	40
Side yard (total)	20	Accessory (maximum feet)	20
Rear yard	20		
Lot Coverage (maximum)			
Impermeable surface	45%		
Structural coverage	35%		

Townhome Project Standards			
Density (maximum units/acre)	4.5	Accessory Setback	
Area (minimum acres)	5	Front yard	same as principal
Open space (minimum)	35%	Side yard	
Governmental water and sewer	Required	Rear yard	
Principal Setback (minimum feet)		Height (maximum feet)	
Front yard	15	Principal	40
Side yard	10	Accessory	40
Rear yard	5	Lot Dimensions (minimum)	
Lot Coverage (maximum)		Lot area (square feet)	4,000
Impermeable surface	45%	Average lot width (feet)	40
Structural coverage	35%		

When located adjacent to property that is developed as single family residential or property that is zoned residentially, a Level Two buffer shall be provided. See Chapter 9, Landscaping and Buffer Requirements.

34. Moving Van, Truck or Trailer Rental

~~Office~~/Limited Commercial, General Commercial, Limited Industrial districts

- a. The outdoor display area may not exceed 60,000 square feet.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- c. Parking areas for rentals shall be located a minimum of 50 feet from any residentially zoned or used property.
- d. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent properties.

35. Nursery, Daycare Center

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial districts

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 7-PERFORMANCE BASED STANDARDS

- a. A copy of the N.C. State license issued to the facility is required (See NCGS 110, Child Welfare).
- b. Evidence that the N.C. Department of Transportation has issued driveway permits for the facility. Applicant should submit copies with site plan review application.
- c. Adequate access to and from the site to accommodate traffic generated, including any required roadway improvements, shall be shown on the site plan.
- d. Drop off and pick up areas shall be interior to the site, out of the public right-of-way, and designed so as not to interfere with internal circulation and ingress/egress to the site.
- e. The facility must have access to a State maintained road.

36. Office, Professional 5,000 Square Feet or Less
High Density Residential/Mixed Use district

- a. Maximum square footage shall not exceed 5,000 square feet for all enclosed structures
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening
- c. Parking areas shall be located a minimum of 50 feet from any residentially used or zoned property.

37. Permanent Temporary Event Facility

1. The site must be a minimum of 10 acres.
2. The site must be located off of, and have direct access to, a major or minor thoroughfare.
3. The site must have at least one permanent building that supports typical and customary uses accommodated on the site. Examples include enclosed event space, a catering kitchen, snack bar or pavilion. Permanent restroom facilities shall be incorporated into this building.
4. Minimum parking requirements for ADA parking on the site shall be met and shall include walkways for patrons to access the event site.
 - a. These parking spaces and walkways may be surfaced with asphalt, concrete, brick, pavers, crushed stone, compacted earth or an equivalent material, such as a stabilizer solution that can be mixed with crushed aggregate that is considered acceptable for pedestrian and ADA access. All surfaces should be firm and stable.
 - b. To the greatest extent possible, the site shall comply with the Americans with Disabilities Act as it relates to outdoor developed Areas.
5. If the site will not be used on a weekly basis, the required number of parking spaces, not including the required Handicapped Parking Spaces, may be turf. Perimeter and interior parking lot landscape requirements and parking requirements as outlined in the Commercial Design Standards related to parking areas, shall not apply to turf parking areas.

6. All trash facilities, dumpsters and/or bathroom facilities shall be located at least 100 feet from any property line. This includes any additional dumpsters or temporary bathroom facilities used for events.
7. Signage shall be permitted in accordance with Chapter 11, Table 11-1, Standards for Permanent Signage in the GC district, Combined Development standards.
8. Temporary tents, stages and other temporary structures may be used on the site for events and vendors. Required permits and inspections must be secured from the Cabarrus County Fire Marshal's office and/or Construction Standards.
9. Alcohol sales is prohibited unless otherwise permitted by state law.
10. On site emergency personnel may be required as determined by the Fire Code for Special Events.
11. When the proposed site is located next to residentially zoned or residentially used property, areas used for event seating, event set up, such as stages or vendors, and parking areas shall be located a minimum of 200 feet from the property line.

38. Public Cultural Facility

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density/Mixed Use Residential districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. When located adjacent to residentially used or zoned property, a Level One buffer shall be provided. See Chapter 9, Landscaping and Buffer Requirements.

39. Recreational Facility, Indoor

High Density Residential/Mixed Use, Office/Institutional and ~~Office~~/Limited Commercial districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. Parking areas shall be located a minimum of 50 feet from any residentially used or zoned property.

40. Recreational Trail, Greenway or Blueway, Connector

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 7-PERFORMANCE BASED STANDARDS

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial, Light Industrial, General Industrial districts

- a. Shall provide a link between public service facilities, civic buildings, schools, points of interest, neighborhoods and/or city, county and regional trail systems.
- b. See Appendix C for design standards related to trails. (greenway or blueway)
- c. Applicant shall provide information related to connections being made as part of the proposed project and shall demonstrate how connections will advance overall Cabarrus County trail and recreation systems.

41. Recyclable Materials Drop Off

Agricultural/Open, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial, Limited Industrial, General Industrial districts

- a. Must be designed such that adequate off loading and turn space exist to allow for safe ingress and egress from site.
- b. The drop-off area must meet the primary setbacks of the zone.
- c. When located adjacent to residentially zoned or used property, a Level Two buffer shall be maintained.

42. Religious Institution with Total Seating Capacity 350 or Less

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use and Office/Institutional districts

- a. The required setbacks of each zone shall be doubled in residential districts.
- b. The use must front on an arterial or collector road.

43. Repair Garage, Automobile

Agricultural/Open and ~~Office~~/Limited Commercial districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.

NOTE: In the AO district, if the use occurs on a tract of land 5 acres or more and buildings and storage areas are screened by existing vegetation or site topography from adjacent properties and are not visible from any road right-of-ways, the buffer requirement may be waived.

44. Repair Shop, Farm Machinery
Agricultural/Open district

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.

NOTE: If the use occurs on a large tract of land 5 acres or more and buildings and storage areas are screened by existing vegetation or site topography from adjacent properties and are not visible from any road right-of-ways, the buffer requirement may be waived.

45. Repair Shop, Small Engine
Agricultural/Open and ~~Office~~/Limited Commercial districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.

NOTE: In the AO district, if the use occurs on a tract of land 5 acres or more and buildings and storage areas are screened by existing vegetation or site topography from adjacent properties and are not visible from any road right-of-ways, the buffer requirement may be waived.

46. Rest Home, Convalescent Home, **Nursing Home** with 10 Beds or Less
Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use and Office/Institutional districts

- a. One rest or convalescent home may not locate within 500 feet of another rest-or convalescent home. Distance shall be measured from the property line of the existing home.
- b. Parking areas shall be located a minimum of 50 feet from the property line of any adjacent residentially zoned or used property.

47. Restaurant, Excluding Drive-Thru

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use districts

- a. Use must front on an arterial or collector road if located in a residential zone.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

In AO, CR and LDR, in the event the restaurant locates adjacent to any residentially zoned or used property, it must be physically sited at least 100 feet from the lot line of the residential property and parking areas must be located a minimum of 50 feet from the property line.

48. Restaurant with Drive-Thru Facility

~~Office~~/Limited Commercial, General Commercial, Limited Industrial and General Industrial districts

- a. All drive-thru entrances and exits must be at least 250 feet from an intersection.
- b. Adequate stacking shall be provided in drive-thru lanes so that traffic is contained on site and does not interfere with circulation internally or on any adjacent road or street right-of-way.
- c. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- d. In the event the restaurant locates adjacent to any residentially zoned or used property, it must be physically sited at least 100 feet from the lot line of the residential property and parking areas must be located a minimum of 50 feet from the property line.

49. Retail Sales, Neighborhood Market, 1,000 Square Feet or Less

Agricultural/Open district

- a. The store must be located within 500 feet of an intersection and front on an arterial or collector road.
- b. The store's lighting shall be shielded to prevent light and glare spillover on to adjacent residential properties.
- c. The maximum square footage for the building shall not exceed 1,000 square feet.
- d. All outside storage shall not be permitted with the exception of areas for dumpsters:
 - o Dumpsters shall be sited to the rear of the building and made unnoticeable from both adjacent properties and public rights-of-way through the installation of fencing and/or vegetative screening.
- e. In the event the neighborhood market locates adjacent to any residentially zoned or used property, all buildings must be sited at least 100 feet from the lot line of the residential property and parking areas must be located a minimum of 50 feet from the property line.

50. Salvage Yard

General Industrial district

- a. Materials may not be vertically stacked so as to be visible to the passing motorist.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- c. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 150 feet from the property line.

51. Sawmill

Agriculture/Open and Countryside Residential districts

- a. A minimum of 30 acres is required.
- b. Any and all mechanized sawing equipment must be located a minimum of 500 feet from tract boundary lines.

52. Scientific Research and Development, Accessory to Agriculture

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential and High Density Residential/Mixed Use districts

- a. Research must be related to agricultural activity occurring on site.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,

- within the setbacks required of the building's underlying zone, and
 - made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- c. When located adjacent to residentially zoned or used property, any outdoor research or experiment areas shall be located a minimum of 100 feet from the property line.
- d. The facility shall be designed such that it absorbs or dissipates noise to the greatest extent possible. Where facilities are adjacent to residentially zoned or used property; noise shall be reduced to the greatest extent possible at the property line.

53. Scientific Research and Development

Office/Institutional, ~~Office~~/Limited Commercial, General Commercial and Light Industrial

- a. All outside storage areas including dumpsters must be:
- sited to the rear of the building,
 - within the setbacks required of the building's underlying zone, and
 - made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. When located adjacent to residentially zoned or used property, any outdoor research or experiment areas shall be located a minimum of 100 feet from the property line.
- c. The facility shall be designed such that it absorbs or dissipates noise to the greatest extent possible. Where facilities are adjacent to residentially zoned or used property; noise shall be reduced to the greatest extent possible at the property line.

54. Self-Service Storage Facilities

~~Office~~/Limited Commercial, General Commercial and Limited Industrial districts

- a. Interior travel lanes, which serve storage units, are required to have a parking lane with a minimum width of 10 feet for loading/unloading purposes.
- b. One parking space is required for every 100 storage units with a minimum of three spaces required for the facility office.
- c. One-way interior travel lanes must have a minimum width of 15 feet in addition to the 10 foot wide parking lane. All two-way interior travel lanes serving storage units must have two (2) 12-foot wide travel lanes and be provided with a 10 foot wide parking lane.
- d. The height of the storage buildings shall be governed by the maximum height permitted for the zoning district. See Chapter 5 for dimensional requirements.
- e. All outdoor lights must be shielded to direct light and glare only onto the facility's premises and may be of sufficient intensity to discourage vandalism and theft. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.

f. Minimum and maximum lot sizes.

~~Office~~/Limited Commercial:

- Minimum lot size - one acre
- Maximum lot size - three acres

General Commercial:

- Minimum lot size - one acre
- Maximum lot size –five acres

Limited Industrial:

- Minimum lot size – one acre
- Maximum lot size –ten acres

- g. All Self Service Storage Facilities are subject to the buffering and landscaping set forth in Chapter Nine of this Ordinance.
- h. A minimum six foot fence is required about the perimeter of the development. Portions of the fence, which face arterial or residential streets, must be solid or semisolid and pleasingly decorative.
- i. No outside storage is permitted in the ~~Office~~/Limited Commercial district.
- j. In the Limited Industrial district, up to 20% of the site may be used for outdoor storage. All outdoor storage areas must be made unnoticeable through the installation of fencing or vegetative screening.
- k. When located adjacent to residentially zoned or used property or street right-of-ways, additional screening and/or landscape measures may be required.

55. Shooting Range, Indoor

~~Office~~/Limited Commercial, General Commercial and Light Industrial districts

- a. Facility design shall be such that it absorbs or dissipates noise from the firing of weapons and/or any mechanical equipment.
- b. The facility shall be located a minimum of 150 feet from the property line of any residentially used or residentially zoned property.
- c. All applicable local, state and federal permits must be obtained prior to zoning permitting.

56. Sports and Recreation Instruction or Camps

~~Office~~/Limited Commercial, General Commercial, Limited Industrial and General Industrial districts

- a. A complete description of the facility including but not limited to:
 - Hours & days of operation
 - Total number of employees, both full-time and part-time
 - Projected number of users per weekday and weekend days

- o Types of accessory uses, if any, envisioned on the site
- o Any and all other relevant information that will help describe the facility
- b. Practice areas, fields and parking areas must be a minimum of ~~five~~ **two** hundred feet ~~(500)~~ **200** from any adjacent residentially used or zoned property line.
- c. Where adjacent to residentially zoned or used property, a level two (2) buffer yard shall be installed.

57. Storage Building Sales, with Display Area

~~Office~~/Limited Commercial, General Commercial and Light Industrial districts

- a. Display Area shall not exceed 40,000 square feet.
- b. Buildings shall be arranged so that sight triangles are unobstructed.

58. Stables, Commercial

Countryside Residential and Low Density Residential districts

- a. The proposed site must be at least five (5) acres.
- b. The following setbacks are required in addition to those of the zoning district:
 - o No activity area, including pastures or runs, shall be located closer than 20 feet to any property line.
 - o Any building housing animals shall be located a minimum of 300 feet from any property line.
 - o A vegetative strip at least 100 feet wide shall be maintained between any corrals, manure piles or manure application areas and any surface water or well in order to minimize runoff, prevent erosion and promote nitrogen absorption.
- c. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

59. Swim Club, Tennis Club, Country Club

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial and General Commercial districts

- a. In any residential district, the minimum area shall be one (1) acre.
- b. Clubhouses shall meet the primary setbacks for the zoning district.

- c. There shall be a ~~100~~ 200 foot minimum setback between any accessory buildings, swimming pool, lighted tennis court, parking area or any amenity area and adjacent residentially zoned or used property.
- d. Lighting for amenity areas shall be designed such that it does not spill over onto adjacent properties.
- e. Outdoor swimming pools shall be protected by a fence, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. See Appendix G, North Carolina Building Code, Swimming Pools, Spas and Hot Tubs for requirements.

60. Towing Service, with Salvage

General Industrial district

- a. Materials may not be vertically stacked so as to be visible to a passing motorist.
- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- c. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.

61. Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales

Agricultural/Open and General Commercial districts

- a. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- b. The vehicle storage area may not exceed 60,000 square feet.
- c. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.

NOTE: In the AO district, in the event that the parcel is 5 acres or more and the storage area is completely screened from adjacent properties or right-of-ways by existing vegetation or site topography, the landscape requirement may be waived.

62. Townhouses

Medium Density Residential, High Density Residential/Mixed Use and Office/Limited Commercial districts

Townhome projects shall follow the dimensional and density standards listed below:

Townhome Project Standards			
Density (maximum units/acre)	4.5	Accessory Setback	
Area (minimum acres)	5	Front yard	same as principal
Open space (minimum)	35%	Side yard	
Governmental water and sewer	Required	Rear yard	
Principal Setback (minimum feet)		Height (maximum feet)	
Front yard	20	Principal	40
Side yard	10	Accessory	40
Rear yard	10	Lot Dimensions (minimum)	
Lot Coverage (maximum)		Lot area (square feet)	4,000
Impermeable surface	45%	Average lot width (feet)	40
Structural coverage	35%		

63. Trail Head, Accessory

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, Office/ Limited Commercial, General Commercial, Light Industrial and General Industrial districts

- a. Shall be located as part of a public use facility, civic building, school, shopping plaza, mixed-use project, Business Park or other location where shared use of space is appropriate and where an access point is located.
- b. See Appendix C for Design Standards related to trail heads and trails. (greenway or blueway)

64. Trail Head, Primary Use Site

Agriculture/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Office/Institutional, Office/Limited Commercial, General Commercial, Light Industrial and General Industrial districts

- a. Shall be the primary use of a parcel where an access point to a trail is located.
- b. May include amenity areas such as play areas, picnic areas, restroom facilities, etc.
- c. See Appendix C for design standards related to trail heads and trails. (greenway or blueway)

65. Warehouse with Outside Storage

Limited Industrial and General Industrial districts

- a. Outside stacking of materials should not be visible to the passing motorist traveling any adjacent external road.
- b. Materials must be screened with Level Three buffering. See Chapter 9, Landscaping and Buffering Requirements

66. Wind Energy Facility, Accessory Use, On Site Use Only

Agriculture/Open, Countryside Residential, Low Density Residential and Medium Density Residential districts

- a. The site must be a minimum of 5 acres.
- b. Turbines must be located 2 times the height of the tower structure from any property line or structure, including structures on adjacent properties.
- c. The height of the structure may not exceed 65 feet.
- d. Energy produced must be used on the same parcel.
- e. A decommissioning plan shall be provided that describes the anticipated life of the Facility, estimated decommissioning costs and responsible party for decommissioning the Facility.
- f. A maintenance plan shall be provided describing the maintenance schedule for the structure including the name, address and phone number of responsible party for maintenance.

67. Wireless Telecommunications Services, Co-location

Agriculture/Open Space, Countryside Residential, Low Density Residential, Medium Density Residential districts, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial, Light Industrial and General Industrial districts

- a. See Chapter 8, Section 8-4, 38

68. Temporary Uses

The Temporary Use Permit is a mechanism to allow a use on a short-term basis and certain seasonal or transient uses not otherwise allowed. Prior to conducting or establishing a temporary use or structure, approval of a Temporary Use Permit is required pursuant to Chapter 12 of this Zoning Ordinance.

All temporary uses listed in this Section require a Temporary Use Permit. The Administrator shall not approve an application for a Temporary Use Permit unless the following criteria, specific regulations and time limitations are met in addition to the standards for any particular Temporary Use specified below.

The allowance of Temporary Uses shall not be detrimental to the public health, safety and general welfare, and the use shall be consistent with the purpose and intent of this Ordinance and the specific zoning district in which it will be located. The use shall be compatible in intensity, character and appearance with existing land uses in the immediate vicinity of the temporary use. The neighborhood and street network surrounding the temporary use shall not be adversely affected by the use or activities associated with it. In addition to those listed herein, factors such as location, noise, odor, light, dust control and hours of operation shall be considered.

- a. The use shall not take place on publicly or privately owned property unless the applicant first obtains written approval from the owner. The original signed letter shall be provided as part of the Temporary Use Permit application and review process.
- b. The location of the Temporary Use shall be such that adverse impacts on surrounding properties will be minimal, particularly regarding any type of traffic generated impact upon traffic circulation in the area.
- c. Adequate off-street parking shall be provided to serve the temporary use. Temporary Uses shall not displace the required off-street parking spaces or loading areas of the principal permitted use(s) on the site. Sales and display areas shall be designed to prevent traffic hazards and nuisances to normal traffic patterns and internal circulation for the site.
- d. Structures and display areas shall comply with primary setback requirements for the zoning district. The items shall be displayed so as to not interfere with the sight triangle of the intersection of the curb line of any two streets or a driveway and a street. Display of items or conducting business in a public right-of-way, emergency access lane or fire lane is not permitted.
- e. Unless specifically stated, only one Temporary Use Permit shall be issued for a parcel at any given time.
- f. The period of time between Temporary Use Permits on a parcel shall be thirty (30) days (expiration date and new issue date). This restriction shall not apply to real estate development and construction related temporary uses.

- g. Recreational Vehicles shall not be used as a temporary use or as part of a temporary use.
- h. Overnight camping in RVs, tents or campers is not permitted as part of a temporary use.

TEMPORARY RETAIL SALES RELATED

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

Seasonal Sales permitted in OI, LC, GC and LI zoning districts only. Limited to a period of time not to exceed four (4) consecutive months per calendar year. A maximum of one (1) building or display booth shall be allowed and may cover a maximum of 400 square feet. Display area shall not interfere with emergency ingress/egress or with required parking. The structure must be portable and completely removed when the permit expires.

Itinerant Merchants

The sale of food, beverages, or merchandise from a stand, motor vehicle or from a person may be allowed in the LDR, MDR, HDR, LC and GC zoning districts at existing business sites. Temporary stand, vehicle, display area, etc. shall not interfere with emergency ingress/egress, sight triangles or required parking. The permit shall be limited to a period not to exceed ninety (90) continuous days per calendar year at a given location. The 90 days starts at date of issue and does not exclude days that the vendor is not on site.

Promotional Activities Involving the Display of Goods or Merchandise

Such activities may be conducted at a business for a period of not more than fifteen (15) consecutive days. Merchandise and display area shall not interfere with emergency ingress/egress, sight triangles or required parking. If a private sidewalk or pedestrian way in front of the building is used for display of merchandise, a minimum width of four (4) feet must remain unobstructed for pedestrian use. A Temporary Use Permit for promotional activities may be renewed four times during any calendar year, for a maximum of 60 days per calendar year. New Recreational Vehicles for sale as part of promotional displays are permitted.

REAL ESTATE, DEVELOPMENT AND CONSTRUCTION RELATED

Contractor Office, Construction Equipment Storage

Accessory to an active Construction Project, permitted in any zoning district. Placement of such temporary use is limited to a period of time determined by an estimated project completion date. The permit may be extended for up to one year if approved by the Administrator. A construction trailer or modular unit may be used as a contractor's office or for the storage of equipment or materials. In the event that multiple builders are involved in a new construction project, one construction trailer or

temporary modular unit may be permitted per builder for office or for storage. All temporary buildings and trailers shall be completely removed from the site within thirty (30) days of the Certificate of Occupancy being issued for the project.

Real Estate Sales Office in a Construction Trailer or Temporary Modular Unit, Residential Projects
Temporary structures, construction trailers or temporary modular units may be used as real estate sales offices in any active residential construction project for the sale of units within that project only. In the event that multiple builders are involved in a new construction project, one construction trailer or temporary modular unit may be permitted as a sales office per builder. Each individual trailer or modular unit shall be located on an individual lot. In no case shall multiple permits be issued for the same Parcel Identification Number (PIN). The permit shall be valid until the project is complete. All temporary structures shall be removed within 30 days of final sale.

Real Estate Office in Model Home

Accessory to construction of a new residential development. Model homes must be located on individual parcels. Limited to a period of time not to exceed one year with the option of an extension of up to one year if approved by the Administrator.

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

Temporary structures, such as construction trailers or temporary modular units, may be used as real estate sales offices in any active commercial or mixed use construction project for the sale or leasing of units within that project only. In the event that multiple builders are involved in a new construction project, one construction trailer or temporary modular unit may be permitted as a sales or leasing office per builder. All temporary structures shall be removed within 30 days after final sale.

Temporary Dwelling for Large Construction Projects

During the active construction period (after a building permit has been issued) projects involving a non-residential use or a residential development with building permit(s) for more than 50 units at any one time, one (1) single section manufactured home may be allowed on the same property to be used as a temporary residence by a night watchman for a period not to exceed 12 months or the active construction period, whichever is less. The temporary unit shall be removed from the site within 14 days of issuance of the Certificate of Occupancy for a non-residential structure or the occupancy of the first residential unit if within a residential development.

Temporary Residence in Manufactured Home During Construction of New Home on Same Site

In the event that a new single-family home is being constructed on a parcel where a manufactured home currently exists in the AO, CR, LDR, MDR and HDR zoning districts, the manufactured home may remain for the duration of the building process for the new home. The manufactured home shall be removed within 30 days of the date of the last final inspection, as required by North Carolina Building Codes. In no case shall the new home and manufactured home be occupied at the same time. **NOTE: RVs are not considered Manufactured Homes and may not be used as a temporary residence.**

OTHER TEMPORARY USES

Auction, Estate or Asset Liquidation

Estate or asset liquidation auctions are permitted in any zoning district for a period not to exceed three (3) days. Patron parking shall be located so as to not interfere with neighborhood traffic and so that emergency access is maintained for the street right-of-way and to the auction site.

Auction, Livestock

Livestock auctions are permitted in the AO, CR, MDR or LDR zoning districts at existing agriculture sites for a period not to exceed three (3) days. Patron parking shall be located so as to not interfere with traffic and so that emergency access is maintained for the street right-of-way and to the auction site. If used, temporary holding pens shall be located a minimum of one hundred and fifty (150) feet from any adjacent residentially used or zoned property.

Temporary Tents or Other Temporary Structures, including Cell on Wheels

Temporary tents or other temporary structures may be allowed in any non-residential zoning district for a period not to exceed sixty (60) days. The tent or temporary structure shall be removed within 48 hours of the end of the event. Note: Intended use of tent or temporary structure may initiate review and approval by the Cabarrus County Emergency Management Office in lieu of standard zoning permit.

FEMA Trailers, Natural Disaster or Significant Weather Event

FEMA Trailers may be used as temporary housing in any residential zoning district following a natural disaster or significant weather event. Should a non-conforming residential use exist at the time of a natural disaster or significant weather event in a district other than residential, a FEMA trailer may be used as temporary housing in that zoning district. FEMA Trailers shall be removed within 90 days of completion of new construction.

Health Care Structure

One family health care structure, as defined in Chapter 2, may be placed on the property of the residence of the primary care giver. The Health Care Structure shall comply with the established accessory structure setbacks for the zoning district. The initial permit shall be good for 24 months and shall be renewed every year thereafter. The applicant must provide evidence of compliance for initial permitting and for subsequent renewals. No signage advertising or promoting the existence of the temporary health care structure is permitted. Any temporary family health care structure installed pursuant to this section shall be removed within 60 days of which the mentally or physically impaired person is no longer receiving or is no longer in need of the assistance being provided by the primary care giver. The health care structure shall be 300 square feet or less. For lots served by well and septic, prior approval from Cabarrus Health Alliance required.

Mobile Personal Storage Unit, Vacate or Occupy Premise

One personal mobile storage unit permitted per parcel in any zoning district. The unit may be stored on site for up to 30 days to allow the current owner or tenant to vacate the premises or to allow a new owner or tenant to occupy the premises. In no case shall this type of unit be permitted or used for permanent storage on a site.

Mobile Personal Storage Unit, Renovation

One personal mobile storage unit permitted per parcel in any zoning district. The unit may be stored on site for up to 90 days to allow for temporary storage during renovation or remodeling projects. In no case shall this type of unit be permitted or used for permanent storage on a site.

Dumpsters, Commercial Waste Containers

One commercial waste container or dumpster permitted per parcel in any zoning district. The unit may remain on site for a maximum of 90 days to allow for remodeling, construction or debris removal projects. At no time shall debris be permitted to accumulate beyond the container rim. In no case shall this type of unit be permitted or used for permanent waste disposal on a site.

Similar and Compatible Uses Not Specified

If a particular temporary use is not listed in the Ordinance, the Administrator shall have the authority to grant a temporary use permit for a “similar and compatible use”. Similar and compatible uses not specified are those uses which are similar and compatible to those allowed as temporary uses in this section. Determination of what constitutes similar and compatible shall be made by the Administrator.

If the Administrator determines that the use is not similar and compatible, the applicant may appeal the decision to the Planning and Zoning Board of Adjustment in accordance with Chapter 12.

TEMPORARY SIGNS

See Chapter 11, Signage.

Section 8-1 Introduction

The purpose of this Chapter is to set forth those land uses termed "**special uses**" which are generally land uses with the potential for more far reaching effects than uses based on administrative standards (PBS). They require **additional** regulations to insure their compatibility with other permitted development and often, require large land areas. These uses are such that their effects on the surrounding environment cannot be fully determined in advance of their being proposed for a specific area. **The review and approval process is intended to mitigate the impacts of the proposed special use as it relates to the surrounding area.**

Section 8-2 How to use this chapter

Special uses are set forth below. At the beginning of each section is a statement showing which zoning districts allow the special use. Specific standards that must be met to permit the use are then listed. While all special uses require submittal of a site plan meeting the established general standards of the ordinance (described in Chapter Twelve), some require that additional information ~~to~~ be shown on the site plan or that additional information be submitted as part of the application.

Section 8-3 Petitioning for a Special Use

Because of their potential for affecting neighboring landowners, special uses warrant review in a public forum. The Planning and Zoning Commission, acting as Board of Adjustment, hears the request for a **special use permit**. A simple majority vote by the Commission members present and not excused from voting is required for the issuance of a **special use permit**. If a **special use permit** request is denied by the Board of Adjustment, the applicant may appeal the decision to the Superior Court of Cabarrus County, North Carolina.

In general, the process for seeking a **special use permit** is as follows (Please see Chapter 12 for more details regarding the **special use permit** process):

Step 1 Prior to filing a **Special Use Permit** Application, the Applicant is required to attend a pre-application meeting with Planning and Development Staff. At that time, the proposed project will be discussed and required submittal materials will be determined. Examples of items that may be required, in addition to a complete application and site plan, include but are not limited to:

- Traffic Impact Analysis Documents (See Appendix A)
- Intent to Serve Letters
- NCDOT Driveway Permits
- Post-Construction Stormwater Permits
- **Soil and Erosion Control Permits**

Step 2 **The applicant is required to hold a neighborhood meeting with adjacent property owners to explain the proposed project, display the proposed site plan and to answer questions that the neighbors may have related to the proposal. To the greatest extent possible, the**

applicant is encouraged to incorporate design elements into the project that mitigate impacts identified as part of the neighborhood meeting process. Minutes from the neighborhood meeting shall be included with the application materials.

Step 3 The Applicant files a complete application with Cabarrus County Planning and Development. This includes filing the required number of copies of the proposed site plan and any other materials required for the application to be considered complete, as determined during the pre-application meeting (See Step 1).

Step 4 The project is distributed to review agents and comments are returned by Staff to the Applicant regarding changes or revisions needed to the proposed plan and/or application materials.

Step 5 When revisions are submitted, approved, and the plan and application materials conform to the applicable ordinances, the revised complete application is presented to the Planning and Zoning Commission, acting as Board of Adjustment, for consideration.

Applications for a Special Use must demonstrate compliance with the general standards of review. Additionally, Special Uses must:

- a. Maintain or enhance the public health, safety and general welfare ~~if located where proposed, developed and operated according to the plan as submitted;~~
- b. Maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not do so);
- c. Assure the adequacy of:
 - o Waste water disposal
 - o Solid waste management
 - o On site drinking water and waste water disposal
 - o Governmental water and sewer (if applicable)
 - o Police, Fire and ~~rescue squad~~ Emergency Medical Services protection
 - o School adequacy (if applicable)
 - o Transportation systems ~~(within and around the site)~~ and
 - o Other public facilities
- d. Comply with the general plans for the physical development of the County as embodied in these regulations ~~or in the Land Use Plans adopted by the Cabarrus County Board of Commissioners.~~

Special conditions arrived at by the Planning and Zoning Commission

When the Commission finds that circumstances relating to a particular use warrant more requirements, in addition to those listed in connection with the use, ~~the Commission may attach necessary conditions such as time limitations, requirements that one or more items be completed before the request can be initiated or permits obtained and/or conditions of a continuing nature.~~ . Examples include requirements such as additional screening measures and

landscaping, additional or less lighting, size and location of signs, limiting access points, etc. the Commission may impose reasonable and appropriate safeguards upon the special use permit. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities.

To summarize, special uses are subject to both general and specific requirements, rather than being automatically permitted. The review process of a special use assures that County government is meeting its responsibility of providing for the general health, safety and welfare of the residents of Cabarrus County.

Section 8-4 Special Uses

1. Adult Use Business

General Commercial district

- a. Site plan should show all surrounding land uses within 500 feet of the proposed site boundary lines.
- b. All windows, doors, openings, entries, etc. for all adult uses shall be so located, covered, screened or otherwise treated so that views into the interior of the establishment are not possible.
- c. No adult use shall be established within three thousand (3,000) feet of the proposed property boundary from the following:
 - o Any residentially zoned or used land
 - o Religious institutions
 - o Schools, parks, playgrounds, libraries or other areas where minors regularly congregate
 - o Another adult use business

2. Airport, Commercial

General Commercial, Limited Industrial and General Industrial districts

- a. A ~~diagram~~ site plan depicting the layout of runways, taxiways, approach zones and overrun areas. These ~~diagrams~~ plans should also be on aerial photographs showing a five mile radius from the proposed site.
- b. A description of the number and type of aircraft proposed to be stored including the storage areas for aircraft, fuel and motor vehicles, and service areas for aircraft.
- c. A listing of the land uses within the final approach zones of the airport.
- d. Documentation must be submitted showing that the proposed site meets the standards of both the Federal Aviation Administration and the North Carolina Department of Transportation.

- e. Setback, buffer yard, fencing and parking requirements appropriate to the specific nature of the use proposed will be established during the **special use permit** process and approved by the Board of Adjustment. In no case, however, shall the minimum level buffer between the proposed project and adjacent residentially used or zoned properties be less than a Level ~~Two~~**One** buffer yard.
- f. The number, size, weight and type of aircraft may be limited in the **Special Use Permit** if required for public safety and welfare.
- g. **Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials.**

3. Airstrip, as Accessory

Agricultural/Open, General Commercial, Limited Industrial and General Industrial districts

- a. A site plan showing all surrounding land use and a listing of the land uses within the final approach zones of the airstrip.
- b. A general description of how the airstrip will be used including but not limited to:
 - o Frequency of landings/takeoffs
 - o Size of aircraft accommodated
 - o Length of runway
 - o Proposed lighting for the facility
 - o Any other relevant information
- c. A copy of certification documentation and/or any other documentation or permits required by the Federal Aviation Administration (FAA) and the State of North Carolina (if applicable).
- d. **Airstrips may be enclosed by a security fence up to eight (8) feet in height. This applies in all zoning districts.**
- e. **Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials.**
 - **When located in a residentially zoned district, structures shall have a residential appearance and shall be in keeping with the architectural character of the area.**

4. Amusement, Outdoor

General Commercial district

- a. Site must be a minimum of 15 acres
- b. A complete description of the facility including but not limited to:
 - o Hours and days of operation
 - o Total number of employees, both full-time and part-time
 - o Projected number of users per weekday and weekend days
 - o Types of accessory uses, if any, envisioned on the site

- Any and all other relevant information that will help describe the facility
- c. Where the proposed project abuts residentially used or zoned property, a Level Two buffer yard shall be provided.
- d. No parking or amenity area shall be located closer than 100 feet to any residentially zoned or used property.
- e. Other conditions may be placed on the site during the special use process as deemed necessary by the Board of Adjustment in relation to hours of operation, noise, traffic, etc.

5. Coliseums, Stadiums

General Commercial, Limited Industrial and General Industrial districts

- a. A complete description of the facility including but not limited to:
 - Types of events, days and hours of operation
 - The projected number of users per weekday and weekend days, with the maximum number expected at any one event
 - Total number of seats
 - Types of accessory uses, if any, envisioned on the site (initially or in the future)
 - Total number of employees, both full-time and part-time
 - Any and all other relevant information that will help describe the facility
- b. The site shall contain at least 20 acres.
- c. All structures, viewing and seating areas shall be set back at least one hundred (100) feet from any street, street right-of-way or property boundary line.
- d. The following accessory uses may be permitted as incidental to, and limited to the patrons of, the principal use:
 - Playground
 - Refreshment stands or booths
 - Souvenir stands or booths
- e. All access ways shall be lit so that sidewalks, pedestrian pathways, etc. are clearly visible. The facility's lighting shall be shielded to prevent light and glare spill-over on to any adjacent residentially used or zoned properties.
- f. Maximum permitted noise levels may be established in order to protect adjacent properties. Any such requirement will be made a part of the **Special Use Permit** which may also specify the measures to be taken to control noise, including but not limited to muting, special landscaping treatment and berms.

6. Colleges and Universities

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential and High Density Residential/Mixed Use districts

- a. A complete description of the facility including but not limited to:
 - Hours of operation
 - Projected student enrollment years one through five

- Description of curriculum
 - Degrees, certificates offered
 - Total number of employees, both full-time and part-time
- b. In the event the facility abuts residential property, Level Two buffering is required.
- c. In no case shall any parking area or student amenity area be located less than 100 feet from a residentially zoned or used property.

7. Communications Tower, 911 Communications Tower

Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use and Office/Institutional districts

- a. The tower must be designed to land upon its own property in the event of a fall and shall be certified by a North Carolina registered Professional Engineer (PE).
- b. The tower shall be located on the property such that the distance to the nearest structure ~~or property line~~ is equal to the height of the tower plus 50 feet **or greater**.
- c. Towers shall be enclosed by a security fence not less than six (6) feet and no taller than eight (8) feet in height.
- d. The tower and any accessory buildings must be screened from public view by a buffer that is a minimum of four (4) feet wide and located immediately adjacent to the perimeter of the compound. Plantings shall effectively screen the compound from adjacent residential properties.

8. Convention Center Facility

Office/Institutional and General Commercial districts

- a. A complete description of the facility including but not limited to:
 - Hours and days of operation
 - Total number of employees, both full-time and part-time
 - Projected number of users per weekday and weekend days
 - Types of accessory uses, if any, envisioned on the site
 - Any and all other relevant information that will help describe the facility
- b. Site shall be a minimum of five (5) acres
- c. Amenity and parking areas must be a minimum of five hundred feet (500) from any adjacent residentially used or zoned property line.
- d. Where adjacent to residentially zoned or used property, a Level Two buffer shall be installed.

9. Correctional Facility

Agriculture/Open, Limited Industrial, General Industrial districts

- a. A complete description of the facility including but not limited to:
 - o Total number of employees, both full-time and part-time
 - o Total number of offenders to be housed
 - o Types of accessory uses, if any, envisioned on the site
 - o Any and all other relevant information that will help describe the facility
- b. Site shall be a minimum of ten (10) acres
- c. Any recreation areas or housing unit yard areas shall be located interior to the site where feasible and must be located a minimum of one thousand feet (1,000) from any adjacent residentially used or zoned property line.
- d. Where adjacent to residentially zoned or used property, a Level One Buffer shall be installed.
- e. Outside security measures shall be shown on the site plan, including fences, guard towers, manned entry points, gates, etc.
- f. Any anticipated future additions or phases shall be shown on the site plan. This includes future building expansions, accessory buildings, recreation facilities, parking expansions, classroom areas, etc.

10. Day Camp, Summer Camp, Civic Group Camp Facility

Agriculture/Open and Countryside Residential districts

- a. A complete description of the facility including but not limited to:
 - o Hours and days of operation
 - o Total number of employees, both full-time and part-time
 - o Projected number of users per weekday and weekend days
 - o Types of accessory uses, if any, envisioned on the site
 - o Any and all other relevant information that will help describe the facility
- b. Site shall be a minimum of six (6) acres in the AO district and four (4) acres in the CR district
- c. Play areas, sports fields and parking areas must be a minimum of ~~five-two~~ hundred feet ~~(500)~~ (200) from any adjacent residentially zoned or used property line.
- d. Where adjacent to residentially zoned or used property, a Level One ~~Two~~ Buffer shall be installed.
- e. Where overnight accommodations are provided, facilities shall be located interior to the site and shall have a residential appearance.

11. Elementary, Middle and High Schools

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use and Office Institutional districts

- a. A complete description of the facility including but not limited to:
 - o Total square footage all buildings
 - o Site plan showing layout of all buildings, playgrounds, parking areas, etc.
 - o Projected student enrollment

- Grades taught
 - Total number of employees, both full-time and part-time
- b. School sites shall have frontage on a minimum of two roads providing at least two access points to the site. Sites having frontage on only one road shall provide a minimum of two access points on that road.
- c. Drop off and pick up areas shall be designed such that internal circulation is not disturbed nor is access on adjacent roads or streets.
- d. Stacking distances for cars and buses shall be incorporated onto the school site through a series of driveways or internal access roads and shall not impact adjacent right-of-ways.
- e. Alternate transportation routes and connectivity shall be incorporated into the site, including sidewalks to adjacent neighborhoods and multi-use paths for bicyclists or walkers.
- f. Locations of temporary trailers or potential expansions shall be incorporated into the master plan for the school and shall be shown on the site plan.

See Cabarrus County School Site Design Guidelines for additional information.

In the event the facility abuts residential property, Level Two buffering must be implemented. See Chapter 9, Landscaping and Buffer Requirements.

12. Extraction of Earth Products, Mining

General Industrial district

- a. Extent of area to be excavated or mined
- b. Locations, width and elevation of all easements and rights of-way within or adjacent to the extraction site.
- c. Location of all existing or proposed structures on site.
- d. Location of all areas on the site subject to flood hazard or inundation as shown on flood maps or soils map.
- e. Location of all water courses on the site, including direction of flow and normal fluctuation of flow.
- f. Existing topography at a contour interval of two (2) feet based on mean sea level datum.
- g. Proposed handling and storage areas for overburden, by-products and excavated materials.
- h. Proposed fencing, screening and gates, parking, service and other areas.
- i. Any areas proposed for ponding.
- j. Access roads to the site, as well as on-site roads, with indication of surface treatment to limit dust. Sight distances on all roads used for access to the site.
- k. An Operations Plan including:
 - The date operations begin and their expected duration
 - Proposed hours and days of operations
 - Estimated type and volume of extraction

- Description of method of operation, including the disposition of topsoil, overburden and by-products
- Description of equipment to be used in the extraction process
- Any phasing of the operation and the relationship among the various phases
- I. A Rehabilitation Plan which shall include:
 - Accomplishment and planned future use of the rehabilitated land
 - A map showing the final topography, after rehabilitation, to the same scale as the site plan. It shall also depict any water areas and methods for preventing stagnation and pollution, landscaping and ground cover proposed to be installed and the amount and type of back fill, if any, to be employed
 - A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date to be completed
 - The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations
 - The name, address and signature of land owners and applicants
 - A written legal description of survey of the property, prepared by a North Carolina registered land surveyor or engineer

All operations associated with extraction shall conform to the following performance standards:

- a. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.
- b. Equivalent sound levels at the boundaries of the extraction site shall not exceed the following standards:
 - Between 7:00 am and 7:00 pm 60 DBA
 - Between 7:00 pm and 7:00 am 55 DBA
- c. Vibration levels at the boundaries of the extraction site shall not exceed the following standards:
 - Maximum Peak Particle Velocity:
 - Steady state 1.0 inches/second
 - Impact 2.0 inches/second

NOTE: The maximum particle velocity shall be the product of two times the frequency in cycles per second times the sum of three mutually perpendicular displacement components recorded simultaneously. For purposes of this Ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty per minute. Discrete impulses which do not exceed sixty per minute shall be considered impact vibrations. Maximum air blast vibration, measured at the lot lines of the zoning lot containing the extractive use, shall be one hundred and twenty-five decibels on the linear scale.

The rehabilitation plan shall be referred to the Cabarrus County Soil and Water Conservation District for review and recommendation. In particular, its review should focus on the landscape material specified, the planting and maintenance proposed to insure continuous growth and

development, and, the acceptability of the proposals for the handling of lakes, ponds, etc. The District's report is not necessarily binding upon the Commission.

- d. The permanent roads, defined as those to be used in excess of one year, within the excavation site shall be surfaced with a dust free material such as soil cement, bituminous concrete or Portland Cement concrete from the nearest public road to the yard area. Also, all permanent roads located within three hundred (300) feet of residentially zoned land shall be treated the same.
- e. Roads other than permanent roads shall be treated with dust inhibitors, as specified in the operations plan, to reduce and minimize dust generation from road surfaces from either wind or vehicular action. Properly operated water wagons shall be an acceptable method of dust inhibition.
- f. Where the proposed extraction shall take place within three hundred (300) feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land, a security fence at least six (6) feet high shall be installed.
- g. Spoil piles and other accumulations of by-products shall not be created to a height more than forty (40) feet above the original contour and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.
- h. The operations plan and rehabilitation plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consonant with good practices and so that rehabilitation proceeds simultaneous with extraction.
- i. The facility is required to implement Level Two buffering about the perimeter. See Chapter 9, Landscaping and Buffer Requirements.

The Planning and Zoning Commission shall require a performance guarantee, in a form approved by the County Attorney, to insure that the provisions of the rehabilitation plan are met. The amount of such guarantee shall cover the cost of rehabilitation. The applicant's engineer shall certify to the County the costs of rehabilitation on a per acre basis. If the rehabilitation costs exceed the amounts required by the State, then the difference shall be made up in a bond payable to Cabarrus County, that must be posted before commencement of any earth product extraction operations.

13. Landfill, Sanitary or Landfill, Demolition-One Acre or More

Agricultural/Open, Limited Industrial and General Industrial districts

The following additional items shall be included on the site plan:

- a. Extent of area to be filled.
- b. Location, width and elevation of all easements and rights-of-way within or adjacent to extraction site.
- c. Location of all existing or proposed structures on site.
- d. Location of all areas on the site subject to flood hazard or inundation.
- e. Location of all water courses on the site, including direction of flow and normal fluctuation of flow.
- f. Existing topography at a contour interval of two feet, based on mean sea level datum.

- g. Typical cross sections showing extent of overburden, extent of fill and water table elevation, based on mean sea level datum.
- h. Proposed handling and storage areas for overburden, by-products and fill materials.
- i. Proposed fencing, screening and gates, parking, service and other areas.
- j. Any areas proposed for ponding.
- k. Access roads to the site, as well as on-site roads, with indication of surface treatment to limit dust. Site distances on all roads used for access to the site.

An Operations Plan shall be submitted including:

- The date of commencement of operations and their expected duration
- Proposed hours and days of operation
- Complete description of operation, including source of materials, method of compaction, type of sealing proposed, types and number of equipment to be used
- Any phasing of operations and relationship among phases

A Rehabilitation Plan shall be submitted which shall include:

- A statement of planned future use of the site, including detailed methods of accomplishment
 - A map, to the same scale as the site plan, showing final proposed topography, landscaping and ground cover proposed and any drainage or other structures proposed
 - A phased plan of rehabilitation, related to the operations plan, showing how the rehabilitation will relate to the fill operations and the date of final completion
- l. Copies of all permits required by all applicable regulating North Carolina and federal government agencies shall be submitted.

All operations associated with the fill shall conform to the following performance standards:

1. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.
2. Equivalent sound levels at the boundaries of the fill site shall not exceed the following standards:
 - Between 7:00 am and 7:00 pm 60 DBA
 - Between 7:00 pm and 7:00 am 55 DBA
3. Vibration levels at the boundaries of the fill site shall not exceed the following standards:
 - Maximum Peak Particle Velocity
 - Steady state 1.0 inches/second
 - Impact 2.0 inches/second

NOTE: The maximum particle velocity shall be the maximum displacement sums of three mutually perpendicular components, recorded simultaneously, and multiplied by the frequency in cycles per second.

For purposes of this Ordinance, steady-state vibrations are defined as vibrations which are continuous or vibrations occurring in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute shall be considered impact vibrations.

4. The Rehabilitation Plan shall be referred to the Cabarrus County Soil and Water Conservation District for review and recommendation, in particular regarding the landscape material specified, the planting and maintenance proposed to insure continuous growth and development, and the acceptability of the proposals for the handling of lakes, ponds, etc.
5. The permanent roads, defined as those to be used in excess of one (1) year, within the fill site shall be surfaced with a dust free material, such as soil cement, bituminous concrete or Portland cement concrete.
6. Roads other than permanent roads shall be treated with dust inhibitors, to be specified in the Operations Plan, which will reduce to a minimum the generation of dust from the road surfaces as a result of wind or vehicular action. Properly operated water wagons are an acceptable means of dust inhibition.
7. Where the proposed fill shall take place within three hundred (300) feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land, a security fence at least six (6) feet high shall be installed.
8. The Operations Plan and the Rehabilitation Plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consistent with good practices and so that rehabilitation proceeds in concert with filling.

14. Manufactured Home Parks

Permitted in Manufactured Home Park Overlay District only

- a. All submissions for a **special use permit** for a Mobile Home Park must meet the standards of this section, the requirements of the Manufactured Home Park Overlay in Chapter 4 as well as Sections 4-49, 4-50 and any applicable subdivision regulations where new individual lots are created.
- b. Must meet the Adequate Public Facility Standards within Chapter 4, Section 17 of the Cabarrus County Subdivision Ordinance.

15. Multimedia Production and Distribution Complex

Agricultural/Open, Countryside Residential districts

- a. A complete description of the proposed facility including but not limited to:
 - Proposed uses envisioned within the complex
 - Type of development allied with the proposed facility likely to occur
 - ⊖ Total number of employees, both full-time and part-time

- b. Setback, buffer yard, fencing and parking requirements appropriate to the specific nature of the use proposed will be established during the **special use permit** process and approved by the Board of Adjustment. In no case, however, shall the minimum level buffer between the proposed project and adjacent residentially used or zoned properties be less than a Level Two buffer yard.

16. Nursery, Daycare Center

Limited Industrial and General Industrial districts

- a. A copy of the North Carolina State license issued to the facility is required (see NCGS Chapter 110, Child Welfare).
- b. Evidence that the North Carolina Department of Transportation has issued driveway permits for the facility. Applicant shall submit copies with site plan review application.
- c. Adequate access to and from the site, to accommodate traffic generated, including any required roadway improvements.
- d. Drop off and pick up areas shall be interior to the site, out of the public right-of-way, and designed so as to not interfere with internal circulation and ingress/egress to the site.
- e. Outdoor recreation areas must be enclosed with a fence.
- f. There must be direct access to a State maintained road.

17. Public Service Facility

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial, Limited Industrial and General Industrial districts

- a. Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials.
- b. A landscape plan (same scale as site plan) showing existing and proposed trees, shrubs, ground cover and all other landscape material.
- c. An emergency plan showing how possible spills, explosions, etc. would be handled.
- d. Maximum permitted noise levels may be established in order to protect adjacent properties. Any such requirement will be made a part of the **special use permit** which may also specify the measures to be taken to control noise, including but not limited to muting, special landscape treatment and berms.
- e. The facility's lighting shall be shielded to prevent light and glare spill-over on to any adjacent residentially used or zoned properties, if such exist.
- f. When a building is involved and will be located in a residentially zoned district, it shall have a residential appearance or the appearance of other buildings allowed as a matter of right in this district.

- g. In the event the facility abuts residential property, a Level Two buffer must be implemented.
- h. All outside storage areas shall be sited to the rear and require a Level Two buffer. See Chapter 9, Landscaping and Buffer Requirements.

In addition to the items listed above, the following standards shall be required for any proposed solar farm projects:

1. The height of the system shall not exceed 10 feet measured from the highest natural grade below each solar panel **to the top of the panel, including at full extension for tracking panels.**
2. A map analysis showing a radius of 5 nautical miles from the center of the project area with any airport operations in the area highlighted shall be submitted with the application.
 - a. If a Federal Aviation Administration (FAA) regulated airport falls within the radius, all required documentation and information shall be submitted to the Federal Aviation Administration for review and approval and shall be submitted as part of the application.
3. In addition the FAA review for the project, applicant must demonstrate that any glare created from the project will not adversely impact surrounding properties or vehicles traveling on right of ways, **streets or roads** near the site **by submitting a glare analysis study. The study must be signed and sealed by a licensed North Carolina Engineer (PE).**
4. A copy of the executed Decommissioning Plan for the project, **in accordance with the County template,** shall be submitted as part of the application. This plan shall be recorded in the Register of Deeds office.
5. In the event the facility abuts residential property or a street right of way, a type 1 buffer must be implemented. **Existing vegetation located in this buffer area shall be retained.**
6. **Proposed landscape/vegetative buffering shall provide complete visual screening between the proposed site, adjacent residential properties and any street right of ways.**
7. **A copy of the Certificate of Need documents issued by the State of North Carolina shall be provided as part of the application.**
8. **A security fence no less than 6 feet tall shall be installed around the perimeter of the proposed site.**
9. **A performance bond for 1.25 times the estimated cost of the removal of panels, inverters and any accessory equipment or structures anticipated to be located on the project site at build out shall be filed with the County prior to issuance of a zoning clearance permit. The removal estimate and amount will be certified by a North Carolina licensed engineer. For every year following approval, the bond shall increase by an inflation factor based upon the Consumer Price Index (CPI) Index. A revised bond shall be provided every 5th year that the solar project is in place.**
10. **Applicant will provide a maintenance contract for the landscape for the project for 18 months following the final landscape inspection by the zoning division. In cases where**

existing well established vegetation is proposed to be used to meet buffering requirements, the maintenance contract will apply to newly planted vegetation only.

Any solar facility that ceases to produce energy on a continuous basis for 12 months will be considered abandoned and the property owner and other legally responsible party shall be required to decommission the site unless substantial evidence is provided to the Zoning Administrator of the intent to maintain and reinstate the operation of the facility.

Should the property owner or lessee decide to cease producing power for sale or use, or in the event that the system is damaged and will not be repaired or replaced, decommissioning of the site shall occur within 12 months from the time that the facility is deemed to be defunct.

18. Public Use Facility

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential and High Density Residential/Mixed Use Residential

- a. Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials.
- b. A landscape plan (same scale as site plan) showing existing and proposed trees, shrubs, ground cover and other all other landscape material.
- c. When a building is involved and will be located in a residentially zoned district, it shall have an appearance suitable for a residential district.
- d. In the event the facility abuts residential property, a Level One buffer must be implemented.
- e. All outside storage areas shall be sited to the rear and require a Level One buffer. See Chapter 9, Landscaping and Buffer Requirements.

19. Race Shop, Race Team Complex

Agricultural/Open district

- a. A complete description of the facility including but not limited to:
 - Hours and days of operation
 - Total number of employees, both full-time and part-time
 - Types of accessory uses (see paragraph 2 below) envisioned for the site
 - Any and all other relevant information that will help describe the facility

Minimum lot area is five (5) acres

- b. The race complex shall be the principal use under the **special use permit** request. Accessory uses may be permitted when necessary for the operation of the complex. Accessory uses include, but are not limited to, the following:

- Engine rooms
 - Conference facilities
 - Sheet metal shops
 - Storage of souvenirs
 - Storage facilities
 - Housing
 - Airstrip (See 8-4,3)
 - Airplane Hangars
 - Museums
 - Pit practice training facilities
- c. The site must front on a public road.
- d. The front and side yard setback areas shall be left in an undisturbed, natural setting.
- e. All manufacturing, testing, office and activities shall be conducted within an enclosed building.
- f. Outside storage is permitted but must be completely screened on all sides by a Level Two buffer as described in Chapter 9. Outside storage is not permitted in the front yard.
- g. All driveways shall be paved.
- h. When the site is adjacent to residentially used or zoned property, outside pit practice training areas shall be located interior to the site to minimize noise to adjacent residential properties.
- i. When the site is adjacent to residentially used or zoned property, a Level Two buffer is required on the common boundary line.

The proposed use must be able to comply with the following:

- A. Objectionable noise shall be muffled or eliminated so as not to become a nuisance to adjacent uses. It shall be the responsibility of the applicant to provide proof that all noise for the operation does not exceed the maximum permitted sound levels listed below. Maximum noise levels are as measured from the lot line. The Commission may require more stringent noise restriction if it finds as a fact that noise should be muffled to a greater extent than those sound levels listed below.

7:00 AM to 7:00 PM 60 dbl

7:00 PM to 7:00 AM 55 dbl

- B. Every use shall be operated as to prevent the emission of smoke, dust, and dirt, etc., from any source whatsoever within the bounds of the air pollution standards set by the North Carolina Department of Natural Resources and Community Development. The Department's standards on air pollution for industrial uses are hereby made a part of this Ordinance by reference.
- C. Every use shall be ~~se~~ operated as to prevent the emission in the air of dust or other solid matter which may cause damage to property, discomfort to persons or animals beyond the lot line of the property on which the use is located.

- D. Every use shall be operated to prevent discharge of any waste dangerous or a nuisance to persons or animals or damaging to plants, crops or any water supply at or beyond the lot lines of the race shop. The Cabarrus Health Alliance must approve all domestic ground absorption waste water disposal and on site drinking water wells.
- E. Every use shall be separated as to prevent the emissions of objectionable or offensive odors in such concentrations readily perceptible at any point at or beyond the race shop's boundary lines.
- F. Every use shall be so operated as to prevent glare of such intensity as to be readily perceptible from a residential use.
- G. Each use shall be developed to prevent traffic congestion and noise generated by vehicles related to its operation.

20. Race Track, Animal, Automobile or Other

Limited Industrial and General Industrial districts

- a. A complete description of the facility including but not limited to:
 - o Hours and days of operation
 - o Total number of employees, both full-time and part-time
 - o Projected number of events per year and expected spectator attendance.
 - o Types of accessory uses envisioned on the site
 - o Any and all other relevant information that will help describe the facility
- b. The minimum site acreage shall be twenty (20) acres.
- c. The racetrack and all buildings, viewing areas, and seating areas shall be located no closer than five hundred (500) feet from any street right-of-way or property line.
- d. All access ways shall be adequately lit. Such lighting must be shielded to prevent light and glare spillover to adjacent residentially used or zoned properties.
- e. Objectionable noise shall be muffled or eliminated so as not to become a nuisance to adjacent uses. It shall be the responsibility of the applicant to provide proof that all noise for the operation can meet the requirements and general performance standards for commercial and industrial uses. The Commission may require more stringent noise restriction if it finds as a fact that noise should be muffled to a greater extent than required under Special Use Number 19, Race Complex, specifically section 19-A.
- f. A Level One buffer yard will be provided at the perimeter of the property.
- g. The following accessory uses may be permitted as incidental to, and limited to the patrons of, the principal use:
 - o Refreshment stands or booths
 - o Souvenir stands or booths

21. Reception Facilities

Agricultural Open and Countryside Residential districts

- a. A complete description of the facility including but not limited to:
 - 1. Types of events

2. Days and hours of operation
 3. Projected number of users per weekday and weekend days, with the maximum number expected at any one event
 4. Total capacity for the venue
 5. Types of accessory uses, if any, envisioned on the site (includes any accessory structures)
 6. Total number of employees, both full-time and part-time.
 7. Any and all other relevant information that will help describe the facility
 8. Building elevations for all permanent structures to be used to accommodate receptions and/or events on the site
- b. The minimum size of the proposed site shall be based on the following:

Capacity	Minimum Acreage Required
Up to 100 guests	5
101-200 guests	7.5
201-300 or more guests	10

- c. A residential structure that is used for a reception facility shall not be altered in any way that changes its general residential appearance. Building height and other dimensional requirements for new construction shall be governed by the zoning district in which the property is located. New construction must meet commercial design standards.
- d. All structures, viewing areas, seating and parking areas shall be set back at least two hundred (200) feet from any street or property line.
- a. When a site contains existing vegetation that will remain undisturbed and creates complete visual separation and serves to abate noise levels, the Board of Adjustment, as part of the **special use permit** consideration process, may reduce the required setbacks of 200 feet to no less than 100 feet.
 - i. If the applicant proposes to use this provision, the following shall be provided as part of the **special use permit** application:
 1. Tree survey showing existing vegetation
 2. Landscape plan that provides supplemental plantings as needed to fill gaps that may exist
 - b. When the applicant demonstrates to the Board of Adjustment that the existing vegetation meets the intent of the buffer requirement this area may be used to satisfy the buffer requirement of standard “h” of this section.
- e. Where waterbodies exist on or near the property, additional setbacks may be required. See Chapter 4, Waterbody Buffer Zone.
- f. Outdoor lights must be shielded to direct light and glare only onto the facilities’ premises but may be of sufficient intensity to discourage vandalism and theft. Lighting and glare must be deflected, shaded and focused away from any adjoining properties.
- g. Maximum permitted noise levels may be established in order to protect adjacent properties. Any such requirement will be made a part of the **special use permit** which

may also specify the measures to be taken to control noise, including but not limited to muting, special landscape treatment and berms.

- h. In the event the facility abuts residentially used or zoned property, Level Two buffering must be implemented. See Chapter 9, Landscaping and Buffer Requirements.
- i. The parcel must have frontage on, or have direct access to, a NCDOT maintained road or a privately maintained paved street. Proposed access points on NCDOT roads must be approved by NCDOT. In the event that a privately maintained street is used to gain entry to the site, the applicant shall provide documentation from the private road owner(s) that access to the site for events is permitted.
- j. The facility must provide two parking spaces for the owner/operator, plus one for every four persons in attendance at events. Service providers (staff, caterers, etc.) should be included in this calculation at a rate of one for each employee or contracted staff member. The parking area shall remain grassed (no impervious coverage). However, handicap accessible parking is required to be an improved/hard, stable surface and to meet requirements of the North Carolina State Accessibility Code and Section 10-5 of this Ordinance. No on-street parking is permitted.
- k. Other than as part of the reception events, no meals shall be served to the general public on the site.
- l. The following accessory uses may be permitted as incidental to the facility and limited to the patrons of the principal use:
 - o Amenity areas, gardens, gazebos
 - o Temporary tents shall be allowed for no more than 180 days in a calendar year. Tents may not exceed the square footage of the largest primary structure and must be shown on the site plan. Applicant must procure all necessary permits from the Cabarrus County Fire Marshal's Office for temporary tents.
- m. Signs for Reception Facilities shall meet the requirements of Chapter 11 (Standards for Permanent Signage in Residential Districts) of the Cabarrus County Zoning Ordinance

22. Recreational Facility, Outdoor

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density/Mixed Use Residential, Office/Institutional, ~~Office/Limited Commercial~~, General Commercial, Limited Industrial and General Industrial districts

A complete description of the facility including but not limited to:

- o Hours and days of operation
 - o Total number of employees, both full-time and part-time
 - o Projected number of users per weekday and weekend days
 - o Types of accessory uses, if any, envisioned on the site
 - o Any and all other relevant information that will help describe the facility
- a. The site shall contain a minimum of five acres.
 - b. All structures, viewing and seating areas shall be set back at least one hundred and fifty feet (150) from any street or property line.

- c. The following accessory uses may be permitted as incidental to, and limited to the patrons of, the principal use:
 - o Playground
 - o Refreshment stands or booths, and/or
 - o Souvenir stands or booths.
- d. In the event the facility abuts residentially used or zoned property, Level ~~Two~~-One buffering must be implemented.

23. Recreational Therapy Facility, Rural Setting

Agricultural Open and Countryside Residential districts

- a. A complete description of the facility including but not limited to:
 - 1. Types of events, days and hours of operation
 - 2. Projected number of users per weekday and weekend days, with the maximum number expected at any one event
 - 3. Client profile: projected client enrollment, years of enrollment, age of clients, etc.
 - 4. Description of curriculum/treatment methods
 - 5. Total number of employees, both full-time and part-time (including volunteers)
 - 6. Evidence that the facility has achieved certification from a nationally recognized organization in each therapeutic field of choice
 - 7. Site plan showing layout of all buildings, parking areas, landscape, buffers, play areas, barns, riding trails, abutting properties and the land use for these properties, impervious area calculations, water bodies, etc.
 - 8. Types of accessory structures used or envisioned to be used on the site
 - 9. Building elevations
 - 10. Any and all other relevant information that will help describe the facility
- b. The site shall contain at least twenty-five (25) acres
- c. The parcel must have frontage on a major or minor thoroughfare. Proposed access points must be approved by NCDOT.
- d. Building height and other dimensional requirements for new construction shall be governed by the zoning district in which the property is located. New construction must meet commercial design standards.
- e. All structures, viewing areas, seating areas, etc. shall be set back at least 100 feet from any property line. All animal enclosures must be 150 feet from parcel boundary lines.
- f. All access ways shall be adequately lighted. Outdoor lights must be shielded to direct light and glare only onto the facilities' premises, but may be of sufficient intensity to encourage security and safety. Lighting and glare must be deflected, shaded and focused away from any adjoining properties.
- g. Maximum permitted noise levels may be established in order to protect adjacent properties. Any such requirement will be made a part of the **special use permit** which may also specify the measures to be taken to control noise, including but not limited to muting, special landscape treatment and berms.

- h. A Level Two Buffer yard is required when the Recreational Therapy use abuts a residential use. However, if residential dwellings are located 200 feet or greater from the property line, buffering shall not be required. See Chapter 9, Landscaping and Buffer Requirements.
- i. The facility must provide, at a minimum, parking spaces to accommodate the staff, clients and visitors. Service providers and vehicles (buses, tractors, trucks and trailers, caterers, therapy providers, etc.) should be included in this calculation. Designated areas for special event parking shall also be included in the parking plan. A maximum of ten (10) parking spaces, including handicap accessible spaces, shall be an improved surface, the remainder must be grassed (no impervious coverage). Handicap accessible parking is required to be an improved/hard surface and to meet requirements of the North Carolina State Accessibility Code and Section 10-5.3 of this Ordinance. No on-street parking is permitted.
- j. Other than as part of special events or therapy sessions, no meals shall be served to the general public on the site.
- k. The following accessory uses may be permitted as incidental to and limited to the clients of the principal use:
 - o Playground
 - o Bathroom facilities
 - o Aesthetic (gazebo, barn, etc.) features
 - o Barns, animal interaction arenas
 - o Physical therapy course/apparatus
 - o Multi-purpose building or room
- l. Signs for Recreational Therapy Facilities shall meet the requirements of Chapter 11 (Standards for Permanent Signage in Residential Districts) of the Cabarrus County Zoning Ordinance:
- m. The number of animals (livestock) boarded outside or partially outside shall not exceed one animal per acre. Those boarded entirely inside shall not be counted as part of this limitation.
- n. Public address systems shall be permitted outside and within a building when the speakers are at least fifty (50) feet from adjacent property lines. Further, noise at any property line shall not exceed thirty-five (35) decibels.

24. Religious Institution with Total Seating Capacity 351 or More

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density Residential/Mixed Use and Office/Institutional districts.

A complete description of the facility including but not limited to:

- o Hours and days of operation
- o Projected number of users per weekday and weekend days
- o Total number of employees, both full-time and part-time
- o Types of accessory uses, if any, envisioned on the site

- Any and all other relevant information that will help describe the facility
- a. In the event the facility abuts residential property, Level Two buffering must be implemented. See Chapter 9, Landscaping and Buffer Requirements.
- b. In the event the facility is to be located in a residential zone, all setbacks shall be doubled.

25. Religious Institution with School

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density/Mixed Use Residential and Office/Institutional districts

A complete description of the facility including but not limited to:

- Total square footage all buildings
- Total number of employees, both full-time and part-time
- Site plan showing layout of all buildings, playgrounds, parking areas, etc.
- Projected student enrollment
- Grades taught
- a. Sites shall have frontage on a minimum of two roads providing at least two access points to the site. Sites having frontage on only one road shall provide a minimum of two access points on that road.
- b. Drop off and pick up areas shall be designed such that internal circulation is not disturbed nor is access on adjacent roads or streets.
- c. Stacking distances for cars and buses shall be incorporated onto the school site through a series of driveways or internal access roads and shall not impact adjacent right-of-ways.
- d. Alternate transportation routes and connectivity shall be incorporated into the site, including sidewalks to adjacent neighborhoods and multi-use paths for bicyclists or walkers.
- e. Locations of temporary trailers or potential expansions shall be incorporated into the master plan and shall be shown on the site plan.
- f. In the event the facility abuts residential property, Level Two buffering must be implemented. See Chapter 9, Landscaping and Buffer Requirements.
- g. In the event the facility is to be located in a residential zone, all setbacks shall be doubled.

26. Rest Home, Convalescent Home with More Than 10 Beds

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential, High Density/Mixed Use Residential and Office/Institutional districts

- a. A complete description of the facility including but not limited to:
 - Total square footage all buildings
 - Site plan showing layout of all buildings including housing and parking areas

- Number of beds projected year one through five
- Total number of employees, both full-time and part-time
- Any accessory uses that may be envisioned in conjunction with the home
- b. In the event the facility abuts residential property, Level Two buffering must be implemented.
- c. In the event the facility is to be located in a residential zone, all setbacks shall be doubled.

27. Restaurant with Drive-Thru Facility

Medium Density Residential and High Density/Mixed Use Residential districts

- a. A complete description of the facility including, but not limited to:
 - Total square footage all buildings
 - Site plan showing layout of all buildings including pick-up windows, and drive through lanes.
 - The estimated number of drive-thru customers at all peak serving times with a correlation between numbers served per 30 minute increment (or industry standard) and corresponding amount of stacking space for vehicles.
- b. Sufficient stacking and circulation must be provided on site and shall not interfere with circulation of traffic on adjacent streets or road right-of-ways.
- c. The use must front on an arterial or collector road.
- d. Drive-thru entrances and exits must be at least 250 feet from any intersection
- e. Drive-thrus abutting residential property must:
 - Provide a Level Two buffer yard along their common boundary line
 - Position outdoor speakers at least 50 feet from property lines bordering residential development
 - Position lights so that illumination will not spill over onto residential property

28. Retail Sales, Shopping Centers 100,000 Square Feet or More

General Commercial district

- a. The shopping center must have direct access to either an arterial or major collector road.
- b. When located adjacent to residentially zoned or used property, a Level One buffer yard shall be installed at the common boundary between the parcels.
- c. A complete description of the facility including but not limited to:
 - Days and hours of operation
 - Projected number of users per weekday and weekend days
 - Total number of employees, both full-time and part-time.
 - Any and all other relevant information that will help describe the facility

29. Single Family Detached Residential and Manufactured Home, Single Section

General Commercial, Light Industrial and General Industrial districts

Single family detached residences and single section manufactured homes are permitted on a hardship basis if the following conditions can be met:

- a. No more than two additional homes may be added to parcels less than ten acres in size. Parcels greater than ten acres may not exceed one dwelling unit/5 acres.
- b. Applicant must prove that some form of hardship has brought about the request.
- c. Preference shall be given to homes that may be relocated when the property is developed for non-residential purposes.
- d. Dwelling unit sites must be screened from adjacent non-residential uses using a Level One buffer yard.

30. Shooting Range, with Outdoor Target Practice

Agriculture/Open, Countryside Residential, Light Industrial and General Industrial district

- a. The minimum lot size shall be 5 acres.
- b. Shooting ranges may not be located accessory to a residence.
- c. No portion of the range or associated Safety Fan shall be closer than 1500 feet to any exterior property line.
- d. No portion of the range or associated Safety Fan shall be closer than 2500 feet to any existing residential dwelling, institutional use or building.
- e. Ingress and egress to the site and to the range area shall be secured and controlled to prevent unregulated entrance to the facility and the target area.
- f. The entire property shall be posted every 100 feet at the property line with signage indicating there is a shooting range located on the property.
- g. Elevations for the range area, from shooter to target, shall be constructed to prevent rounds from being fired over the berm, and shall be shown on the site plan.
- h. The complete layout of each range, including, shooting stations or firing lines, target areas, shot-fall zones, backstops, and berms, shall be shown on the site development plan.
- i. The development plan shall also identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based on evidence and address the design effectiveness of berms, overhead baffles or other safety barriers to contain projectiles to the Safety Fan area.
- j. Shots fired on site, whether on range or in air, shall be contained entirely on the site. Clay pieces associated with in air target practice shall also be contained entirely on the site.
- k. All local, state and federal permits shall be issued prior to zoning permitting.

- l. The owner/operator of the range shall be required to carry liability insurance with a minimum policy limit of \$3,000,000.00 per occurrence. Such insurance shall name Cabarrus County as an additional insured and shall contain a provision that the insurance may not be cancelled or modified except upon 30 days prior written notice to the County. Such policy shall provide coverage that holds the County and its elected and appointed officials and its employees harmless from and against all claims, demands, losses and expenses of any kind or nature, including the costs of defense and attorney fees, in favor of any person, arising from the ownership, operation or existence of the range.
- m. Ranges shall be designed in accordance with industry standards as described in *The National Rifle Association (NRA) Range Source Book*.
- n. Ranges shall use Best Management Practices for Lead Management. See *EPA Best Management Practices for Lead at Outdoor Shooting Ranges (EPA-902-B-01-001)*.
- o. Must comply with Chapter 46, Section 46-2, Use of Firearms, of the Cabarrus County Code of Ordinances.

31. Sports and Recreation Instruction or Camps

Agriculture/Open and Countryside Residential districts

- a. A complete description of the facility including but not limited to:
 - o Hours and days of operation
 - o Total number of employees, both full-time and part-time
 - o Projected number of users per weekday and weekend days
 - o Types of accessory uses, if any, envisioned on the site
 - o Any and all other relevant information that will help describe the facility
- b. Site shall be a minimum of six (6) acres in the AO district and four (4) acres in the CR district
- c. Practice areas, fields and parking areas must be a minimum of ~~two five~~ hundred feet ~~(500)~~(200) from any adjacent property line.
- d. Where adjacent to residentially zoned or used property, a Level ~~Two~~ **One** Buffer yard shall be installed.
- e. Where overnight accommodations are provided, facilities shall be located interior to the site and shall have a residential appearance.

32. Slaughter House, Meat Packing

Agricultural/Open and Countryside Residential districts

Submit a report addressing the following:

- o The appropriateness of the site selected.
- o The proposed plant operation and how it may affect public health.

- The proposed operation of the plant including total number of employees, both full-time and part-time.
- The method of collection, handling, disposal and storage of all waste and by-products.
- a. No building, structure, storage or animal holding area shall be located within one hundred and fifty (150) feet of any lot line.
- b. In the event the facility abuts residentially used or zoned property, Level Two buffering must be implemented.
- c. Before beginning operation of any slaughterhouse or meat packing facility, copies of all license or permits required from other governmental agencies shall be submitted to the County Zoning Administrator.

33. Trade and Vocational Schools

Agricultural/Open, Office/Institutional, ~~Office~~/Limited Commercial, General Commercial, Limited Industrial and General Industrial districts

- a. A complete description of the facility including:
 - Hours of operation
 - Total number of employees, both full-time and part-time
 - Projected student enrollment years one through five
 - Description of curriculum
 - Degrees, certificates offered
- b. In the event the facility is to be located in a residential zone, all setbacks shall be doubled.
- c. In the event the facility abuts residentially used or zoned property, Level Two buffering must be implemented at the common parcel boundary.

34. ~~Trucking Company, Heavy Equipment Company, Dispatch Facility with Storage~~

~~General Commercial and Limited Industrial districts~~

- ~~a. Submit a complete description of the facility including but not limited to:
 - Days and hours of operation
 - Total number of employees, both full-time and part-time
 - Expected number of trips to be generated per day~~
- ~~b. In the event the facility is to be located next to residentially used or zoned property, all setbacks shall be doubled.~~
- ~~c. Fuel storage areas shall be shown on the site plan~~
- ~~d. In the event the facility abuts residentially used or zoned property, Level Two buffering must be implemented.~~

35. Truck Stop or Truck Terminal

~~General Commercial and Limited Industrial districts~~

- ~~a. Submit a complete description of the facility including but not limited to:
 - ~~○ Days/hours of operation~~
 - ~~○ Total number of employees, both full-time and part-time~~~~
- ~~b. In the event the facility is to be located next to residentially used or zoned property, all setbacks shall be doubled.~~
- ~~c. Fuel storage areas and lines, and driveways shall be shown on the site plan~~
- ~~d. In the event the facility abuts residentially used or zoned property, Level Two buffering must be implemented.~~

36. Wireless Telecommunications Services

All zones

Section 1 Purpose

The purpose of this Section 36 is to:

- Protect residential areas and land uses from potential adverse impacts of towers and antennas;
- Encourage the location of towers in non-residential and less developed areas;
- Strongly encourage joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
- Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
- Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;
- Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;
- Consider the public's health and safety in regard to communication towers; and
- Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

Section 2 Definitions

The words, terms and phrases shall have the meanings assigned below provided, however, any words, terms or phrases not defined herein shall have the meaning assigned in Chapter 2 of this Ordinance:

ACCESSORY EQUIPMENT STRUCTURE- A building or cabinet-like structure located adjacent to, or in the immediate vicinity of, a wireless telecommunication tower or antenna to house equipment customarily incidental to the receiving or transmitting of wireless broadcasts, cellular telephone calls, voice messaging and paging services.

ALTERNATIVE TOWER STRUCTURE- Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

ANTENNA – Communications equipment that transmits, receives, or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services.

ANTENNA, STEALTH- Wireless telecommunication antenna and related equipment designed to blend into the surrounding environment or integrated into the physical structure to which it is attached.

APPLICATION – A formal request submitted to the county to construct or modify a wireless support structure or a wireless facility.

BASE STATION – A station at a specific site authorized to communicate with mobile stations, generally consisting of radio receivers, antennas, coaxial cables, power supplies, and other associated electronics.

COLLOCATION – The placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, city utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes.

~~COLLOCATION – The placement or installation of wireless facilities on existing structures, including electrical transmission towers, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes.~~

COMMUNICATIONS FACILITY – The set of equipment and network components, including wires and cables and associated facilities used by a communications service provider to provide communications service.

COMMUNICATIONS SERVICE – Cable service as defined in 47 U.S.C. § 522(6), information service as defined in 47 U.S.C. § 153(24), telecommunications service as defined in 47 U.S.C. § 153(53), or wireless services.

COMMUNICATIONS SERVICE PROVIDER – A cable operator as defined in 47 U.S.C. § 522(5); a provider of information service, as defined in 47 U.S.C. § 153(24); a telecomm

COMMUNICATIONS TOWER- A tower, which supports communication (broadcast, receiving, or relay) equipment, utilized by government or other public and quasi-public users. This does not

include private home use of satellite dishes and television antennas or amateur radio operators as licensed by the Federal Communications Commission (FCC).

ELIGIBLE FACILITIES REQUEST– A request for modification of an existing wireless tower or base station that involves collocation of new transmission equipment or replacement of transmission equipment but does not include a substantial modification.

EQUIPMENT – Antennas, transmitters, receivers, cables, wires, transformers, power supplies, electric and communication lines necessary for the provision of television broadcast signals, radio wave signals, wireless data or wireless telecommunication services to a discrete geographic area, and all other apparatuses and appurtenances, including shelters, cabinets, buildings, platforms, and ice bridges used to house or otherwise protect equipment.

EQUIPMENT COMPOUND– An area surrounding or near the base of a wireless support structure within which a wireless facility is located.

FALL ZONE – The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.

GROUND AREA – The area of real property surrounding the base of towers on which the equipment and appurtenances necessary for the operation and stability of the towers, including guy wires and security fencing, are constructed or installed.

LAND DEVELOPMENT REGULATION– Any ordinance enacted pursuant to this Section 36.

MICRO WIRELESS FACILITY – A small wireless facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

REPEATER-A small receiver/relay transmitter of relatively low power output designed to provide service to areas that are not able to receive adequate coverage directly from a base or primary station.

SATELLITE DISH ANTENNA OR SATELLITE DISH- A parabolic antenna designed to receive electromagnetic transmissions from a satellite.

SEARCH RING. – The area within which a wireless support facility or wireless facility must be located in order to meet service objectives of the wireless service provider using the wireless facility or wireless support structure.

SMALL WIRELESS FACILITY – A wireless facility that meets the following qualifications:

- a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna

and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.

- b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

SUBSTANTIAL MODIFICATION– The mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below. The burden is on the County to demonstrate that a mounting that does not meet the listed criteria constitutes a substantial change to the physical dimensions of the wireless support structure.

- a. Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet.
- b. Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.
- c. Increasing the square footage of the existing equipment compound by more than 2,500 square feet.

TOWER- Any ground-mounted, pole, spire, structure or combination thereof, including supporting lines, cables, wires, braces and masts, to which a telecommunications antenna is attached or affixed.

TOWER, LATTICE- Three- or -four-legged steel girded structures typically supporting multiple communications users and services generally ranging from 60 to 200 feet in height.

TOWER, MONOPOLE- Single pole design, approximately three feet in diameter at the base narrowing to approximately one and a half feet at the top, generally ranging from 25 to 150 feet in height.

UTILITY POLE– A structure that is designed for and used to carry lines, cables, or wires for telephone, cable television, or electricity, or to provide lighting.

WATER TOWER– A water storage tank, a standpipe, or an elevated tank situated on a support structure originally constructed for use as a reservoir or facility to store or deliver water.

~~**WIRELESS FACILITY**– The set of equipment and network components, exclusive of the underlying wireless support structure or tower, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide wireless data and wireless telecommunications services to a discrete geographic area.~~

WIRELESS FACILITY – Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include any of the following:

- a. The structure or improvements on, under, within, or adjacent to which the equipment is collocated.
- b. Wireline backhaul facilities.
- c. Coaxial or fiber-optic cable that is between wireless structures or utility poles or city utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

WIRELESS INFRASTRUCTURE PROVIDER – Any person with a certificate to provide telecommunications service in the State who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures for small wireless facilities but that does not provide wireless services.

WIRELESS PROVIDER – A wireless infrastructure provider or a wireless services provider.

WIRELESS SERVICES – Any services, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using wireless facilities.

WIRELESS SERVICES PROVIDER – A person who provides wireless services.

WIRELESS SUPPORT STRUCTURE. – A new or existing structure, such as a monopole, lattice tower, or guyed tower that is designed to support or capable of supporting wireless facilities. A utility pole is not a wireless support structure.

WIRELESS TELECOMMUNICATION SERVICES (WTS)- Licensed or unlicensed wireless telecommunication services including cellular, digital cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), commercial

or private paging services, or similar services marketed or provided to the general public. This definition does not include services for non-commercial entities in the amateur radio service, public safety radio service, or licenses assigned to non-profit organizations such as the Red Cross, Civil Air Patrol, or military affiliated radio services that are licensed by the Federal Communications Commission.

Section 3 Applicability

The provisions of Section 36 shall apply to any new Wireless Telecommunications Tower, Antenna or substantial modification, except as provided below. The use of land for wireless telecommunication service antenna or tower shall be permitted as set forth in Chapter 3, Section 3.8 subject to the criteria below.

Section 4 General Guidelines and Requirements

- a. PRINCIPAL OR ACCESSORY USE- Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
- b. LOT SIZE- In the event that a tower or antenna is installed and/or leased on a portion of a lot, the lot in its entirety will determine any and all district development regulations that the structure may be subjected to; including but not limited to setback, lot coverage, and other such requirements.
- c. INVENTORY OF EXISTING SITES- Each applicant for an antenna and/or tower shall provide to the Zoning Administrator an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are within the jurisdiction of Cabarrus County, the City of Kannapolis, the City of Concord, the Town of Harrisburg, the Town of Mt. Pleasant, the City of Locust or the Town of Midland. Such information shall include specific information about the location, height, and design of each tower. Each applicant shall also provide a one-year build out plan for all other proposed wireless communications facilities within the County. The Zoning Administrator, and/or his or her designee, may share such information with other applicants applying for administrative approvals or special use permits under this Ordinance or with other organizations seeking to locate towers or antennas within the jurisdiction of this Ordinance provided, however that the Zoning Administrator, and/or his or her designee, is not, by sharing such information, in any way representing or warranting that such sites are available or suitable. Notwithstanding, the applicant is not required to provide proprietary, confidential or other business information to justify the need for the new wireless support structure, including propagation maps and telecommunication traffic studies.

Section 5 Aesthetics

- Towers shall either maintain a galvanized steel finish or be painted a neutral color to blend in with the surrounding area and to reduce visual obtrusiveness.

- The design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings located adjacent to the tower or antenna site.
- If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure. This is in order to make the antenna, and related equipment, as visually unobtrusive as possible.
- LIGHTS- No tower or antenna shall have affixed or attached to it in any way except during time of repair or installation, any lights, reflectors, flashers, day-time strobes or steady night time light or other illumination devices, except as required by the FAA, FCC or the County. This restriction against lights shall not apply to towers which have been combined with light standards for illumination of ball field, parking lots, playgrounds, or other similar public uses. If lighting is required, the lighting sources and design shall be designed to create the minimum practicable penetration of areas outside the boundaries of the Lot or Parcel.
- STATE OR FEDERAL REQUIREMENTS- All towers and antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other state or federal government agency with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- BUILDING CODES, SAFETY STANDARDS- To ensure the structural integrity of towers and antennas, the owners of such facilities shall ensure that they are maintained in compliance applicable with standards contained in the State Building Code.
- FALL ZONE- Towers shall be designed so that in the event of a structural failure, the tower falls on the subject parcel or within the leased area of the subject parcel. No tower or antenna shall be designed and/or sited such that it poses a potential hazard to nearby residences, surrounding properties or improvements. To this end, any tower or antenna, shall be designed to withstand the maximum forces expected from wind and ice when the tower is fully loaded with antennas, transmitters and other equipment. Compliance with this requirement shall be certified by a professional engineer licensed by the State of North Carolina in a report describing the tower structure, specifying the number and type of antennas it is designed to accommodate, providing the basis for the calculations done, and documenting the actual calculations performed. **See Table 1 at the end of this section for setback requirements.**
- ESSENTIAL SERVICES- Wireless telecommunications towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.

- SIGNS- Signs on a tower, or on any portion of the premises leased for wireless communication use, shall be limited to those needed to identify the property and the owner and to warn of any danger. Signs which advertise for commercial purposes are prohibited. All signs shall comply with the requirements of Chapter 11, Signage.

Section 6 Permit Requirements

No wireless telecommunications tower, antennae, or substantial modification shall be erected or established unless and until a Zoning Clearance Permit has been issued pursuant to this Ordinance.

- A Stealth Antenna or Repeater which does not exceed sixty-five (65) feet in height is ~~are~~ permitted as of right and does not require a special use permit.
- Repeaters shall either maintain a galvanized steel finish or be painted a neutral color to blend in with the surrounding area and/or structure and to reduce visual obtrusiveness. Where a pole frame is used, the frame shall be similar and compatible with existing light poles and fixtures in the area.
 - a. Where repeaters are proposed to be located in a public or private right-of-way, encroachment agreements shall be submitted as part of the site plan review application package.

In addition to procedures, standards and criteria set forth in this Ordinance, Special Use Permits for towers, antennas, and substantial modifications shall be issued in accordance with the following provisions:

- Towers or antennas sixty-five (65) feet or more from the average ground level shall require a special use permit. This applies to mounted antennas, referring to the total height from the base of the building or other structure to the top of the antennas.
- Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified (**signed and sealed**) by a professional engineer licensed in the State of North Carolina.
- In addition to any other information required pursuant to this Ordinance, applications for special use permits for towers shall include the following information:
 - a. A site plan consistent with the procedures of this Ordinance which clearly indicates the location, type, and height of the proposed tower; on-site land uses and zoning; adjacent land uses and zoning (including when adjacent to other zoning jurisdictions); adjacent roadways; proposed means of access; setbacks from property lines elevation drawings of the proposed tower and any other structures; and other information deemed by the Administrator to be necessary to assess compliance with this Section.
 - b. The setback distance between the proposed tower and the nearest residential unit and residentially zoned properties.
 - c. The availability of suitable existing towers, other structures, or alternative technology.

- d. The separation distance from other towers pursuant to Table 1 shall be shown on an ~~updated~~ site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
- e. Method of fencing and finished color and, if applicable, the method of camouflage and illumination.
- f. A notarized statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.
- g. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
- h. A description of the feasible alternative location(s) of future towers or antennas within the County based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
- i. A statement of compliance with the Federal Communications Act 47 U.S.C §332 as amended and the applicable rules promulgated by the Federal Communications Act.

Section 7 Approval Criteria

All non-stealth and stealth towers and mounted antennas are permitted by right or as a special use as listed in Chapter 3, Section 3-8.

*Factors Considered in Granting **Special Use Permits** for Towers*

In determining whether to issue a **special use permit**, the Board of Adjustments shall consider, in addition to any other standards in this Ordinance governing **special use permits**, the following factors:

- a. Height of the proposed tower;
- b. Proximity of the tower to residential structures and residentially zoned district boundaries;
- c. Nature of uses on adjacent and nearby properties;
- d. Surrounding topography;
- e. Surrounding tree coverage and vegetation;
- f. Design of the tower, with particular reference to design characteristics that reduce or eliminate visual obtrusiveness;
- g. Proposed ingress and egress; and
- h. Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in Section 8 below.

Section 8 Availability of Suitable Existing Towers, other Structures, or Alternative Technology

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Administrator, or Board of Adjustment (if **special use permit** is required), that no existing tower, structure or alternative technology, that does not require the use of towers or structures, can accommodate the applicant's proposed tower or antenna. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can

accommodate the applicant's proposed tower or antenna may consist of any or all of the following:

1. No existing towers or structures are located within the geographic area which meets applicant's engineering requirements.
 2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
 3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 5. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs required by the owner of existing tower or structure that exceed new tower development are presumed to be unreasonable.
 6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
 7. The applicant demonstrates that alternative technologies, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wire line system, that does not require the use of towers or structures, are unsuitable. Costs of alternative technology that exceed new tower or antenna development cost shall not be presumed to render the technology unsuitable.
- a. SEPARATION- Towers shall be separated a distance, as measured from the base, equal to at least the minimum standards established in Table 2. The separation distances shall be measured by drawing or following a straight line between the base of the preexisting tower and the base location, pursuant to a site plan, of the proposed tower.
 - b. SECURITY FENCING- Towers shall be enclosed by security fencing not less than six (6) feet in height and no more than eight (8) feet in height, constructed of block or masonry or wood material, and shall be equipped in such a manner as to deter climbing.
 - c. LANDSCAPING- Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property **and from any road right-of-way**. The standard buffer shall consist of a landscaped ~~strip-area~~ at least four (4) feet wide outside the perimeter of the compound. Plant materials forming the visual buffer may be existing on the subject property or installed as part of the proposed facility, but existing mature plant growth and natural land forms on the site shall be preserved to the maximum extent possible. The Administrator may waive these requirements in locations where the view of the tower base is obstructed by existing buildings or natural topography and cannot be viewed from adjacent property or ~~a public street~~. **from any road right-of-way**

Section 9 Buildings or Other Equipment Storage

Structures used in association with towers or antennas shall comply with the following provisions:

- a. Equipment cabinets and/or other structures shall comply with all applicable building codes.
- b. Guys and accessory buildings shall satisfy the minimum zoning district setback requirements.
- e. **Individual** equipment cabinets and/or structures shall be no greater than fourteen (14) feet in height or three hundred (300) square feet in gross floor area. ~~The entry or access side of a cabinet and/or structure shall be gated by a solid, sight-obscuring gate that is separate from the cabinet and/or structure. Such access way shall not face residentially zoned property.~~

Section 10 Collocation

- a. GOOD FAITH- Applicants shall make a good faith effort to share wireless communication structures, facilities and sites where feasible and appropriate. Good faith effort shall include sharing technical information necessary to determine if collocation is feasible under the design configuration most accommodating to collocation, and may include negotiations for erection of a replacement support structure to accommodate collocation. A competitive conflict to collocation or financial burden caused by sharing such information normally will not be considered as an exception to the duty of good faith.
- b. THIRD PARTY TECHNICAL REVIEW- In the event a dispute arises as to whether an Applicant has exercised good faith in accommodating other users, the Administrator may require the applicant to obtain a third party technical study at the Applicant's expense. The Administrator may review any information submitted by the Applicant in determining whether good faith has been exercised.
- c. EXCEPTIONS- No collocation may be required where the shared use would or does result in significant interference with the broadcast or reception capabilities of the existing wireless communication facilities or the failure of the facilities to meet federal standards for emissions.
- d. VIOLATION, PENALTY- Failure to comply with collocation requirements may result in denial of a permit request or revocation of an existing permit.

Section 11 Removal of Abandoned Antennas and Towers

Any antenna or tower that is not operated for a continuous period of one (1) year shall be considered abandoned, and the owner of such facility shall remove the antenna or tower within ninety (90) days of receipt of notice from the Board of Adjustment notifying the owner of such abandonment. If there are two or more users of a single tower or antenna, then this provision shall not become effective until all users cease using the tower or antenna for the prescribed period. "Physically remove" shall include, but not be limited to:

1. Removal of antennas, mount, equipment shelters and security barriers from the subject property.
2. Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
3. Restoring the location of the facility to its natural condition, except that any landscaping and grading shall remain in the after condition.

The company that is constructing and leasing the tower shall provide a performance bond for 1.25 times the estimated cost of the removal of the towers, antennas, and any accessory equipment or structures anticipated to be located on the site at build out. The performance bond shall be filed prior to issuance of a zoning clearance permit. This amount will be determined by a removal company and certified by a North Carolina licensed engineer. For every year following approval, the bond shall increase by an inflation factor based upon the Consumer Price Index (CPI) Index. A revised bond shall be provided every 5th year that a tower is in place.

Section 12 Non-Conforming Uses

- a. NO EXPANSION OF NONCONFORMING USE- Towers that are constructed and antennas that are installed, in accordance with the provisions of this chapter, shall not be deemed to constitute the expansion of a nonconforming use or structure. In addition, a change to a tower that does not constitute a substantial modification must be permitted.
- b. PREEXISTING TOWERS- Towers constructed prior to the adoption of this Ordinance shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this Chapter.
- c. REBUILDING DAMAGED OR DESTROYED NONCONFORMING TOWERS OR ANTENNAS- Notwithstanding this Section, ~~bona fide~~ nonconforming towers or antennas that existed prior to this Ordinance being adopted, or that were properly permitted at the time of construction, and that are damaged or destroyed by weather events or other non-manmade causes are not required to conform to the requirements of this Ordinance provided the type, height, and location if the tower onsite shall be of the same type and intensity as the original facility; provided, however, that any destroyed lattice or guyed tower shall be replaced with a monopole structure only. If no permit is obtained or if such permit expires, the tower or antenna shall be deemed abandoned.

SECTION 13 Duration of Permit

The county may condition a permit on a requirement to construct the facility within a reasonable period of time, which shall be no less than two (2) years.

Table 1 Separation Requirements from for On and Offsite Uses/Areas

<p>Single family Residential Structure units [1], includes but is not limited to: single family detached, single family attached, modular homes, manufactured homes, townhome units, group home facilities, and family care homes, multi-family units, accessory dwelling units and any other habitable structures.</p>	<p>The tower compound shall be located a minimum of the tower height plus 50' from any property line or residential structure. In no case shall a tower be located less than 100' from any property line or residential structure.</p>
<p>Vacant residentially zoned land which is either platted or has preliminary plat approval which is not expired</p>	
<p>Vacant residentially zoned land</p>	
<p>Existing multi-family residential units</p>	
<p>Non-residentially zoned lands or non-residential uses</p>	<p>None, only setbacks apply</p>
<p>[1] Includes modular homes, manufactured homes, townhome units, group home facilities and family care homes</p> <p>Separation measured from edge of lease area or compound (fenced in area) to closest property line or structure.</p> <p>NOTE: For purposes of determining required separation, use takes precedence over the zoning designation.</p>	

Table 2 Separation Distances Between Towers		
	Monopole 65 ft. in height or greater	Monopole less than 65 ft. in height
Monopole 65 feet in height or greater	1,500 feet	750 feet
Monopole less than 65 feet in height	750 feet	750 feet

Separation distance measured from the base of the tower. Includes towers located across municipal boundaries and county line.

37. Veterinarian, Animal Hospital, Animal Shelter, Commercial Kennel, Agricultural/Open, Countryside Residential, ~~Office~~/Limited Commercial, General Commercial and Limited Industrial districts
- a. Official County Health Alliance approval of water and sewer services provided to the facility must be copied to the office of the Zoning Administrator.
 - b. The minimum distance between the outer edge of any buildings or fenced area must be at least 300 feet from the parcel boundary of any residentially zoned or used properties. In addition, all animal enclosures must meet the same distance/buffer requirements.
 - c. The number of animals boarded outside or partially outside in the facility shall not exceed 25 animals. Those boarded entirely inside shall not be counted as part of this limitation.
 - d. The primary use, including all outside boarding areas, shall meet the Level Two buffer standards of Chapter 9 of this Ordinance.
 - e. This use shall be required to be separated from educational institutions and places of worship by a distance of 1,000 feet. This distance shall be measured from the exterior property lines of the facility to the nearest property line of the educational institution or place of worship.
 - f. All outdoor lights must be shielded to direct light and glare onto the facility's premises and may be of sufficient intensity to ensure security.
 - g. Lighting and glare must be deflected, shaded and focused away from any adjoining residential or institutional property.
 - h. All storage areas including dumpsters must be sited to the rear of the building, within the setbacks required of the building's underlying zone; and, made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
 - i. Any kennel which is not wholly enclosed within a building shall be enclosed by a security fence at least six (6) feet in height.

38. Wellness Retreat, Wellness Spa

Agriculture/Open and Countryside Residential districts

- a. A complete description of the facility including but not limited to:
 - Hours and days of operation
 - Total number of employees, both full-time and part-time
 - Projected number of users per weekday and weekend days
 - Types of accessory uses, if any, envisioned on the site
 - Any and all other relevant information that will help describe the facility

- b. Site shall be a minimum of six (6) acres in the AO district and four (4) acres in the CR district
- c. Outdoor exercise areas, meditation areas, gardens, classroom spaces and parking areas must be a minimum of two hundred feet (200) from any adjacent residentially zoned or used property line.
- d. Where adjacent to residentially zoned or used property, a type 1 buffer shall be installed.
- e. Where overnight accommodations are provided, facilities shall be located interior to the site and shall have a residential appearance.

Part III LANDSCAPING REQUIREMENTS FOR PARKING AREAS AND STREET YARD

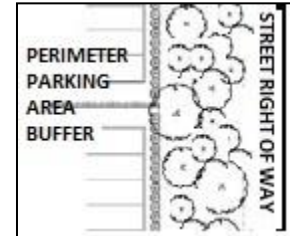
SECTION 9-7 PARKING LOT AREA LANDSCAPE BUFFER REQUIREMENTS

APPLICABILITY:

All parking areas in excess of five spaces are subject to the following standards:

A. Perimeter parking area landscaping

Parking area perimeters which are adjacent either to public rights-of-way or residentially used property must install a landscape buffer yard area around the perimeter of the parking area a minimum of eight feet wide.



Trees and shrubs are required in the perimeter parking lot yard as follows:

1. Trees

Required at the rate of one canopy or shade tree or two understory trees for every twenty linear feet of the required planting yard

2. Shrubs

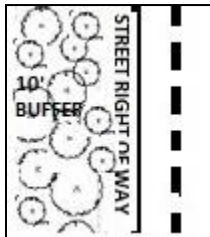
Shrubs are required in addition to trees and at a rate of three shrubs for every ~~10~~ **twenty** linear feet of planting yard.

SECTION 9-9 STREET YARD LANDSCAPE BUFFER AREA

Street yard landscape buffer area

Each site must develop a landscape planting area with a minimum ten foot width along all areas which front public right of ways, roads and streets.

Additional street yard buffering requirements may apply to the site being developed. See Chapter Four, Part III, for Thoroughfare Overlay standards.



Ratio of trees and shrubs

a. Trees

Required at the rate of one canopy or two understory trees for every thirty linear feet of required planting area.

b. Shrubs

Shrubs are required in addition to trees and at a rate of five for every ~~fifteen~~ **thirty** linear feet of required planting area.

Zoning Administrator and Zoning Compliance Permits

PART 1 Development Approvals, Zoning Administrator, Permits and Compliance

Section 12-1. Development Approvals Required

To the extent consistent with the scope of regulatory authority granted by this Ordinance, no person shall commence or proceed with development without first securing any required development approvals from the local government with jurisdiction over the site of the development.

Section 12-2. Zoning Administrator

A Zoning Administrator and his or her staff are designated by the Cabarrus County Board of Commissioners (“BOC”) to administer and enforce the provisions of this Ordinance. Among the responsibilities of the Zoning Administrator is the issuance or denial of Certificates of zoning compliance permits.

~~If a ruling of the Zoning Administrator is questioned, applicant(s) may appeal to the Cabarrus County Planning and Zoning Commission (the “Commission”), acting as Board of Adjustment, as described in Section 12-22.~~

Section 12-3. Certificates of Zoning Compliance Permit

A Zoning Compliance Permit must be obtained from the Zoning Administrator prior to the use or occupancy of any building or premises, or both, hereinafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure.

Additionally, no nonconforming structure or use can similarly be changed or extended without a Zoning Compliance Permit or Certificate of Non-Conformity Adjustment being issued.

Section 12-4. Cabarrus Health Alliance Approval Prior to Zoning and Building Permitting

If a site does not have access to municipal sewer and/or water, then the site will need to be evaluated to determine if a septic system and/or well can be approved using 15A NCAC 18A .1900 NC Rules. If approved, documentation will be provided in the form of an issued Authorization to Construct (ATC) permit.

If a site has an existing septic and/or well that is either in use or has previously been in use, then an evaluation will be made of the proposal and the current existing system to determine approval using the 15A NCAC 18A .1900 NC Rules. If approved, documentation will be provided in the form of an approval letter.

If approval in either circumstance cannot be given, a letter of denial will be issued and the stated reasons why in reference to 15A NCAC 18A .1900.

~~A Zoning Compliance Permit must be obtained before a building permit can be issued. The building permit application may be made at the same time as the application for the Zoning Compliance Permit or after its issuance.~~

No permits or certificates shall be issued except in compliance with the provisions of this Ordinance.

Section 12-5. Duration of Development Approval and Zoning Compliance Permit

Unless a different period is specified in this Ordinance or other specific applicable law, or a different period is provided by a quasi-judicial development approval, a development agreement, or a local ordinance, a zoning compliance permit issued pursuant to this Ordinance shall expire one year after the date of issuance if the work authorized by the development approval has not been substantially commenced.

Unless provided otherwise by this Ordinance or other applicable law, if after commencement the work or activity is discontinued for a period of 12 months, the development approval shall immediately expire. The time periods set out in this section shall be tolled during the pendency of any appeal. No work or activity authorized by any development approval that has expired shall thereafter be performed until a new development approval has been secured.

~~Section 12-4 Temporary Certificates of Zoning Compliance~~

~~The Zoning Administrator may issue a temporary Certificate of Zoning Compliance during alteration or partial occupancy of a building pending its completion. A temporary Certificate may include such conditions and safeguards necessary for the public safety and that of the occupants. This temporary Certificate may be renewed at the discretion of the Zoning Administrator.~~

Section 12-6. Penalties

Failure to obtain a Certificate of zoning compliance permit prior to site development or construction is a violation of this Ordinance and punishable as set forth in ~~under Section 12-27 of this Ordinance.~~

Section 12-7. Construction and use to be as provided in application, plans and ~~Certificate of~~ as described in zoning compliance permit

~~Certificates of Zoning compliance~~ permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, arrangement, and construction set forth in

approved plans and applications and no other use, arrangement, or construction. Any use, arrangement or construction at variance with that authorized shall be deemed in violation of this Ordinance. ~~and punishable as provided by Section 12-27 of this Ordinance.~~

Section 12-8. Applying for the Zoning Compliance Permit

Applications shall be made in writing to the Zoning Administrator on forms provided for that purpose. Records of all such applications ~~are to~~ will be kept on file as prescribed by state statute.

Section 12-9. Site development plans

The developer of industrial, commercial, residential, office or institutional property, including mobile home parks, with the exception of single-family detached units, must file a site development plan (site plan) with the Zoning Administrator. This plan must be approved prior to the issuance of a zoning compliance permit. ~~Submissions for all new development shall follow the procedure of Section 12-9.~~

~~All applications must be accompanied by site development plans also known as "site plans". Site plans are of two types, either major or minor. A third type of development plan is required for property located in the Cabarrus County Thoroughfare Overlay Zone (TOZ). See Chapter Four, Overlay Zones.~~

Section 12-10. Site development plan requirements

12-10.1 Major Site Development Plans

Major site development plan general requirements:

Site plans shall be prepared on maximum size sheets of 24" x 36". Plans shall be prepared at a graphic scale of no less than 1" = 100' and folded to 9" x 12". Each sheet shall include a north arrow and graphic scale.

Title Block, Location Map, Survey Map, Existing Features Plan, Development Plan and Landscape Plan.

The following is a list of the minimum contents to be included in a set of submitted site plans. The items listed below may be submitted on one sheet or a series of sheets:

- A. **Title Block:** Must be included on each sheet submitted sheet of the plan:
 - 1. Project name
 - 2. Name, address, and telephone number of the owner and/or applicant
 - 3. Name, address and contact information for the Design Professional responsible for preparing the drawings

4. **Date of original plan**
 5. **Revision Dates (if applicable)**
- B. **Location Map:** May be drawn on the same sheet as the survey and features map at a scale of 1" = 2000', indicating the location of the site, and showing:
1. The location and ownership of adjacent lots or tracts of land;
 2. The intersection of at least two (2) public streets nearest the property and the names of all public ways, opened or unopened, clearly indicated;
 3. North arrow;
 4. ~~Title block shall contain the following information:~~
 - a. ~~site plan name, and,~~
 - b. ~~name and address of owner and petitioner.~~
- C. **Survey Map:** May be combined with features map, but must show bearing and distances of the boundaries of the site **plus all land within twenty-five (25) feet of the site** prepared by a registered engineer or surveyor licensed to practice in North Carolina. **Shall not be of a scale smaller than 1" = 100'**
1. **Name, address and contact information for the Design Professional responsible for preparing the map**
 2. **Date survey was made**
 3. **Scale, date and north arrow**
 4. **Dimensions of the parcel and total area (square feet) of proposed site**
 5. **Deed Book and Page Number for subject property**
- D. **Existing Features Map:** ~~May be combined with the survey map, to~~ **Shall** show all existing features of the site plus all land within twenty-five (25) feet of the site at a scale of not smaller than 1" = 100' showing:
1. Rights-of-way and easements, utilities on/over/under the site (including storm drains and catch basins, if applicable), **railroads, culverts, drainage channels, flood channels, parks, cemeteries, bridges and irrigation ditches;**
 2. All existing structures including walls, fences, and other manmade features of the site;
 3. Topography shown at not greater than five (5) foot contour intervals;
 4. Streams, floodway boundaries, delineation of the 100 year flood plain elevation **(FEMA map used and date)**, ponds, lakes, wooded areas, **applicable stream buffers** and other natural features, **including those within 100 feet of the subject property;**
 5. **Existing** driveways, drives, walk-ways and curb-cuts;
 6. Proposed roadway improvements, if any, serving the site should be provided, **including the proposed typical for the road;**

7. Any other necessary information requested by the Zoning Administrator for site plan review **and approval**;
8. ~~Title block shall contain the following information:~~
 - i. ~~Site plan name~~;
 - ii. ~~Name and address of architect, land planner, landscape architect, engineer or surveyor who prepared the map~~;
 - iii. ~~Date survey was made; and,~~
 - iv. ~~Scale, date and north arrow.~~
9. **Parcel Identification Number(s) for site**
10. **Ownership, use and zoning designation of all adjacent lots and/or tracts of land**

E. Site Development Plan map of the site at a scale of no smaller than 1" = 100' (at the same scale as the existing features map) showing:

1. **Proposed use(s)**;
2. **Location of required building setback lines**;
3. Proposed finished grade at no greater than five (5) contour intervals;
4. Natural features to be left undisturbed and/or landscaped areas or buffers to be created.
5. Proposed drainage;
6. Proposed location of utilities;
7. Proposed location of public streets and private drives, including rights-of-way and pavement widths, curb-cuts, pedestrian ways and other paths, proposed parking and loading areas;
8. Location of existing structures, fences, walls, signs, plantings, exterior lighting, and solid waste disposal facilities;
9. Number of proposed dwelling units **or commercial units** by type, size, and proposed ownership;
10. **Proposed location of all structure(s), fences, walls, signs and exterior lighting of the structure(s)**:
 - a. **Existing and proposed sign(s) and location(s)**,
 - b. **Color renderings of buildings elevations showing dimensions (non-residential or multi-family development).**
11. **Location of off-street parking areas and loading areas along with proposed paving material (include parking and loading calculations)**;
12. Total acreage **and square footage** of site
13. **Existing and proposed**:
 - a. Acreage and square footage of building coverage,
 - b. Acreage and square footage in common open space,
 - c. Acreage and square footage in roads, and
 - d. **Acreage and square footage of other paved/graveled areas,**
 - e. **Acreage and square footage of all impervious surfaces**
 - f. Acreage suitable for active recreational use shall be shown, indicating proposed use thereof. Common open space as computed shall not include streets, drives, parking or loading areas;

14. Height of buildings;
 15. Proposed drainage and erosion control measures;
 - a. Erosion control measures cannot encroach into required landscaped areas
 16. Delineation of special flood hazard and/or wetlands;
 17. Location(s) of Overlay Zones (if applicable);
 18. Location(s) of solid waste containers, including proposed design provisions for required screening;
 19. Required NCDOT site triangles
 20. Other information deemed necessary by the Zoning Administrator for site plan review and approval;
 21. ~~Title block containing:~~
 - i. ~~site plan name,~~
 - ii. ~~name and address of architect, land planner, engineer or surveyor, and scale, date and north arrow~~
- F. **Landscape Plans:** Commercial site plans must include a landscape plan. If space allows, the landscape may be shown on the site plan but must be submitted as a separate plan sheet. At a minimum, the landscape plan shall include:
1. Proposed landscape areas and required buffer areas with dimensions;
 2. Planting area calculations in tabular form listing botanical/common names, number and size of plantings for each area;
 3. All undisturbed natural features;
 4. The total square footage of the property, the square footage of the buildings, parking and other vehicular use/parking areas;
 5. Location, name, and size of any existing trees or shrubs to be incorporated or retained as part of the landscape plan.
- G. **Flood Prevention Plan:** Projects located in or near the flood plain are required to file a Flood Prevention Plan and may also be required to obtain a Floodplain Development Permit. The plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. The plan must be drawn at a scale of no smaller than 1" = 100' showing the following data:
1. Location of floodplain (floodway, 100 and 500 year)
 2. Location of all proposed buildings and parking areas in relation to the floodplain
 3. Distance of any proposed buildings and parking areas from the delineated floodplain
 4. Location of any areas of disturbance and any proposed limits of disturbance
 5. Base flood elevation for existing and proposed structures
 6. Elevation Certificate, if applicable
 7. Flood proofing Certificate, if applicable

See Chapter 16 for additional information related to Flood Damage Prevention and Floodplain Development Permitting

H. Other Information and Documents:

1. Driveway permit from NCDOT for new driveway connections or modifications to existing access points
2. Army Corp of Engineers Approval for wetlands or stream crossings
3. Copy of recorded deed if project located on a newly created parcel
4. Erosion Control Approval Certificate
5. Phase II Post Construction Stormwater Permitting Approval Certificate
6. Architectural Review Plans, if applicable
7. Any other necessary information requested by the Zoning Administrator for site plan review and approval
8. Case number and documentation showing conditions of approval for items approved by Planning and Zoning Commission
9. Case number and documentation showing that conditions of approval have been met for projects that have received approval and have Granting Orders in place with the Board of Adjustment.

~~For property to be developed in sections or phases, detailed site plans containing the above information may not need to be submitted for the entire property. However, conceptual or schematic plans shall be submitted in order to show the relationship of the section under review to the entire project.~~

Minor site development plans

Site improvements or building additions to existing developments may submit the following in lieu of a major site development plan:

1. If the site has a previously reviewed and approved site plan, the changes or additions to that plan may be submitted with the Title block and the site plan properly ~~updated.~~ ~~amended.~~
 - a. ~~If there have been any changes to local or state regulations related to the previously approved site plans and development, the burden is on the applicant to show that the current standards of review are being met for the site~~
2. If no previously reviewed and approved site plan exists, a major site plan as described in ~~the previous~~ section ~~12-8~~ must be submitted

Section 12-11. General standards for site development

All development, other than single-family and agriculture, shall conform to the following standards:

- A. **Land ownership.** All land within multi-unit developments shall be in single, or joint ownership, or in whatever form the petitioner shall have the right to acquire ownership under a valid option, and this information shall be included in the submission. Satisfactory arrangements shall be made for the ownership of land in common space.

- B. **Pedestrian ways.** Sidewalks or pathway systems shall be provided from parking areas to the main building entrance. Surface materials, width, and alignment shall be shown. **All proposed pedestrian areas must meet design standards for accessibility.**
- C. **Land coverage.** Land covered by impermeable surfaces shall not exceed the required percentage of the total site area. (See Chapter Five for impermeable surface maximums)

All provisions of this Zoning Ordinance which apply to the site under review for development shall be included on or with the site plan.

~~Areas deserving particular attention include:~~

- ~~a. Buffering and visibility at intersections~~
- ~~b. Signage locations~~

Section 12-12. Review and approval procedure

Complete applications and plans are needed before the site plan will be accepted for review. If the submitted site plan meets all of the requirements of this Ordinance, it shall be approved by the Zoning Administrator. In the event that a site plan is denied, the specific reasons for the denial shall be transmitted to the applicant within one week of that action.

An approved or conditionally approved site plan shall be retained in the Planning and Zoning Department **in accordance with state statutes**. A zoning compliance permit may only be secured after receiving an approved site plan. If the developer is not prepared to begin the project immediately, he or she may petition the Commission to vest development rights for a period of not more than two (2) years. If a zoning compliance permit has not been issued within two years of the Board's approval, the approved plans shall be null and void.

~~Before a Occupancy Permit~~ **Certificate of Compliance** is granted, all requirements of the approved site plan **and zoning compliance permit that has been issued** shall be completed, ~~unless specifically waived for a set time period by the Zoning Administrator.~~

Section 12-13. Traffic Impact Analysis

Transportation impacts, and how to mitigate them, are an important consideration for the community when development is proposed. Public policy makers, citizens and developers all have a stake in understanding and responding to additional demands on the transportation system. A Transportation Impact Analysis (TIA) is a tool used to evaluate the incremental impacts on the surrounding transportation infrastructure and how to mitigate them to maintain safe traffic and transportation operations.

A. Applicability

1. A traffic impact analysis (TIA) shall be required for any conditional use rezoning, conditional use permit, preliminary plat, site plan or zoning compliance permit application or request estimated to produce 2,000 vehicles per day or greater **and/or 100 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the Institute of Transportation Engineers (ITE) Trip Generation Manual.
2. A TIA shall be required for residential development estimated to produce 2,000 vehicles per day or greater **and/or 100 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the ITE Trip Generation Manual.
3. A TIA shall be required for any nonresidential or mixed use development estimated to produce 3,000 vehicles per day or greater **and/or 150 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the ITE Trip Generation Manual.
4. A TIA may also be required for proposed access within 1,000 feet of an interchange, in the vicinity of a high accident location, on a major arterial roadway, when involvement with an existing or proposed median crossover is necessary, when the project includes highway improvements that are in the Transportation Improvement Program, when involvement with an active roadway construction project is necessary or at the discretion of the NCDOT District Engineer.
5. **A TIA or Technical Memorandum may also be required based on special circumstances associated with the proposed development, even if the number of gross trips falls below the above stated thresholds. This includes when:**
 - a. **Traffic is being generated from a non-residential development that could potentially impact adjacent residential neighborhoods.**
 - b. **Traffic operation issues for current and/or future years on nearby roads is expected to be worsened by traffic generated from the new development.**
 - c. **Traffic near the site is experiencing significant or unacceptable delays.**
 - d. **The proposed land use differs from the proposed land use classification in the Land Use Plan.**
 - e. **The existing street or access system is not anticipated to accommodate the expected traffic generation.**
 - f. **The proposed development includes a drive-through facility, or other uses, such as schools, that require significant on site circulation that may have off-site impacts to adjoining roads and/or intersections.**
 - g. **The amount, behavior or assignment of traffic is different from a previously approved TIA for the same property.**

The need for a TIA may be waived when Cabarrus County and NCDOT agree a TIA is not needed. In the event a waiver is requested, the applicant must provide evidence to show that a waiver is appropriate. Waiver requests shall be handled on a case-by-case basis.

B. Calculating Trip Generation The trip generation of a proposed development is the sum of the number of inbound and outbound vehicle trips that are expected for the proposed ~~subdivision~~ **land use**. For purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips or internal capture rates will be allowed to the site traffic calculation. A TIA will vary in range and complexity depending on the type and size of the proposed development. When mutually agreed upon by the NCDOT, the applicant, and Cabarrus County staff, the basic requirements for the TIA may be modified.

C. Traffic Impact Study

1. When required by this section or NCDOT, a TIA shall be used to review the potential impacts of proposed or revised developments on the State Highway System. The TIA covers safety, capacity, and access issues. When required and completed, a TIA shall be used by Cabarrus County and NCDOT to determine the required improvements to the State Highway System within the vicinity of the development to mitigate undesirable impacts of the project.
- 2- The NCDOT District Engineer, working together with Cabarrus County, will determine the basic parameters of the TIA **during a pre-submittal conference. The scoping document** ~~When will be~~ mutually agreed upon by NCDOT, the applicant, and the County. ~~in a pre-submittal conference, the basic requirements and parameters for the TIA may be modified.~~
3. The TIA shall be prepared under the direct charge of, and sealed by a licensed North Carolina Professional Engineer with expertise in traffic engineering. All work shall be in accordance with NCDOT approved methods and input parameters and shall be of sufficient scope and detail to allow the County and NCDOT to evaluate the impact of the development with regards to roadway capacity and operational and safety improvements that may be needed.
4. The format and contents of the required TIA shall be established in conjunction with NCDOT and the County (see Appendix A).

D. TIA Findings

When the County and the applicant concur that the technical analysis is complete, the report shall be forwarded to the Commission. A ~~subdivision~~ **development** improvement agreement detailing the applicant's responsibilities and the County's responsibilities for implementing any mitigation measures shall be prepared. ~~and what, if any, improvements may be assessed against other benefited properties.~~ If the County or **NCDOT** finds that the proposed development will not meet applicable service level standards, staff shall recommend one or more of the following actions:

- a. Reduce the size, scale, scope or density of the development to reduce traffic generation;
- b. Divide the project into phases and authorize only one phase at a time until traffic capacity is adequate for the next phase of development;
- c. Dedicate right-of-way for street improvements;
- d. Construct new streets;
- e. Expand the capacity of existing streets;
- f. Redesign ingress and egress to the project to reduce traffic conflicts;
- g. Alter the use and type of development to reduce peak hour traffic;
- h. Reduce background (existing) traffic;
- i. Eliminate the potential for additional traffic generation from undeveloped properties in the vicinity of the proposed development;
- j. Integrate non-vehicular design components (e.g., pedestrian and bicycle paths or transit improvements) to reduce trip generation;
- k. **Require cross-connectivity or shared access points be used;** or
- l. Recommend denial of the application for development for which the TIA is submitted.

E. Expiration of TIA.

- ~~1. Residential Projects. A TIA shall be valid for a period of two years from the date of the preliminary plat approval by the County.~~
- ~~2. Commercial Projects. Where a preliminary plat is required for a commercial project, the TIA shall be valid for a period of two years from the date of the preliminary plat approval by the Commission. In the event a preliminary plat is not required for the project and the project is subject to site plan review only, then the TIA shall be valid for a period of two year from the date of site plan approval by Cabarrus County Zoning Services.~~
- ~~3. Mixed Use Projects. The TIA for a mixed use project shall be valid for a period of two years from the date of preliminary plat approval by the County or site plan approval date by Cabarrus County. Zoning Services, whichever occurs first.~~

A TIA shall be valid for a period of one year from the date of the approval of the preliminary plat for the project or the date of site plan approval for the project, whichever occurs first.

Pursuant to NCDOT policy, access connections and building construction must start within one year after the approval date of any driveway permits issued as part of the development process.

Section 12-14. Approvals required for new lots in subdivisions: ~~Planning and Zoning Commission and the Cabarrus Health Alliance~~

The Zoning Administrator cannot issue a Certificate of Zoning Compliance ~~Permit~~ prior to approval by either the Cabarrus County Health Alliance or the State of North Carolina, whichever is appropriate, of any proposed waste water system and fresh water supply.

For major subdivisions, No Certificate of zoning compliance permit can be issued ~~on~~ in a subdivision (see Cabarrus County Subdivision Regulations) prior to the issuance of a Certificate of Approval by the Cabarrus County Planning and Zoning Commission and recordation by the Register of Deeds. For minor subdivisions, administrative approval and recordation by the Register of Deeds is required.

Newly created lot configurations, property identification numbers (PINs), street center lines and addresses must be shown in the Cabarrus County Geographic Information System (GIS) prior to any zoning compliance permit being issued.

Section 12-14. Certificate of ~~Occupancy~~ Compliance

Certificates of ~~Occupancy~~ Compliance are issued by the Zoning Administrator after the following conditions have been met:

- a. The ~~Cabarrus Health Alliance~~ appropriate approving entity (~~State of North Carolina or Cabarrus County Health Alliance~~) or the appropriate governmental entity has inspected and approved the installation of both waste water and fresh water supply systems; and
- b. The Zoning Administrator and/or his or her designee has ~~made~~ performed a final inspection and determined that the provisions of this Ordinance have been ~~complied with~~ met and that the project complies with all applicable development standards.

Where deemed appropriate, the Zoning Administrator may ~~or may not~~ request "As-Built" plans as part of the conditions of Certificate of Compliance approval.

Temporary Certificates of Compliance may be issued in accordance with Chapter 9, Section 9-13 Unavoidable Delays in the Installation of Landscape. ~~The Zoning Administrator may grant a temporary occupancy permit~~ for up to one hundred twenty (120) days.

Part II The Cabarrus County Planning and Zoning Commission and Board of Adjustment

Section 12-15. Establishment of the Planning and Zoning Commission

In order to exercise the powers authorized in G.S. 160D-301, Planning Boards, ~~153-321, 153A-344 and 153A-345.1 (160A-388)~~, the Cabarrus County Planning and Zoning Commission is hereby established. The Commission shall be comprised of nine (9) members appointed by the Cabarrus County Board of Commissioners. Members must be residents of Cabarrus County.

~~Members shall be appointed per the adopted policy of the BOC.~~

~~Section 12-15 Alternate members~~

The Cabarrus County Board of Commissioners BOC shall also appoint three (3) alternate members to serve on the Planning and Zoning Commission in the absence, for any cause, of any regular member. Such alternate members shall be appointed for three year terms and shall exercise all the powers and duties of a regular member when serving in his or her absence.

Terms of appointment for regular members and for alternates shall be for three years. Term expiration dates shall be staggered so that all of the member terms do not expire at the same time.

Members appointed to the Cabarrus County Planning and Zoning Commission shall also serve as members of the Cabarrus County Board of Adjustment.

Section 12-16. Powers of Duties of the Planning and Zoning Commission

The Planning and Zoning Commission shall have the following duties:

When acting as a planning board agency, to:

1. Make decisions on planning and zoning items presented to the board for consideration.
2. Initiate proposed amendments to this order ordinance and make recommendations to the Board of Commissioners BOC.
3. Prepare studies and plans related to controlling and creating orderly growth and development of the County.
4. Develop and recommend to the BOC Board of Commissioners plans, goals, and objectives as well as policies, ordinances and administrative procedures or other means for carrying out the studies and plans referenced above.
5. Perform any other duties assigned by the BOC Board of Commissioners or as authorized in General Statute ~~153A-321~~. G.S. 160D-301.

When acting as the Board of Adjustment, to:

1. Hear and decide variance applications.
2. Hear and decide ~~conditional~~ **special** use permit applications ~~as specified in Section 12-21 below.~~
3. Hear and decide appeals when it is alleged there is an error in any ~~order~~ **ordinance**, requirement, decisions, interpretation, grant, or refusal made by the Zoning Administrator **and/or his or her designee**.
4. Hear and decide a change ~~of~~ **from** one nonconforming use to another. The ~~Commission~~ **Board of Adjustment** shall permit a change in use only if the new use is equally compatible or more compatible with the area and the permitted uses in the district in which it is located as the existing nonconforming use. Application for a change of nonconforming use shall follow the standards established in Chapter Twelve.
5. Perform any other duties assigned by the ~~BOC~~ **Board of Commissioners** provided in this Ordinance or required by ~~General Statute G.S. 160D-302 153A-345.1 (160A-388).~~

All quasi-judicial matters before the Board of Adjustment shall be handled in accordance with G.S. 160D-406.

Section 12-17. ~~The~~ Planning and Zoning Commission Administration

1. The Commission shall adopt rules of procedures and regulations for the conduct of its affairs.
2. The Commission shall elect a chair and vice-chair in accordance with its rules of procedure. The Zoning Administrator shall appoint a Clerk to the Commission.
3. All meetings of the Commission shall be open to the public.
4. The Commission shall keep a record of its meetings, including the vote of each member on every question, a complete summary of the evidence submitted ~~to it~~, documents submitted ~~to it~~ and all official actions.
5. When required by this Ordinance, the Commission shall give notice of matters coming before it by causing a public notice to be placed in a newspaper of general circulation in the County **and/or by placing the notice on the Cabarrus County web site (SL2003-81).**
6. The person acting as Chair of the Commission or Clerk to the Commission is authorized to administer oaths to any witnesses in any matter coming before the Commission.

7. Applications for ~~conditional~~ **special** use approvals, applications for variances, change of nonconforming use, and appeals ~~for review~~ of decisions of the Zoning Administrator shall be filed with the Zoning Administrator as agent for the Board. **All** applications and appeals shall be submitted on forms provided by the Zoning Administrator.
8. It shall be the responsibility of the Zoning Administrator to notify the applicant or appellant of the disposition which the Commission made of this matter.
9. It shall be the responsibility of the Zoning Administrator to issue permits in accord with Commission action on an appeal or application, if a permit is authorized by the Commission action.
10. The Zoning Administrator shall see to the faithful execution of all Commission actions, including the enforcement of all conditions which may have been attached to the granting of a variance or approval of a ~~conditional~~ **special** use **and as outlined in the Granting Order for such cases.**

Section 12-18. Quorum and vote required

1. A quorum, necessary to conduct any business of the Commission, shall consist of five members.
2. The concurring vote of at least 80 percent of the members of the Commission shall be necessary in order to approve any request for a variance from this Ordinance. For the purposes of this subsection, vacant positions on the Commission and members who are disqualified from voting on a quasi-judicial matter shall not be considered “members of the Commission” for calculation of the requisite supermajority if there are no qualified alternates available to take the place of such members.
3. A 75 percent vote of the members of the board present and not excused from voting shall be considered the final action for ~~atlas~~ **zoning** amendment applications if no appeal is filed with the Board of Commissioners. (~~see Chapter 13 for atlas amendment procedures~~) (SL1993-247)
4. A simple majority vote of those present and not excused from voting shall be necessary to conduct routine business of the Commission and to act on all other applications upon which it is required to consider under this Ordinance:
 - a. To approve or deny applications for ~~conditional~~ **special** use permits;
 - b. To make a recommendation on amendments to the Zoning Ordinance or
 - c. To make a recommendation on adoption or amendments **Long Range Planning Documents or Studies**
(See Chapter 13 for procedures);
 - d. To reverse any order, requirement, decision or determination of the Zoning Administrator;

- e. To approve a change in a nonconforming use.
- f. All other business.

~~Application of the variance power~~

Section 12-19. Variances

A variance may only be allowed by the Board of Adjustment in cases involving practical difficulties or unnecessary hardships when substantial evidence in the official record of the application supports all the following findings:

1. Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. **A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.**
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

All of these findings of fact shall be made in the indicated order by the **Board of Adjustment**, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial, material, and competent evidence **being entered** in the record of the proceeding ~~before the Commission~~.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance.

The Commission may impose reasonable conditions upon the granting of any variance to ensure that the public health, safety, and general welfare shall be protected and substantial justice done.

Section 12-20. Application of conditional Special Use power-Permits

The Cabarrus County Board of Adjustment, shall hear and decide special use permits in accordance with the principles, conditions, safeguards, and procedures specified in this Ordinance.

1. The Board of Adjustment, in applying the conditional use power shall follow the standards contained in Chapter Eight, Conditional Uses, as well as its rules of procedure.

The Board of Adjustment shall consider requests for special use permits in accordance with this Ordinance and with the rules established for quasi-judicial procedures.

2. Before any application for a conditional special use shall be approved, the Board of Adjustment shall make written findings certifying compliance with the specific standards governing each individual conditional special use and the General Standards contained in Chapter Eight as well as all other applicable development standards in this Ordinance. The Board of Adjustment shall make appropriate findings on each standard, supported by substantial, material, and competent evidence in its record.
3. The Board of Adjustment may impose reasonable and appropriate conditions and safeguards upon these permits-conditions upon related to the installation and operation of any conditional special use to ensure that the public health, safety and general welfare are protected and substantial justice done. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities.
4. Violation of such conditions of approval shall be considered a violation of this Ordinance and processed accordingly

Section 12-21. Application of interpretation power and Appeals of Administrative Decisions

An appeal from an order, requirement, decision or determination of the Zoning Administrator shall be decided by the Planning and Zoning Commission, Acting as Board of Adjustment, Commission, based upon findings of fact.

In exercising this power, the ~~Commission~~ **Board of Adjustment** shall act in a prudent manner so that the purposes of the Ordinance shall be served. The Zoning Administrator must be present for the hearing.

The effect of the decision shall not be to vary the terms of the Ordinance nor to add to the list of permitted uses in the districts.

Pursuant to G.S. 160D-405 (d), the owner or other party shall have 30 days from receipt of the written notice of the determination within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the determination within which to file an appeal. In the absence of evidence to the contrary, notice given by first class mail shall be deemed received on the third business day following deposit of the notice for mailing with the United States Postal Service.

Section 12-22. Appeal stays further proceedings

An appeal to the Board of Adjustment Commission from a decision or determination of the Zoning Administrator stays all proceedings **and additional accrual of applicable fines** in furtherance of the decision or determination appealed from, except as provided in the next section.

Section 12-23. Exceptions to stay of action

An appeal to the Commission of a determination or decision of the Zoning Administrator shall not stay further proceedings in furtherance of the decision or determination appealed from, if the Zoning Administrator certifies either:

- A. That in the opinion of the Zoning Administrator a stay would cause imminent peril to life and/or property.
- ~~B. That the situation appealed from is transitory in nature and therefore with enforcement of the Ordinance.~~

In each instance, the Zoning Administrator shall place in the ~~certificate~~ **affidavit**, facts to support the conclusion. An expedited hearing before the Commission shall be arranged, if requested by the appealing party.

Section 12-24. Appeals of Commission actions

Every decision of the Commission, when serving in its capacity as a Board of Adjustment, shall be subject to review at the instance of any aggrieved party by the Superior Court through proceedings in the nature of certiorari pursuant to **G.S. 160D-1402** (a writ of Superior Court to call for the records of a public body acting in a quasi-judicial capacity). The appeal to Superior

Court must be in writing and filed within thirty (30) days of the filing of the decision in the office of the Clerk to the Commission. The notice of appeal must clearly state the basis for the appeal.

Section 12-25. Duties of the Board of County Commissioners

Because of the quasi-judicial nature of the actions of the Commission when acting as Board of Adjustment, state law does not permit appeals of actions of the Board of Adjustment to the Board of Commissioners. The role of the Board of Commissioners is legislative in nature and confined to the adoption, amendment, and/or rescission of this Ordinance.

Section 12-26. Property Determinations

12-27.1 Notice of Determinations.

The Zoning Administrator, Planning Director and his or her designee shall provide written notice to the owner of the property that is the subject of the determination and to the party who sought the determination, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail. The notice shall be delivered to the last address listed for the owner of the affected property on the county tax abstract and to the address provided in the application or request for a determination if the party seeking the determination is different from the owner.

12-27.2 Appeal of Notice of Determination

It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the determination from the date a sign providing notice that a determination has been made is prominently posted on the property that is the subject of the determination, provided the sign remains on the property for at least 10 days. The sign shall contain the words "Zoning Decision" or "Subdivision Decision" or similar language for other determinations in letters at least 6 inches high and shall identify the means to contact a local government staff member for information about the determination. Posting of signs is not the only form of constructive notice. Any such posting and notice shall be the responsibility of the landowner, applicant, or person who sought the determination. Verification of the posting and any notices sent by mail shall be provided to the staff member responsible for the determination.

Section 12-27. Changes to Approvals

After a development approval or zoning compliance permit has been issued, no deviations from the terms of the application or the development approval shall be made until written approval of proposed changes or deviations has been obtained from the proper approval authority.

Section 12-28. Inspections

Planning and Zoning Staff may inspect work undertaken pursuant to a development approval to assure that the work is being done in accordance with the terms of the approval as well as applicable State and local laws. In exercising this power, Staff is authorized to enter any premises within county jurisdiction at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials; provided, however, that the appropriate consent has been given for inspection of areas not open to the public or that an appropriate inspection warrant has been secured.

Part III Enforcement

Section 12-29. Violations

~~In addition to any other remedies cited in this section for the enforcement of the provisions of this Ordinance, the regulations and standards herein may be enforced through the issuance of citations by the Zoning Administrator in accordance with General Statute 153A-123. These citations are in the form of a civil penalty. The County may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to possible criminal prosecution, since violation of County Ordinances is also a misdemeanor pursuant to General Statute 14-4.~~

12-30-1. Notice of Violation

When staff determines work or activity has been undertaken in violation of this Ordinance or in violation of the terms of a development approval, a written notice of violation may be issued.

The notice of violation shall be delivered to the holder of the development approval and to the landowner of the property involved, if the landowner is not the holder of the development approval, by personal delivery, electronic delivery, or first class mail and may be provided by similar means to the occupant of the property or the person undertaking the work or activity. The notice of violation may also be posted on the property.

A Notice of Violation may be appealed to the Board of Adjustment.

12.30-2 Stop Work Order

Whenever any work or activity subject to regulation pursuant to this Ordinance is undertaken in substantial violation of any State or local law, or in a manner that endangers life or property, Staff may order the specific part of the work or activity that is in violation or presents such a hazard to be immediately stopped. The order shall be in writing, directed to the person doing the work or activity, and shall state the specific work or activity to be stopped, the reasons therefore, and the conditions under which the work or activity may be resumed. A copy of the order shall be delivered to the holder of the development approval and to the owner of the

property (if that person is not the holder of the development approval) by personal delivery, electronic delivery, or first class mail.

A stop work order may be appealed to the Board of Adjustment.

No further work or activity shall take place in violation of a stop work order pending a ruling on the appeal.

Violation of a stop work order shall constitute a Class 1 misdemeanor.

Section 12-30. Remedies and Penalties

If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, maintained, or any building, structure or land is used or developed in violation of this Ordinance, Cabarrus County, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, use, or development; to restrain, correct or abate the violation; to prevent occupancy of the building, structure or land; or to prevent any illegal act, conduct, business or use in or about the premises.

Cabarrus County Development Ordinance
 Chapter 12-Administration and Enforcement

The following **time frames for correction** and civil penalties are established for violations of this Ordinance:

Type of Citation	Penalty	Time to Correct Violation
Warning Citation	N/A	30 days
First Citation	\$450.00	15 days
Second Citation	\$550.00	15 days
Third and subsequent citations	\$750.00	15 days
Repeat offense	\$750.00	15 days
Disturbed Acre in Required Open Space	\$500.00 plus Replacement Planting Equal to 20 Large Maturing Trees and 40 Large Shrubs per Acre (tree and shrub sizes shall be in accordance with the buffer standards)	
Disturbed Acre in Required Buffer	\$500.00 plus Replacement Planting to Meet Buffer Standard	

These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this Ordinance. Should Cabarrus County be required to file suit to enforce any provision of this Ordinance, it shall be entitled to recover its attorney's fees and costs from those persons who have violated the Ordinance.

Any person adjudged in violation of this ordinance shall be guilty of a Class 1 misdemeanor.

12-30.1 Repeat Offense

When a notice of violation is corrected and the case is closed, if the same violation occurs on the subject property within 18 months of the closing of the case, it shall be considered a repeat offense and fined as such.

Penalties

and shall be punished as provided in General Statute 14-4.

~~Section 12-29 Remedies~~

~~If a building or structure is erected, constructed, reconstructed, altered, repaired, converted, moved or maintained, or any building or structure on land is used in violation of this Ordinance, the Zoning Administrator, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, moving, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or land, or to prevent any illegal act, conduct business or use in or about the premises.~~

Section 12-31. Revocation of Development Approvals

In addition to initiation of enforcement actions, development approvals may be revoked by the local government issuing the development approval by notifying the holder in writing stating the reason for the revocation. The local government shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval.

Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a Staff member may be appealed to the Board of Adjustment. If an appeal is filed regarding a development regulation adopted by a local government pursuant to this Ordinance, the provisions regarding stays as outlined previously shall be applicable.

Section 13-1 Introduction

This Chapter sets forth the procedure by which both the ordinance text and the zoning maps may be changed. It also explains the concept of **Conditional** District rezoning, a form of rezoning which changes a zoning classification from one to another but limits the number of uses in the newly proposed zone and requires that a site specific development plan be filed with the application. This is in contrast to a conventional rezoning, which changes from one general zoning classification to another and includes all of the uses permitted in the district, as long as the proper permits can be issued.

Section 13-2 How to use this Chapter

Information in this Chapter is organized as follows:

Definitions	Section 13-3
Part I. Amendments to Ordinance Text and Zoning Maps	Section 13-4 to 13-7
Part II. Conditional District (" SU CD") Rezoning District Option	Section 13-8 to 13-9
Part III. Procedures for Zoning Changes	Section 13-10
Part IV. Minor Changes to be considered by the Zoning Administrator, Modifications to be considered by Board or Commission	Section 13-11
Part V. Amending (" SU) development plans, violations, and reapplying.	Section 13-12 to 13-14
Part VI. Vesting of Development Rights	Section 13-15 13-16

Section 13-3 Definitions

General Zoning District-Any of the basic zoning districts created by Chapter Three of this Ordinance.

Site Specific Development Plan- A site specific development plan showing the design, layout and configuration of the site, including existing and proposed conditions. See Chapter 12, Major Site Plan. This plan is used when affixing "~~SU~~ **Conditional District** zoning, ~~district~~ status to a property.

Conditional District Zoning District ("~~SU~~ CD District)-Considered a "floating" zoning district. This district is created only at the request of the property owner and is built upon one of the general zoning districts described above and developed as set forth in the approved site specific development plan.

Text- Refers to those written rules, requirements, etc. known commonly as ~~The~~ Cabarrus County Development Ordinance.

Zoning Maps- Refers to the official zoning maps bearing the zoning district categories parcel by parcel throughout the County. Maintained in the office of the Zoning Administrator, Zoning Division, Cabarrus County Planning and Development Department.

PART I AMENDING THE ORDINANCE TEXT AND ZONING MAPS

Section 13-4 Amending the Ordinance text and Zoning Maps

Amendments may be made to:

- correct an error in text or Zoning Maps,
- change the regulations of the text,
- extend the boundary of an existing zoning district because of changed or changing conditions in a particular area, or
- rezone property from one zoning category to another (general or Conditional District district)

Section 13-5 Initiation of amendments

Amendments may be initiated as follows:

1. To the text:

- By the Cabarrus County Board of Commissioners
- By the Cabarrus County Planning and Zoning Commission
- By Staff

2. To the zoning maps

- By the Cabarrus County Board of Commissioners
- By the Cabarrus County Planning and Zoning Commission and Staff
- By any property owner, citizen, or agent thereof

Section 13-6 Petition for rezoning by non-owner

When a petition to rezone a property is initiated by someone other than the property owner or his agent, the Board of Commissioners, the Planning and Zoning Commission or Planning Staff, the petition cannot be accepted without a notarized statement from the owner(s) of the property in question agreeing to the proposed rezoning request.

Section 13-7 Options for rezoning property in Cabarrus County

Property in Cabarrus County may be considered for rezoning to a different zoning classification by requesting:

1. A Conventional Rezoning Request which proposes rezoning to a general zoning district
2. A Conditional ~~Use~~-District Rezoning Request which proposes a unique, and in many cases more restrictive, zoning district that includes a list of permitted uses for the site being considered and a site specific development plan

Option 1: Conventional Rezoning Request (rezoning from one general zoning district to another general zoning district)

A petitioner may ask that his/her property be rezoned to any of the general zoning districts set forth in Chapter Three of this Ordinance.

To initiate the process, the petitioner must file a complete Rezoning Application with the Cabarrus County Planning and Development Department, and submit the appropriate fees as established by the County Board of Commissioners.

Option 2: Rezoning to the Conditional ~~Use Zoning~~-District

A petitioner may ask that his/her property be rezoned to a Conditional ~~use zoning~~ District built upon the existing general zoning districts set forth by this Ordinance. To initiate the process, the petitioner must file a complete **Conditional Use District** Rezoning Application with the Cabarrus County Planning and Development Department and submit the appropriate fees, along with the applicable submittal materials, including a site specific development plan.

PART II THE CONDITIONAL ~~USE~~ DISTRICT

Section 13-8 Using the Conditional ~~Use~~ District rezoning option

Because of the refinement of this option, the Planning and Zoning Staff strongly encourages its use. Conditional ~~use~~-District rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general category allowing many different uses. This option is most beneficial when rezoning land to establish a use or uses that require the issuance of a ~~conditional~~ **special** use permit.

Section 13-9 Creating the Conditional ~~Use~~ District

Choosing the Conditional ~~use~~-District

Keeping the proposed use or uses in mind, the Petitioner may choose the desired district from any of the general zoning districts (where the proposed use is permitted either outright or **as a special use conditionally**) as set forth within this Ordinance. Upon selection, the requested zoning district will be known by the name of the general zoning district with the suffix ~~"SU"~~ **CD**

added to identify its Conditional ~~use~~ District status. For example, Limited Commercial may be selected and the suffix "~~SU~~ CD" added, to create "Limited Commercial ~~SU~~ CD".

Land use within the Conditional ~~use~~ District

The Petitioner will describe the exact land use proposed for the "~~SU~~ Conditional District and will provide a complete list of proposed uses for the site. Such use(s) may be selected from any of the uses, whether permitted by right or as a special use conditional, allowed in the general zoning district upon which the "~~SU~~ Conditional District is based.

Site Specific Development Plan

Along with the application for Conditional ~~Use~~ District status, the Petitioner shall provide a major site specific development plan as described in Chapter 12, Section 12-9.

Relationship of the Proposed Zoning Change to Cabarrus County Land Use Plans and Studies
Petitioner will provide a narrative of how the proposed zone change will conform, complement or otherwise impact long range plans for the development of land in the County as well as any other special studies.

PART III PROCEDURES FOR ZONING CHANGES

Section 13-10 Filing procedures

Because the options for rezoning have more similarities than differences, one procedure for filing is set forth below with applicable differences noted.

Step 1 Pre-application Meeting

The Petitioner is required to schedule and attend a pre-application meeting with staff before filing any rezoning petition. At this meeting, staff will discuss the proposed rezoning with the Petitioner along with information related to the rezoning process, water and sewer availability, applicable land use plans, established deadlines for submittal and the format used for the Planning and Zoning Commission meetings. Design Professionals working on the project with the Petitioner should also attend this meeting as staff will go into detail about the submittal requirements and materials needed for the application to be considered complete.

Step 2 The applicant is required to hold a neighborhood meeting with adjacent property owners to explain the proposed project, display the proposed site plan (if applicable) and to answer questions that the neighbors may have related to the proposal. The applicant is encouraged to incorporate design elements into the project that mitigate impacts and concerns identified during neighborhood meeting process. Minutes from the neighborhood meeting shall be included with the application materials.

Step 3 Filing the Application

The Petitioner must file a complete application for the applicable type of rezoning request with the Planning and Development Department along with the appropriate fees. Applicable materials required for a complete submittal will be determined at the pre-application meeting. Incomplete applications will not be accepted and will not be scheduled for consideration by the Planning and Zoning Commission.

Conventional Rezoning

When the complete application is received by Planning Staff, Staff and appropriate agents will review the application. Staff will also begin preparation of the staff report for the Planning and Zoning Commission meeting. Staff will schedule a meeting date and notify adjacent property owners of the meeting and that a public hearing will be conducted at the meeting. A sign advertising the meeting and hearing will also be placed on the property being considered for the change in zoning.

Conditional District Rezoning

If the proposed rezoning is for a Conditional District Rezoning, once the complete application is received, Staff and appropriate agencies will review the application, the proposed site plan and the list of uses. Review comments will be forwarded to the Petitioner. The Petitioner will need to address the comments in writing, revise the site plan accordingly and submit the corrections to the Planning Division.

Once advised that the site plan is in compliance with the ordinance and ready to be presented to the Planning and Zoning Commission, the Petitioner will work with staff to submit the appropriate number of copies of the applicable documents and site plans for the Planning and Zoning Commission meeting.

When the copies of the plan are received, Staff will begin to prepare a staff report, schedule a meeting date and notify adjacent property owners of the meeting and that a public hearing will be conducted regarding the proposal. A sign advertising the public hearing will also be placed on the property being considered for the Conditional District rezoning.

Step 4 The Planning and Zoning Commission

The Planning and Zoning Commission considers all applications to amend the zoning maps or text of this Ordinance at its regularly scheduled meetings.

Complete applications shall be filed with the Planning and Development Department by the submission deadline without exception so that staff evaluations can be accomplished in accordance with established deadlines and applicable state statutes for providing required notice.

Step 5 Planning and Zoning Commission Decision or Recommendations to Board of Commissioners

Conventional rezoning decisions and Conditional District rezoning decisions are considered legislative actions and a public hearing will be held as part of consideration of the proposed change. ~~shall be supported by findings of fact derived from sworn testimony presented at the official public hearing held by the Planning and Zoning Commission, conducted as a quasi-judicial hearing.~~

~~For the “CU” rezoning option,~~ As part of the Conditional District process, conditions may be proposed by the applicant or the county or ~~its~~ other review agencies. These conditions shall be incorporated into the rezoning regulations and permitting requirements.

The Planning and Zoning Commission decision shall be considered the final action if the vote to approve or deny a rezoning request is of at least three-fourths of the Planning and Zoning Commission members present and not excused from voting and if no appeal of the decision is filed. This action is also referred to as an “expedited” vote.

A brief statement addressing plan consistency and reasonableness ~~statement~~ shall be prepared provided for each rezoning petition.

Items to be considered when crafting these statements, among other factors include, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

A brief statement addressing consistency and reasonableness shall also be provided for proposed text amendments

Action by the Planning and Zoning Commission on text amendments are recommendations and shall be forwarded to the Board of Commissioners for final consideration.

Step 6 Board of Commissioner's Public Hearing (if needed)

If an approval or denial of a rezoning request is by a vote of less than three-fourths of the members of the Planning and Zoning Commission or if an appeal is filed, then the County Board of Commissioners shall make the final decision on the rezoning petition.

Any person aggrieved by the action of the Planning and Zoning Commission shall have the right to appeal the decision to the Board of Commissioners by giving notice in writing to the Planning and Zoning Commission Clerk or Zoning Administrator within fifteen (15) days of the action of the Planning and Zoning Commission.

- In the case of an appeal, the Board of County Commissioners shall hear the application *de novo* (anew).

The Board of Commissioners shall hold a public hearing for all proposed text amendments.

Section 13-11 Noticing of Proposed Zoning Amendments

Electronic Publication

Prior to the official public hearing, notification shall comply with Cabarrus County Ordinance Number 2004-17 (see Session Law 2003-81). In general, notice will be given by electronic means at least ten (10) days before the date fixed for the public hearing. Alternatively, newspaper advertisements published in accordance with ~~North Carolina General Statute §153A-323~~ G.S. 160D-601 may be substituted for the electronic publication.

Mailed Notice

The owners of affected parcels of land and the owners of all parcels of land abutting that parcel of land shall be mailed a notice of the hearing on a proposed zoning map amendment by first-class mail to the last address listed for such owners on the county tax abstracts. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

Optional Notice for Large-Scale Zoning Map Amendments

The first-class mail notice required under subsection (a) of this section shall not be required if the zoning map amendment proposes to change the zoning designation of more than 50 properties, owned by at least 50 different property owners, and the local government elects to use the expanded published notice provided for in this subsection. In this instance, a local government may elect to make the mailed notice provided for in subsection (a) of this section or, as an alternative, elect to publish notice of the hearing as required by G.S. 160D-601, provided that each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions for mailed notice listed above.

Posted Notice

When a zoning map amendment is proposed, a notice of the hearing shall be posted on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on

each individual parcel is not required but sufficient notices shall be posted to provide reasonable notice to interested persons.

First Class Mail

~~Notice by first class mail shall be sent to the owner of the parcel(s) of land involved in the proposed rezoning. This mail notification shall also be sent to all property owners who have property that abuts the parcel(s) of land under consideration (including parcels located across any rights of ways). The first class mail notice shall be sent to the last address listed for such owner(s) as identified on the County tax abstracts.~~

~~The person or persons mailing such notices shall certify to the decision making body the date and circumstances of mailing and such certificate shall be deemed conclusive in the absence of fraud. The first class mail notice of this section shall not be required in the following situations:~~

- ~~1. The total rezoning of all property within the boundaries of the County or a zoning area as defined in North Carolina General Statute §153A-342~~
- ~~2. The zoning is an initial zoning of the entire zoning jurisdiction area;~~
- ~~3. The zoning reclassification action directly affects more than fifty (50) parcels owned by a total of at least fifty (50) different property owners;~~
- ~~4. The reclassification is an amendment to the zoning text; or~~
- ~~5. The County is adopting a water supply watershed protection program as required by North Carolina General Statute §143-214.5.~~

~~In any case where this subsection eliminates the notice required earlier in this section, the County shall publish notice of the hearings required by North Carolina General Statute §153A-323, provided that each of the advertisements shall not be less than one half (1/2) of a newspaper page in size. The notice shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the County's jurisdiction or outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by mail pursuant to this section. The person or persons mailing the notices shall certify to the decision making body the date and circumstances of mailing and the certificates shall be deemed conclusive in the absence of fraud.~~

Posting of Signs

~~The County shall post one or more prominent signs immediately adjacent to the subject area of a rezoning petition reasonably calculated to give public notice of the proposed rezoning.~~

Timing of Public Hearing by County Commissioners

If the Planning and Zoning Commission action is appealed as described in Step 6 above, then the party pursuing the action before the Board of Commissioners shall pay the advertising fee and the action shall be re-advertised.

Within forty-five (45) days of a recommendation by the Planning and Zoning Commission on an application to amend text or the zoning maps, or, within the lapse of forty-five (45) days with no recommendation, a public hearing may be scheduled with the Board of Commissioners to be held at its next available meeting. Notification of the hearing shall follow the requirements above.

When evaluating a proposed amendment, both the Planning and Zoning Commission and the Board of Commissioners will consider the following:

1. the amendment application itself and the information presented within;
2. the testimony presented at the public hearing;
3. consistency with County wide planning objectives and how these would be affected by the proposed change; and,
4. in the case of map changes to a general zoning district, the compatibility of all uses allowed within the proposed zoning classification with uses permitted on other property in the vicinity. When rezoning to a more intensive zoning district, the availability of governmental water and sewer to serve the property shall be considered as well as the ability to provide other required public services.

Nothing in this section should be deemed to prohibit the County from using any other applicable criteria in determining whether or not to approve a zoning map amendment.

Board of Commissioners Action on Amendments

At the conclusion of the public hearing on a proposed amendment, the Commissioners may proceed to vote on same, refer it to either the Planning and Zoning Commission or Staff for further study, or take any other action consistent with its usual rules of procedure. Voting on amendments to this Ordinance shall proceed in the same manner as other ordinances.

Action Subsequent to the Commission Action

The Zoning Administrator shall within seven (7) days cause notice of the disposition of the application to be sent by mail to the applicant and a copy of the decision to be filed in the office of the Zoning Administrator. The Zoning Administrator, in the case of approval or approval with conditions, shall issue the necessary permit in accord with the Commission's action.

The Effect of Zoning Map Amendment

A vote to rezone property will result in the appropriate change being made to the zoning maps.

In the event of a ~~an~~ "SU" **Conditional** District rezoning, the final site specific development plan is itself a condition of the rezoning. Accordingly, the site specific development plan must be filed in the Planning and Zoning Office and will be enforced as part of the Cabarrus County Ordinance. The site specific development plan will also be filed in the Cabarrus County Register of Deeds Office as a ~~deed~~ restriction (runs with the land) upon the subject property. It will be binding in perpetuity on the property upon which it is issued unless another rezoning request is brought forth and approved.

Where substantial construction has not begun within two (2) years of a "SU" **Conditional District** rezoning approval, the property in question may be changed to another designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

Issuance of Permit

~~When an application for rezoning to "SU" District has been approved by the appropriate approving agency as described above,~~ Prior to the commencement of any development or land disturbing activity **on property that has been rezoned**, the petitioner must secure a ~~Certificate of Zoning Compliance~~ **Permit** ~~from the Office of the Zoning Administrator for Cabarrus County.~~

PART IV BOARD OR COMMISSION APPROVED SITE PLAN, MINOR CHANGES VERSUS MODIFICATION TO PLAN

Section 13-12 Minor changes or modifications, action by Zoning Administrator or approving Board or Commission

The Zoning Administrator is authorized to approve minor changes to an approved site development plan, as long as the proposed changes are in harmony with action of the approving Board or Commission, but shall not have the power to approve changes that constitute a modification of the approval. A modification shall require approval of the Board or Commission and shall be handled as a new application.

The Zoning Administrator shall use the following standards in determining whether a proposed action is a minor change or a modification:

1. **A change in building location of 20 feet or less that does not impact any other site design elements shall be considered a minor change.** Any change in **building location** ~~by~~ **of more than 20 feet or that changes the overall lot design or configuration is considered a major modification and must be considered by the approving body.**
2. **A decrease in the number of parking spaces that is less than 10% of the overall proposed parking spaces shall be considered a minor change.** In no case shall the number of spaces be reduced below the minimum required by this Ordinance.

3. Changes proposed to sidewalk configuration for pedestrian access shall be considered a minor change as long as the amount of impervious area does not increase and access is provided as originally proposed for the project. Applicant must provide sufficient evidence of why the change is needed.
4. Changes to the proposed landscape plan due to unavailability of product shall be considered a minor change if the following conditions apply:
 - a. The change is consistent with the approved plan and is only a substitution and does not cause a reduction in number of plants proposed.
 - b. The tree, shrub or ground cover must be of the same general Ordinance classification, genus and species type. For example, a Red Maple, which is listed as a canopy tree in the Ordinance, could be substituted with a Sugar Maple or a Florida Maple, but not a Loblolly Pine.
- c. A reduction in the square footage of a proposed building shall be considered a minor change as long as the original footprint of the larger building is shown on the approved plan.
- d. Changes to proposed signage locations, on the building or on the site, shown on the approved plan shall be considered a minor change, as long as the proposed location complies with the standards outlined in Chapter 11, Signage. In no case shall signage be permitted where it would not normally be permitted or that does not comply with the standards in Table 11-1.
- e. Changes to proposed trail locations on preliminary plats shall be considered a minor change provided that the overall amount of trail approved on the plan is being provided and installed for the development.
- f. Changes to open space provisions that constitute an increase in the overall amount of open space being provided shall be considered a minor change.
- g. Changes proposed to accommodate additional emergency vehicle access as determined by the Fire Marshal's Office during construction shall be considered a minor change.
- h. Changes to architectural plans approved by the Design Review Committee (DRC) shall be considered minor when the following apply:
 - a. The proposed change does not modify the overall building design or character.
 - b. Any proposed changes to building materials are consistent with the originally approved materials and colors.
 - c. Changes are required to comply with state or local building construction standards that were unknown at the time of approval or that became effective after the architectural plans were approved by the DRC.

For any proposed minor change, a revised, updated site plan or preliminary plat shall be submitted for review and approval. Where the proposed changes impact outside agency permits, those permits shall also be updated.

- ~~1. An increase in the size or number of signs shall constitute a modification.~~

- ~~2. An increase in intensity of use shall constitute a modification. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in number of dwelling or lodging units, and/or an increase in outside land area devoted to sales, displays, or demonstrations.~~
- ~~3. Structural alterations significantly affecting the basic size, form, style, ornamentation and the like of the building as shown on the approved plan shall be considered a modification.~~
- ~~4. Substantial change in the location of open space, recreation facilities or landscape screens shall constitute a modification.~~
- ~~5. A decrease in the amount of open space shall be considered a modification.~~
- ~~6. A change in use shall constitute a modification.~~
- ~~7. Substantial changes in pedestrian or vehicular access or circulation shall constitute a modification.~~

Review of record required

The Zoning Administrator shall, before making a determination as to whether a proposed action is a minor change or a modification, review the record of proceeding on the original application for approval.

Action required on proposed modifications

The Zoning Administrator shall, if it is determined that the proposed action is a modification, require the applicant to file a request for approval of the modification, which shall be submitted to the Commission which approved the original application. The Commission may approve or disapprove the application for approval of a modification and, prior to its action, shall hold a public hearing.

PART V AMENDING "~~SU~~" ~~CONDITIONAL DISTRICT~~ SITE SPECIFIC DEVELOPMENT PLANS, VIOLATIONS, AND REAPPLYING

Section 13-13 Minor changes and modifications to approved "~~SU~~" ~~Conditional~~ District development plans

The Zoning Administrator is authorized to approve minor changes in the implementation of a site specific development plan as long as such changes are in harmony with the overall intent of the rezoning. A proposed change that becomes a modification of the rezoning shall not be within the authorizing scope of the Zoning Administrator but instead, shall be handled as a new application. In determining the degree of change, the Zoning Administrator may refer to those criteria set forth in Section 13-11 of this Ordinance. Administrative decisions on change must be made in writing and kept on file within the Office of the Zoning Administrator.

Section 13-14 Violation of the terms and conditions of an "~~SU~~" Conditional District rezoning

A violation of a condition of rezoning to an "~~SU~~" Conditional District as set forth in the final site specific development plan and other related official paperwork associated with such rezoning shall be treated the same as a violation of this Ordinance, subject to the same remedies and penalties.

Upon determining that such a violation has occurred, the Zoning Administrator shall notify the property owner of such findings either by certified mail or in person, and set a reasonable time for the violation to be corrected or abated.

When a violation is not corrected or abated within the time period set by the Zoning Administrator, the Zoning Administrator or any aggrieved person may institute suit or an injunction, mandamus or other appropriate action or proceedings to correct or abate the violation.

Section 13-15 Effect of denial on subsequent petitions for zoning amendment

An application for a zoning amendment that has been denied, in whole or in part, shall not again be processed for consideration by the County for a one (1) year period from the date of denial.

The Zoning Administrator may waive the one (1) year waiting period if it is determined that there are substantial changes to a previously proposed rezoning petition that was considered by the Planning and Zoning Commission and denied.

This restriction shall not apply to any amendment or petition submitted by the Planning and Zoning Commission, Planning Staff or the Board of County Commissioners.

PART VI VESTING OF DEVELOPMENT RIGHTS

Section 13-16 Vesting of development rights under County Ordinance

A developer/owner may petition to establish a vested right under the Ordinance to complete a project by making a formal request to the Planning and Zoning Commission. Vested rights may only be requested for a previously approved site specific development plan.

A developer/owner wishing to establish a common law vested right must file a petition in Superior Court as the Planning and Zoning Commission does not have the authority to determine common law vested rights. The Planning and Zoning Commission may only consider vested rights related to County development ordinances.

Step 1 Pre-application Meeting

The Petitioner is required to schedule and attend a pre-application meeting with staff before filing a Vested Rights Application. At this meeting, staff will discuss the vesting process with the Petitioner along with established deadlines for submittal and the materials that will be required for the Planning and Zoning Commission meeting. Design Professionals working on the project with the Petitioner should also attend this meeting.

Step 2 Filing the Application

The Petitioner must file a complete application for the vesting of development rights with the Planning and Development Department along with the appropriate fees. Applicable materials required for submittal will be determined at the Pre-application meeting. Incomplete applications will not be accepted.

Step 3 Planning and Zoning Commission Consideration

Upon receiving a request for vested rights, the Planning and Zoning Commission shall consider the application for vested rights and shall hold a public hearing to review the request and the application materials submitted. If the request is approved, the vested rights shall run with the land for a period of two (2) years, beginning from the date of approval by the Planning and Zoning Commission.

Any variations from the original plan must be approved by the Planning and Zoning Commission.

Section 13-17 Multi-Phased Development **and Duration** as defined in North Carolina General Statute ~~§ 153A-344.1(b)(7)~~

For purposes of this section, Multi-Phased Development means a development containing 100 acres or more that (1) is submitted for site plan approval for construction to occur in more than one phase and (2) is subject to a master development plan with committed elements, including a requirement to offer land for public use as a condition of its master development plan approval

Amendments in the applicable zoning, subdivision, or unified development ordinance shall not be applicable or enforceable without the written consent of the owner with regard to a multi-phased development. ~~as defined in North Carolina General Statute §153A-344.1(b)(7).~~

A multi-phased development shall be vested for the entire development with the applicable zoning, subdivision, and unified development ordinances in place at the time a site plan approval is granted for the initial phase of the multi-phased development.

A right which has been vested as provided for in this subsection shall remain vested for a period of seven years from the time a site specific development plan approval is granted for the initial phase of the multi-phased development.

PART VII CONTINUING REVIEW AND REVOCATION

Following approval or conditional approval of vested rights application, Cabarrus County may make subsequent reviews and require subsequent approvals to ensure compliance with the terms and conditions of the original approval, provided that such reviews and approvals are not inconsistent with the original approval. Cabarrus County may revoke the original approval for failure to comply with applicable terms and conditions of the original approval or the applicable local development regulations.

Section 1 Purpose

Subdivision regulations provide for the orderly growth and development of Cabarrus County; for the coordination of transportation networks and utilities within proposed subdivisions with existing or planned streets and highways and with other public facilities; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions that substantially promote public health, safety, and general welfare.

Section 2 Applicability

For the purpose of this Ordinance, subdivision regulations shall be applicable to all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition:

1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the local government as shown in its subdivision regulations.
2. The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.
3. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
4. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Section 3 Penalties for transferring lots in unapproved subdivisions

If any person who, being the owner or agent of the owner of any land located within the planning and development regulation jurisdiction of Cabarrus County, thereafter subdivides his or her land in violation of the regulation or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under such regulation and recorded in the office of the appropriate register of deeds, shall be guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. Cabarrus County may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulation.

Building permits required pursuant to G.S. 160D-1108 may be denied for lots that have been illegally subdivided. In addition to other remedies, Cabarrus County may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct.

The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under the subdivision regulation or recorded with the register of deeds, provided the contract is in compliance with 160D-807. However, no conveyance of land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision regulation and recorded with the register of deeds.

Section 4 Applicability and types of divisions

For the purpose of this Chapter, these regulations shall apply to all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

No subdivision shall be recorded until it has been submitted, reviewed and approved by the appropriate authorities and until the approval is entered on the face of the plat in writing by an authorized representative of Cabarrus County.

The review officer pursuant to G.S. 47-30.2, shall not certify a subdivision plat that has not been approved in accordance with these provisions nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this section.

Exemptions

The following are considered exempt:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the local government as shown in its subdivision regulations.
- (2) The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
- (4) The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
- (5) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Minor subdivision

Minor subdivisions are divisions of property that include up to five lots in the project design. Lots are served by frontage on an existing public road or by a new public or private road that is created during the design and review process for the minor subdivision. New private roads are subject to a recorded maintenance agreement.

Major subdivision

Major subdivisions are divisions of property that include more than five lots in the project design. Lots are served by frontage on existing public roads or by a new public or private roads that are created during the design, review and approval process for the project. New private roads are subject to road a recorded maintenance agreement.

Section 5 District development standards and subdivision design options

District development standards, including minimum lot size, permitted density, setbacks, maximum height, etc. are established and outlined in Chapter 5. Subdivision design options are also located in Chapter 5.

Flag lot design option

When the dimensional standards of an existing lot of record are such that the lot standards in Chapter 5 cannot be met using traditional design standards, the “flag lot” design option may be used to divide the property.

A flag lot is a lot with road frontage that is less than the minimum lot width required by individual district regulations. It is composed of a narrow “pole” extending from the street and a much wider “flag” section located behind a lot (or lots) having the required road frontage.

The lot line at the end of the flagpole, parallel to the road to which the “pole” connects is considered to be the front of the lot for setback purposes.

Flag lot design standards for residential districts:

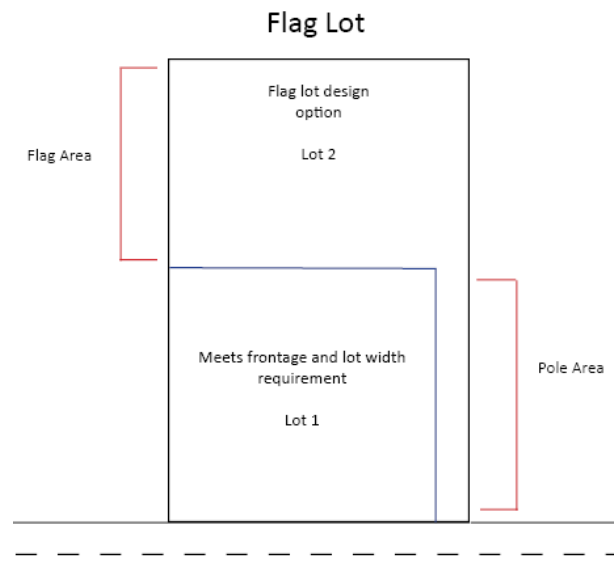
- Minimum pole width is 15 feet for an individual lot or 25 feet for two lots.
- The pole area may be used when calculating minimum lot size only if the pole width meets the required average lot width standard for the zoning district.

Flag lot design standards for non-residential districts:

- Maximum length allowed for the pole portion of a non-residential lot is 250 feet
- Minimum pole width is 30 feet (NOTE: Wider pole width may be required to accommodate proposed use of property and landscape buffers)
- The pole area may not be used when calculating the minimum lot area unless the pole meets the required average lot width standard for the zoning district.

Lot extends into road right-of-way

For purposes of this Ordinance, where an existing lot of record or proposed lot extends into a road right of way, the acreage located in the right of way shall not be counted towards the minimum lot acreage requirement.



Monuments

Unless otherwise specified by this ordinance, the standards of practice for land surveying as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, under provisions of North Carolina General Statute Chapter 39, Article 5A shall apply.

Section 6 Application submittal, review and approval process

Applications

A complete application, along with the applicable fees, must be submitted prior to subdivision review. Applications, along with check lists to facilitate design options and current standards of review, are available from the Planning Division and the Cabarrus County Planning web site.

Exempt and minor subdivision projects

Step 1

Applicants submitting exempt and minor subdivision projects are strongly encouraged to coordinate with Planning Staff prior to submittal. If the applicant would like to attend a pre-submittal meeting, the meeting can be scheduled by calling the Planning and Development Department.

Step 2

The applicant must file a complete application with the Planning and Development Department along with the appropriate fees.

Step 3

When the complete application is received by Planning Staff, Staff and appropriate agents will review the application materials, the proposed project design and the information shown on the plat. Review comments will be forwarded to the applicant. The applicant will need to address the comments, revise the plat accordingly, and submit the corrections to the Planning Division.

Once the project design and plat are approved and the proposed plat has all required signatures, it may be recorded with the register of deeds office. Exempt and minor subdivision projects are reviewed administratively and do not require Planning and Zoning Commission review or approval.

Major subdivision projects

Major subdivision projects follow a different approval process from exemptions and minor subdivisions. These projects are subject to review and approval by the Planning and Zoning Commission.

The review and approval process for major subdivision projects is handled in two phases.

Phase 1

The first phase is the preliminary plat review and approval phase. During this phase of the process:

- The preliminary plat design document is reviewed by staff and other appropriate agents.

- The Planning and Zoning Commission considers the preliminary plat design during a public meeting.
- The Planning and Zoning Commission approves, approves with conditions or denies the preliminary plat as presented.

Phase 2

The second phase of the process is the final platting process. During this phase of the process:

- The final plat is reviewed by staff and other appropriate agents for consistency with the preliminary plat design approved by the Planning and Zoning Commission.
- The final plat is approved or denied.
- The final plat is recorded in the register of deeds office.

Final plat approval is typically an administrative process, as long as the proposed final plat matches the approved preliminary plat design on file. If the final plat design presented is not consistent with the approved preliminary plat, additional Planning and Zoning Commission review and approval may be required.

Preliminary Plat Submittal Process

Step 1 Pre-application Meeting

The first step in the major subdivision project submittal process is for the applicant to schedule and attend a pre-application meeting with staff. At this meeting, staff will discuss the proposed major subdivision project with the applicant, along with information related to the submittal and approval process, water and sewer availability, applicable land use plans, established deadlines for submittal and the format used for the Planning and Zoning Commission meeting. Design professionals working on the project with the applicant should attend this meeting as staff explains in detail the submittal requirements and materials needed for the application to be considered complete.

As part of Step 1, the applicant has the option to submit a sketch plan for general review and comment. During this process, the sketch plan is preliminarily reviewed by applicable agencies and comments provided to the applicant. The purpose of this process is to identify any red flags or challenges related to the proposed project design.

Step 2 Neighborhood Meeting

The second step is for the applicant to hold a neighborhood meeting with adjacent property owners to explain the proposed project, display the proposed preliminary plat and to answer questions that neighbors may have related to the proposal. The applicant is encouraged to incorporate design elements into the project that mitigate impacts and concerns identified during neighborhood meeting process. Minutes from the neighborhood meeting are considered part of a complete application and should be submitted along with the other required materials.

Step 3 Filing the Application

The applicant must file a complete application with the Planning and Development Department, along with the appropriate fees, for the submittal to be processed. Applicable materials required for a

complete submittal will be determined at the pre-application meeting. Incomplete applications will not be accepted and will not be scheduled for consideration by the Planning and Zoning Commission.

When the complete application is received, Planning Staff and other appropriate agents will review the application and the proposed preliminary plat. Review comments will be forwarded to the applicant. The applicant will need to address the comments in writing, revise the preliminary plat accordingly and submit the corrections to the Planning Division.

Once directed that the preliminary plat is in compliance with the ordinance and ready to be presented to the Planning and Zoning Commission, the applicant will work with staff to submit the appropriate number of copies of the applicable documents and preliminary plat for the Planning and Zoning Commission meeting.

When the copies of the plan are received, Staff will begin to prepare a staff report and schedule a meeting date.

If the preliminary plat is approved by the Planning and Zoning Commission, the approval shall be good for two years from the date of approval.

- Final plats must be filed within two years of the approval date for the subdivision to remain active.
- Each time a final plat is approved and recorded with the Register of Deeds, the two year time frame is automatically extended based on the recordation date.

Appeals of subdivision plat decisions

When a subdivision regulation adopted under this Ordinance provides that the decision whether to approve or deny a preliminary or final subdivision plat is quasi-judicial, then that decision of the Planning and Zoning Commission, acting as Board of Adjustment, shall be subject to review by the Superior Court by proceedings in the nature of certiorari. The provisions of G.S. 160D-406 and this section shall apply to those appeals.

When a subdivision regulation adopted under this Ordinance provides that the decision whether to approve or deny a preliminary or final subdivision plat is administrative, then that decision of the Planning and Zoning Commission shall be subject to review by filing an action in Superior Court seeking appropriate declaratory or equitable relief within 30 days from receipt of the written notice of the decision, which shall be made as provided in G.S. 160D-403(b).

For purposes of this section, a subdivision regulation shall be deemed to authorize a quasi-judicial decision if the decision-making entity under G.S. 160D-803(c) is authorized to decide whether to approve or deny the plat based not only upon whether the application complies with the specific requirements set forth in the regulation but also on whether the application complies with one or more generally stated standards requiring a discretionary decision to be made.

Section 7 Environmental standards permitting, overlay districts, Cabarrus Health Alliance approvals, Floodplain development permits

All proposed divisions of land are subject to the development standards outlined in Chapter 16, Floodplain Damage Prevention. A Floodplain Development Permit may be required for the proposed project to proceed.

Erosion and sediment control permit

All proposed projects in Cabarrus County are subject to Erosion and Sediment Control (ESC) permitting with the State of North Carolina Department of Energy, Mineral, and Land Resources. Non-compliance with the terms of an ESC Permit issued by the State of North Carolina may result in withholding of zoning and/or building permits by Cabarrus County.

Stormwater permit

All proposed projects in Cabarrus County are subject to Phase 2 Post-Construction Stormwater Permitting with the State of North Carolina Department of Energy, Mineral, and Land Resources. Non-compliance with the terms of a Phase 2 Post-Construction Permit issued by the State of North Carolina may result in withholding of zoning and/or building permits by Cabarrus County.

Overlay Districts and Zones

Properties being subdivided may be subject to development standards outlined in Chapter 4, Overlay Districts and Zones. These standards include watershed restrictions, waterbody buffers, thoroughfare standards related to access points and landscape buffers, height restrictions and manufactured home installation design standards.

Cabarrus Health Alliance

All lots in Cabarrus County must be served by individual well and septic systems or by governmental water and sewer. Individual well and waste water systems must be approved and permitted by the Cabarrus County Health Alliance prior to installation. Waste water disposal systems, including tanks and drain fields, may not be located in required stream buffers or in the regulated floodplain.

Section 8 Legal access, road types, Transportation Impact Analysis

Legal access

Recorded legal access and road frontage on a public or private road is required for all lots. When an existing lot of record does not abut an existing public or private road or have frontage on that road, and the owner wishes to subdivide the lot, access and frontage may be gained by construction of a public or a private road.

Road types and classification

The arrangement, character, extent, width, grade, and location of all roads shall be reviewed in relation to existing and proposed transportation patterns, topographical and other natural features, public convenience and safety, proposed uses of lands to be served by such roads and existing or potential uses in adjoining areas.

Roads shall be classified and designed in accordance with the typical details outlined in Appendix A of this Ordinance.

Roads on a proposed subdivision plat shall be classified and labeled as either public or private. The proposed road right-of-way and typical shall also be provided on the plat.

Public Roads

Roads that are classified and designated on a plat as public shall be subject to the following conditions.

- Designation of a road as public shall be conclusively presumed to be an offer of dedication to the public and permit public use.
- These roads shall be maintained by the developer/owner or the lot purchasers through a recorded road maintenance agreement until the respective governmental agency assumes responsibility for the maintenance of the roads.

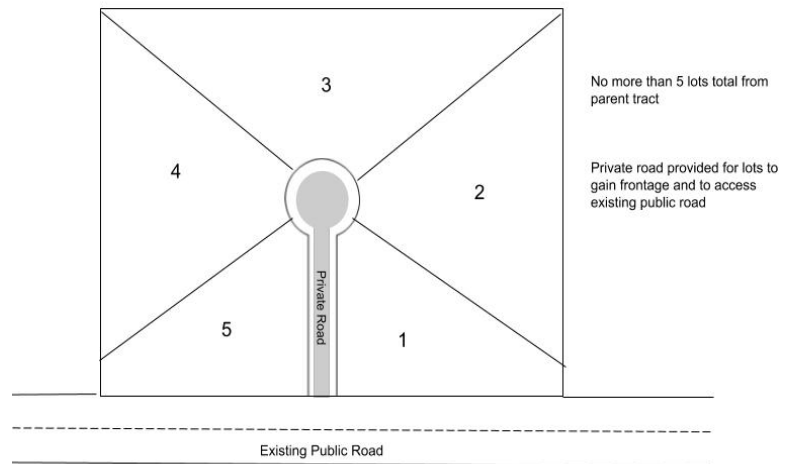
Private roads serving more than five lots

New roads serving five or more lots may be permanently designated as a private road. These roads shall be built to the North Carolina Department of Transportation public standard for the appropriate type of road or street. Additionally, a road maintenance agreement shall be recorded in the office of the register of deeds to ensure that proper maintenance of the private road is provided by property owners gaining access from the road or street and for emergency service response. See Appendix A for road design standards.

Alternate construction standard for private roads serving five lots or less

An alternate road construction standard is available for projects classified as minor subdivisions. No more than five lots total may take access from a private road using this construction standard.

- The private road right-of-way width must be at least 25 feet wide.
- The travel way must be at least 20 feet wide with all-weather access that supports the weight of fire apparatus at a minimum of 75,000 pounds.
- The road must be clear of any limbs or brush for a width of 20 feet and a height of 13 feet.
- When the proposed private road adjoins a paved road, the first 25 feet of the road must be paved when the private road adjoins a paved road.
- Vehicle turnarounds must be provided at the end of all dead end roads.
- Applicant must secure a permit from NCDOT to connect to state maintained roads.
- A private road maintenance agreement must be recorded in the office of the Register of Deeds of Cabarrus County to ensure proper maintenance of the road



Private roads developed using this alternate construction standard must be maintained by the adjoining property owners and/or the developer and will not be accepted for public maintenance.

New private roads must be installed and inspected prior to zoning permits being issued for lots served by the new road.

Transportation Impact Analysis (TIA) Required

Depending on the size of the proposed development and the traffic being generated, a Transportation Impact Analysis, also known as a TIA, may be required. See Appendix A for additional information.

SECTION 9 Road design standards

Road Cross-Sections and Pavement Structure

Appropriate road cross-sections shall be approved by the Cabarrus County Planning and Zoning Commission and NCDOT. Appendix A contains currently approved cross-sections for Cabarrus County. Other cross-sections may be proposed and considered for approval by the Planning and Zoning Commission in conjunction with NCDOT.

Pavement structure is based on classification and is defined in Appendix A. An additional one inch surface course shall be applied to all roads when a majority of the construction is completed.

Curve Radius

Property lines at the intersection of residential streets shall be rounded with a 25-foot minimum radius and a 35-foot maximum radius. Modifications may be approved by Cabarrus County and NCDOT in conjunction with the current NCDOT Subdivision Road Construction Standards Manual.

Medians and Islands

Residential subdivision entrances may include a median or island. Structures, permanent materials or plantings within the island shall not obscure the visibility of cars entering a cross street for a distance of 25 feet back from the curb face of the cross street, unless a larger setback is needed due to inadequate sight distance.

Cul-de-sac Length

NCDOT standards for cul-de-sac length must be met. No residential street cul-de-sac serving lots of 1 acre or greater in size shall exceed 1,000 feet. No residential street cul-de-sac serving lots less than one acre in size shall exceed 600 feet. The District Engineer for NCDOT has the right to vary this standard upon coordination with the Subdivision Administrator and County Engineer.

Coordination of road system and connections required

The proposed road layout within a subdivision shall be coordinated with the existing and planned road system of the surrounding area and existing roads shall be extended whenever possible. This includes connection of the road system to the system within adjoining subdivisions and the alignment of entrance roads with existing roads. Roads that are aligned with existing roads or connected to existing roads shall be given the same name as the existing road.

Connections to adjacent properties

Where necessary to provide access or to permit the reasonable future subdivision or development of adjacent land, rights-of-way and improvements shall be extended to the boundary of a development.

Connections shall be placed at locations where future connection can be made at a reasonable cost and shall not be directed into wetlands, creeks, steep slopes, or other locations that would make the future extension of the road impractical.

A temporary turnaround may be required where the dead end exceeds 250 feet in length. Where such a connection has been established on adjacent property, each new subdivision shall be required to extend the connection as a link in the proposed subdivision street network.

Half Streets Prohibited

The dedication of half roads at the perimeter of a new subdivision is prohibited.

Adopted Land Use Plan or Transportation Plan

Where a tract of land to be subdivided borders on a proposed thoroughfare or a road requiring improvement as indicated in adopted land use plan, community transportation plan, state transportation plan or the CRMPO Index, the owner/developer will be required to dedicate the necessary right of way for the proposed improvement. Setbacks shall be determined using the proposed right-of-way.

Where a parcel to be subdivided is crossed by any part of the proposed right-of-way for a thoroughfare included in the NC Transportation Improvement Program, and the location of that right-of-way has been further defined by accepted location procedures, the right-of-way for that thoroughfare shall be reserved by the owner/developer. The reservation of the right of way shall be for a period not to exceed three years from the date of approval of the preliminary plat. During that period, the property may be acquired by the State or other governmental unit at fair market value.

Section 10 Sidewalks, street trees and street lights

Sidewalks

Sidewalks for residential development shall be installed as follows: In residential developments with minimum lot sizes one acre or greater, no sidewalks shall be required except where an existing school, public park, open space, trail or greenway lies within ¼-mile of the proposed subdivision. A safe pedestrian connection between the subdivision and the off-site facility shall be planned and improvements constructed by the developer. In all other residential developments, sidewalks shall be installed on both sides of the streets. Handicap ramps shall be placed at each intersection in accordance with ADA guidelines. Pedestrian crosswalks are required on any residential collector street at each intersection and any mid-block pedestrian or bicycle connections.

Street Trees

Street trees shall be required along all residential streets at a rate of one large canopy tree for every 40 linear feet, spaced a maximum of 50 feet apart. All street trees shall be a minimum of 2½ caliper inches at time of planting. A minimum of two different species of trees is required to be planted. Credit shall be provided for any existing tree with a minimum DBH of 6 inches that is preserved within the planting area or a median.

Streetlights

Streetlights shall be provided in developments with a proposed density of three (3) or more units per acre.

Section 11 Access Management

Access to Public Roads

1. Direct access to public roads is governed by the classification of the road and is determined by the NCDOT. No lots may directly access a road classified as a major thoroughfare. These lots must be served by an internal road system.

Example of shared access required by NCDOT



2. Access may be limited where lots abut minor thoroughfares and major collector roads. NCDOT may require shared access points when access is limited to the public facility.
3. Connections to, or through, adjacent properties may be required when access points to public roads are limited.

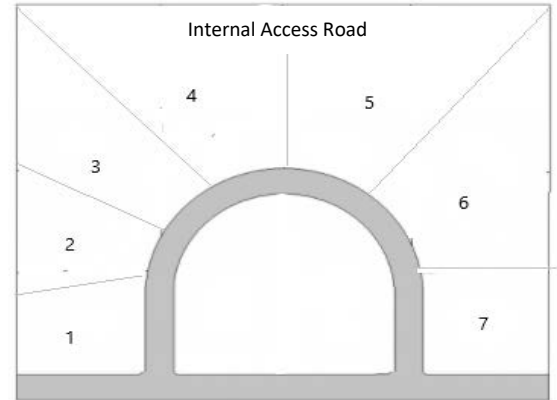
Shared Access

When more than 5 lots are proposed for a new subdivision project, an internal, connected road system shall be provided.

Multiple Entrances Required

To accommodate emergency service response and to create an alternate road network, the following standards apply to all proposed developments.

1. Any development of 30 lots or more shall include at least two access points.
2. Any development of 75 lots or more must have at least two access points to existing public roads or streets.
 - a. No more than 30 zoning permits will be issued before the required second access must be installed.
3. Subdivisions of 250 or more lots shall provide three separate access points.
 - a. No more than 30 zoning permits will be issued before the required second access must be installed.
 - b. No more than 125 zoning permits will be issued before the required third access must be installed.



Installation of access points shall be coordinated with construction phasing to provide emergency access for the areas being developed and to areas under construction.

Properties located in the Thoroughfare Overlay Zone are subject to additional standards related to access. See Chapter 4 for additional information.

Section 12 Construction drawing approval, construction access, streambed maintenance

Construction plan approval

All road construction drawings must be approved by NCDOT and evidence of that approval provided to the Planning Division before construction may begin.

See NCDOT Subdivision Road Construction Standards for minimum speed, horizontal, vertical, etc. design standards. This includes but is not limited to, terrain classification, and minimum centerline radius. Minimum k values, minimum distance between reverse curves, etc.

Preliminary plat and construction drawing approval required prior to construction

Construction or installation of improvements shall commence in a proposed subdivision only after the preliminary plat has been approved and all plans and specifications for roads, utilities, stormwater, and sedimentation and erosion control have been approved by the appropriate agencies.

Construction phase and connections to paved roads

During the construction phase of a project, the proposed road, when adjoining an existing paved road, shall have a gravel travel way of at least one hundred (100) feet in length, twenty (20) feet in width, with a gravel base of at least six (6) inches to help eliminate excessive mud and other materials from being carried onto the paved road.

Maintenance of streambed

During the construction, preparation, arrangement, and installation of subdivision improvements and facilities in subdivisions located at or along streams, the developer shall maintain the streambed of each stream, creek, or backwash channel contiguous to the subdivision in an unobstructed state.

The developer shall also remove from the channel and banks of the stream all debris, logs, timber, junk and other accumulations that would clog or dam the passage of waters in their downstream course or that would create a flooding condition. For areas where open space has been turned over to the home owner's association prior to completion of the development, it shall be the responsibility of the home owner's association to maintain the streambed.

Section 13 When access does not meet current standards

When an existing lot of record is accessed by a right-of-way that does not meet current minimum standards or is served by an access easement, the lot may be divided, provided the following standards are met:

- a. The right of way or easement is shown on a recorded plat, referenced in the recorded deed for the existing lot of record being divided and is shown in the Cabarrus County GIS land records system.
- b. The travel way must be at least 20 feet wide with all-weather access that supports the weight of fire apparatus at a minimum of 75,000 pounds.
- c. The road must be clear of any limbs or brush for a width of 20 feet and a height of 13 feet.
- d. The first 25 linear feet of the road must be paved when the private road adjoins a paved road.
- e. If a road maintenance agreement is in place for the road, the agreement shall be updated to include the new lot(s) and owner(s) and recorded with the Register of Deeds Office.
- f. If no road maintenance agreement is in place, a road maintenance agreement shall be approved by the County, signed by the adjacent property owners and recorded in the Register of Deeds Office.

Section 14 Proposed project Names, street names, street signs, posting of assigned 911 address

Approval required for proposed project, subdivision and road names

The proposed name of a subdivision or its roads shall not duplicate nor closely approximate, either phonetically or by spelling, the name of an existing development, subdivision or road within the County, within any municipality within the County, or in an adjacent County or municipality if the development is in close proximity to another jurisdiction.

All proposed subdivision, project and road names must be approved by the Cabarrus County E911 Addressing Coordinator. Where a street is likely to become part of a city maintained system, road names shall be in accordance with that city's standards for suffixes and direction.

Any proposed name changes for existing or proposed developments, subdivisions or roads must be reviewed and approved by the Cabarrus County E911 Coordinator. Depending on the proposed change, approval may be required from the Cabarrus County Board of Commissioners and/or the North Carolina Department of Transportation Board. Cabarrus County reserves the right to alter street names when public safety concerns arise or when 911 addressing conflicts occur.

Street sign installation

The developer shall bear the cost and the County shall install street signs at all intersections as shown on the final plat. These signs will be erected only after all road and utility construction has been completed. Street signs shall correspond to approved names on the recorded final plats.

The County may approve decorative street signs. County requirements such as letter size, sign content and reflectivity, however, shall apply. Where replacement of such a sign is necessary, the homeowner's association for the affected development or subdivision shall replace the sign. When situations arise where the County is required to replace a decorative street sign, the sign shall be replaced with a standard sign.

Posting of 911 Address

Construction sites shall be properly identified with a sign that shows the assigned 911 address. When construction is complete, all structures shall be properly posted with the assigned 911 address.

Residential addresses should be posted clearly in three inch or larger numbers near the front door and on the mailbox. The numbers should be clearly visible from the road and should contrast for increased visibility.

If a house is located more than 50 feet from the road and does not have a mailbox, the address should be displayed on a post clearly visible at the driveway entrance.

Commercial building addresses should be posted clearly in six inch or larger numbers near the entry and on the mailbox if the business utilizes on site mail delivery. The numbers should be clearly visible from the road and should contrast for increased visibility.



Section 15 Infrastructure Guarantees

Guarantee to Complete Infrastructure Work

When approval of a final plat is requested prior to completion of all required improvements in that portion of a development, the applicant may submit an Infrastructure Guarantee Application.

Guarantee submittals must include a detailed estimates of all required improvements on forms provided by the Cabarrus County Planning Department. The estimates provided shall be signed by a licensed North Carolina licensed contractor or North Carolina registered engineer (as applicable for type of guarantee requested).

Typical improvements that may be guaranteed in new subdivisions include the final lift for roads, mulching and seeding, street trees and sidewalks.

Estimates shall be reviewed and approved by the County Engineer. The applicant shall be responsible for all costs associated with the engineering review.

Upon estimate concurrence by the County Engineer, a cash deposit held by Cabarrus County, a letter of credit or performance bond of surety acceptable to the County shall be made out to Cabarrus County in the amount of 125% of the costs determined by the estimates.

The guarantee document shall include the following:

- Cabarrus County Government as the Obligee
- The name of the project, including the development phase, if applicable
- A list of the improvements being guaranteed

Guarantee of Infrastructure Work Reduction

Prior to the reduction or release of the 125% amount required for the completion of improvements, the applicant must submit an Infrastructure Guarantee Release Application.

The following information must be provided as part of the application:

1. Proof satisfactory to the County that the applicable guaranteed improvement has been made or installed to the required specifications.

Upon proof of completion, the amount required for that particular improvement may be released from the total amount of the required guarantee. Once the amount is released, a new guarantee must be provided to replace the original, or prior, guarantee for the work.

Guarantee of Work Expiration

If improvements are incomplete and the provided guarantee is set to expire, the guarantee shall be extended, or a new performance guarantee issued, for an additional period of time until such required improvements are complete. Applicants will be notified of pending expiration dates. All guarantees must be replaced prior to the expiration date.

Release

The total amount of the guarantee for required improvements may be released only when all improvements are complete and final inspections of the work approved.

Return of Guarantee

Original guarantees being reduced, or where all guaranteed work has been completed, will be returned to the applicant.

Engineering Costs

The applicant shall be responsible for all costs associated with the engineering review and/or inspections required for guarantees of work applications and releases.

Section 16 Open Space Requirements and Timing of Required Improvements

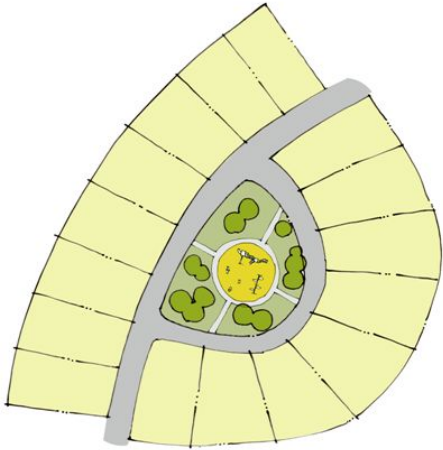



Open space shall be provided and designed in accordance with the standards of Chapter 5, District Development Standards.

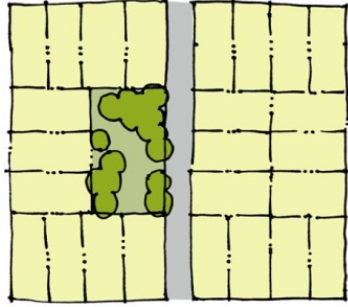

Developers are responsible for making improvements to property designated for park, playground and open space purposes. Improvement shall be in accordance with the type of recreational open space provided and as outlined in Figure 1

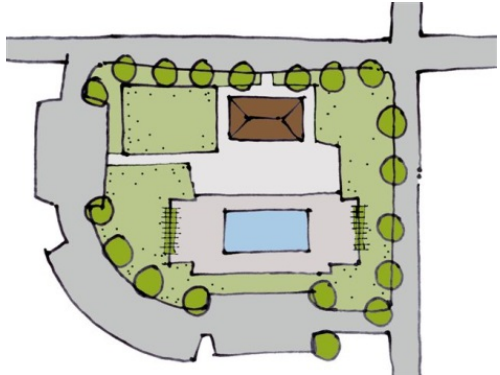
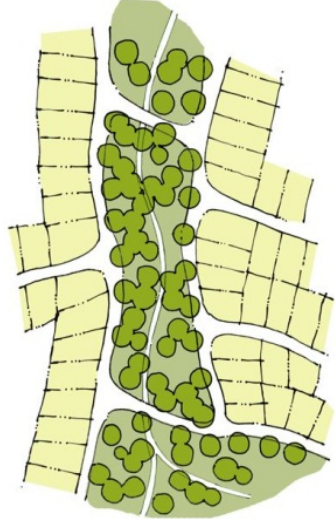
Additionally, for all proposed recreation areas, the developer shall be responsible for:

- Providing finished grading
- Establishing turf for all disturbed areas
- Providing landscaping as required
- Paving walkways or installing trails as required for park, open space or greenway connections
- Complying with NC Building Code Chapter 11 and ANSI A117.1

FIGURE 1 Open Space Design and Designation

<p>Playgrounds</p>	<p>Playgrounds provide areas for children and families to play and exercise.</p> <p>Playgrounds may be built within Squares, Greens, Mini-Parks and Neighborhood Parks or may stand alone within a residential block.</p> <p>Playgrounds shall be designed with commercial grade play equipment and shall include separate areas and equipment designed for multiple age groups. These age groups include Toddler (6-23 months), Pre-School (Ages 2-5) and School Age School (Ages 6-12).</p> <p>These areas may also include picnic tables, shelters and grills.</p>	<p>Minimum requirements, in addition to play equipment, includes 2 park benches, 1 trash receptacle and 1 pet waste receptacle.</p> <p>The design must include a shock absorbing surface with a maximum 2% slope. Surfacing must meet all critical fall height requirements for the proposed playground design and shall be provided as part of permitting.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p> <p>Playground areas shall be properly maintained throughout the year and inspected on an annual basis for safety hazards.</p>	   
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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Mini-Park</p>	<p>The Mini-Park provides active recreational facilities for the use by the residents of the immediate surrounding neighborhood within the development.</p> <p>Minimum size is from 1 acre.</p> <p>Design may include: tennis courts, basketball courts, playgrounds, picnic area, grills, or small covered area for sitting.</p>	<p>Each mini-park shall be centrally located and easily accessible so that it can be conveniently and safely reached by the surrounding neighborhood.</p> <p>Mini-parks shall be attractively landscaped and be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences.</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Neighborhood Park</p>	<p>Neighborhood parks are designed for active and/or passive recreation use.</p> <p>Park size is 1-5 acres.</p> <p>Park size can exceed 5 acres if the open space serves an entire neighborhood or incorporates physical features that are an asset to the community (i.e. lake or river frontage, unique natural areas, significant stands of trees, preserved natural habitats, etc.).</p>	<p>Neighborhood parks shall include benches and walking paths, tennis courts, basketball courts, volleyball courts, ball fields, swings, slides, playgrounds, dog parks, benches, restrooms, picnic shelters, picnic tables, walking paths, greenways or trails.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Amenity Area</p>	<p>Amenity Areas provide recreational opportunities for all residents of a community or residents of a neighborhood in a larger community. They include a range of facilities like club houses, swimming pools, gazebos, outdoor eating/grilling areas, indoor/outdoor exercise facilities, community meeting rooms, community kitchens, walking, biking or exercise trails, and playground areas.</p>	<p>Pools should be 1500 sq. ft. minimum.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Greenways</p>	<p>Greenways typically follow natural or constructed features such as streams or roads. They are designed to incorporate natural settings such as creeks and significant stands of trees. They are used for transportation, recreation, and environmental protection.</p> <p>Greenways differ from parks; plazas and squares in that their detailing is natural and may contain irregular topography.</p>	<p>Design of the greenway should incorporate conservation of existing mature tree canopy and landscape, protection of existing natural drainage ways and creeks.</p> <p>Improvements may include paved walks/trails and benches, and trash receptacles.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	

- Playgrounds must meet all federal, state, and local regulations and guidelines and be compliant with the Americans with Disabilities Act.
- Swimming pools must meet all required construction and life safety codes for Cabarrus County and for the State of North Carolina.

Timing of recreational improvements

Recreational improvements shall be implemented no later than when 50% of the total approved lots for the subdivision have been permitted through zoning. Nothing, however, should be construed as barring a developer from immediate development of facilities and improvements to provide recreational opportunities to residents of the new development.

Failure to meet requirements

Failure to meet the requirements for timing of recreational improvements, may result in the cessation of the issuance of zoning compliance permits for the remainder of the subdivision. Issuance of zoning compliance permits may begin after the recreational improvement requirements are met. In addition, the County may withhold approval of additional final plats for the project unless and until the requirements of this section are met.

Section 17 Plat Certificates

The following certificates shall be shown on all Final Plats (as applicable). Where I/We statements are part of the certificate, the certificate shall be modified to reflect the appropriate entity, or entities, signing the certificate.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines and dedicate all roads, alleys, walks, parks, and other sites to the public use except as noted. Further, I (We) certify the land as shown hereon is within the jurisdiction of Cabarrus County.

Date Property Owner

CERTIFICATE OF ACCURACY

[As required under General Statutes 47-30 as amended.]

Date Registered Land Surveyor

CERTIFICATE OF APPROVAL BY THE SUBDIVISION ADMINISTRATOR

I, _____, Subdivision Administrator for Cabarrus County hereby approve the final plat for _____, this _____ (day) of _____ (month), _____ (year).

Subdivision Administrator

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CERTIFICATES

CERTIFICATE OF APPROVAL OF STREETS AND STREET DRAINAGE PLANS

Department of Transportation
Division of Highways
Proposed Subdivision Roads
Construction Standards Certification

APPROVED _____
Date District Engineer

DIVISION OF HIGHWAYS DISTRICT ENGINEER CERTIFICATE

I hereby certify that the right of way dedication along the existing state maintained roadway(s) shown on this plat is approved and accepted as public right of way by the North Carolina Department of Transportation, Division of Highway only North Carolina Department of Transportation approved structures are to be constructed on public right of way.

District Engineer Date

ROAD MAINTENANCE CERTIFICATES

ROADS PROPOSED TO BE ADDED TO NCDOT SYSTEM FOR MAINTENANCE

I (We) hereby certify that I (we) will maintain the roads to the standards set forth by the North Carolina Department of Transportation until the respective governmental agency takes over this responsibility. (This does not include removal of snow or ice)

Date Property Owner and Developer

ROADS TO REMAIN PRIVATE

Road maintenance shall hereby be the responsibility of the Homeowners Association and roads shall be maintained to the minimum standards of the North Carolina Department of Transportation until the respective governmental agency takes over this responsibility. The road maintenance agreement is recorded in Deed Book ____ Page ____ of the Cabarrus County Register of Deeds.

Date Property Owner and Developer

WATER AND SEWER CONNECTIONS, CITY OF CONCORD (Only required if Concord public utility extensions required for project)

CERTIFICATE OF WATER AND SEWER CONNECTION FEE PAYMENT

I hereby certify that all water and sewer connection fees for the _____ Subdivision have been paid, or that the fees are not applicable since preliminary plat approval occurred prior to June 28, 1996.

Date

Finance Director

DURATION OF APPROVAL

Approval by the Subdivision Administrator is conditioned upon the plat being recorded in the Office of the Register of Deeds within thirty (30) days of such approval and receipt of record presented to the Planning Department.

SOIL SUITABILITY ANALYSIS CERTIFICATES

SOIL SUITABILITY ANALYSIS CERTIFICATE (NO EVALUATION PERFORMED)

I understand that all of the lots created by this plat must be evaluated by the Cabarrus Health Alliance for soil suitability. The lots on this plat have not been evaluated by the Cabarrus Health Alliance for suitability as part of the subdivision review process.

Date

Property Owner

SOIL SUITABILITY ANALYSIS CERTIFICATE (EVALUATION PERFORMED)

I understand that all of the lots created by this plat must be evaluated by the Cabarrus Health Alliance for soil suitability. The following lots on this plat have been evaluated by the Cabarrus Health Alliance as part of the subdivision review process and the results are as follows:
(List lot number and type of system supported)

Date

Property Owner

LOTS OVER/UNDER 10 ACRES

There are (number) lots on this plat 10 acres or greater in size.

There are (number) lots on this plat less than 10 acres in size.

MINOR SUBDIVISION QUALIFICATION STATEMENT

This tract of land (has/has not) been divided since June 20, 2005. The proposed division of land on this minor plat creates (number) lots from PIN (insert PIN number).

OPTIONAL OWNER CERTIFICATE

The following Certificate may be used for an exempt final plat where no road right of way, roads, alleys, walks or parks are being dedicated as part of the plat:

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby adopt this plan of division of my (our) property of my (our) free consent, establishing any lines and features shown on this plat.

Date

Property Owner

Date

Property Owner

Deviation from standards

Deviations from the standards in this Chapter require that a variance be issued by the Board of Adjustment for such deviations. See Chapter 12 for additional information.

SECTION I: Traffic Impact Analysis (TIA) Required

General Information

The Traffic Impact Analysis (TIA) is a specialized study that evaluates the effects of a development's traffic on the surrounding transportation infrastructure. It is an essential part of the development review process to assist developers and local government agencies in making land use decisions involving annexations, subdivisions, rezoning requests, special land uses, and other development reviews. The TIA helps identify where the development may have a significant impact on safety, traffic and transportation operations and provides a means for the developer and the government agencies to mitigate these impacts. Ultimately, the TIA can be used to evaluate if the scale of the development is appropriate for a particular site and what improvements may be necessary, on and off the site, to provide safe and efficient access and traffic flow. Mitigation measures may involve strategies other than roadway construction or other physical improvements such as changes to traffic signal timing or phasing and transportation management strategies.

A. Applicability

1. A traffic impact analysis (TIA) shall be required for any conditional use rezoning, conditional use permit, preliminary plat, site plan or zoning compliance permit application or request estimated to produce 2,000 vehicles per day or greater **and/or 100 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the Institute of Transportation Engineers (ITE) Trip Generation Manual.
2. A TIA shall be required for residential development estimated to produce 2,000 vehicles per day or greater **and/or 100 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the ITE Trip Generation Manual.
3. A TIA shall be required for any nonresidential or mixed use development estimated to produce 3,000 vehicles per day or greater **and/or 150 total trips both entering and exiting the site during either the AM or PM peak hours** during an average weekday based on a five day national average as defined in the ITE Trip Generation Manual.
4. A TIA may also be required for proposed access within 1,000 feet of an interchange, in the vicinity of a high accident location, on a major arterial roadway, when involvement with an existing or proposed median crossover is necessary, when the project includes highway improvements that are in

CABARRUS COUNTY DEVELOPMENT ORDINANCE

APPENDIX A – TRAFFIC IMPACT ANALYSIS

the Transportation Improvement Program, when involvement with an active roadway construction project is necessary or at the discretion of the NCDOT District Engineer.

5. A TIA or Technical Memorandum may also be required based on special circumstances associated with the proposed development, even if the number of gross trips falls below the above stated thresholds. This includes when:
 - a. Traffic is being generated from a non-residential development that could potentially impact adjacent residential neighborhoods.
 - b. Traffic operation issues for current and/or future years on nearby roads is expected to be worsened by traffic generated from the new development.
 - c. Traffic near the site is experiencing significant or unacceptable delays.
 - d. The proposed land use differs from the proposed land use classification in the Land Use Plan.
 - e. The existing street or access system is not anticipated to accommodate the expected traffic generation.
 - f. The proposed development includes a drive-through facility, or other uses, such as schools, that require significant on site circulation that may have off-site impacts to adjoining roads and/or intersections.
 - g. The amount, behavior or assignment of traffic is different from a previously approved TIA for the same property.

The need for a TIA may be waived when Cabarrus County and NCDOT agree a TIA is not needed. In the event a waiver is requested, the applicant must provide evidence to show that a waiver is appropriate. Waiver requests shall be handled on a case-by-case basis.

In certain instances, the need for a TIA may be waived when Cabarrus County and NCDOT agree a TIA is not needed. In the event a waiver is requested, the applicant must provide evidence to show that a waiver is appropriate. Waiver requests shall be handled on a case-by-case basis.

Calculating Trip Generation

The trip generation of a proposed development is the sum of the number of inbound and outbound vehicle trips that are expected for the type and size of the proposed land use. For purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips or internal capture rates will be allowed to the site traffic

calculation. A TIA will vary in range and complexity depending on the type and size of the proposed development. When mutually agreed upon by the NCDOT, the applicant, and Cabarrus County staff, the basic requirements for the TIA may be modified.

TRAFFIC IMPACT STUDY GUIDELINES

A. General Information

When required by this Ordinance and/or NCDOT, a Traffic Impact Analysis (TIA) shall be used to review the potential impacts of proposed or revised developments on the State Highway System. The TIA covers safety, capacity, and access issues. When required and completed, a TIA shall be used by Cabarrus County and NCDOT to determine the required improvements to the State Highway System within the vicinity of the development to mitigate undesirable impacts of the project.

The District Engineer, working together with Cabarrus County, will determine the basic parameters of the TIA. When mutually agreed upon by the NCDOT, the applicant, and Cabarrus County in a pre-submittal conference, the basic requirements and parameters for the TIA may be modified.

The TIA shall be prepared under the direct charge of, and sealed by, a licensed North Carolina Professional Engineer with expertise in traffic engineering. All work shall be in accordance with NCDOT approved methods and input parameters and shall be of sufficient scope and detail to allow Cabarrus County and the NCDOT to evaluate the impact of the development with regards to roadway capacity and operational and safety improvements that may be needed.

B. Format for Traffic Impact Analysis Report

In general, the report should conform to the following general outline:

1. Table of Contents
2. Introduction
 - a. Explanation of project
 - b. Area map showing development site location
 - c. Complete project site plan, with buildings identified as to proposed use
 - d. Project schedule, and stages or phases, if applicable
3. Base Conditions
 - a. Existing Roadway network in vicinity of project, including lane configurations
 - b. Availability of alternate modes of travel in study area
 - c. Existing traffic volumes for all significant and pertinent modes of travel in the study area
 - d. Existing traffic signal phasing and timing information.
 - e. Safety information

CABARRUS COUNTY DEVELOPMENT ORDINANCE

APPENDIX A – TRAFFIC IMPACT ANALYSIS

- f. Traffic capacity analysis
- 4. Background Conditions
 - a. Growth in traffic volumes to full build-out year, or stages of developments, if appropriate
 - b. Traffic volume generated by other approved developments in area, if applicable
 - c. Transportation improvement projects (State, local or private) in project study area
 - d. Background traffic volumes (base + growth + approved developments)
 - e. Traffic capacity analysis
- 5. Project Conditions
 - a. Traffic generated by proposed development (site traffic) at build-out, or stages of developments, if appropriate
 - b. Project traffic volumes (background + project)
 - c. Project traffic analysis
 - d. Impact to alternate modes of travel
 - e. Proposed roadway network improvements
 - f. Project traffic analysis with proposed roadway improvements
- 6. Conclusions/Recommendations
- 7. Appendix
 - a. All work sheets, traffic counts and other pertinent documents

C. Base Roadway Network

All roadways in the vicinity of the development shall be included as part of the TIA. Analysis of intersections or roadway segments not immediately adjacent to the development may be required by the District Engineer or Cabarrus County if significant site traffic could be expected to impact the intersection or roadway segment. If intersections impacted by the development are within a coordinated traffic signal system, then the entire traffic signal system shall be analyzed. However, if the traffic signal system is large, a sub-section of the system may be analyzed if approved by the District Engineer and agreed upon by Cabarrus County.

D. Safety Information

The initial submittal may be required to include recent crash experience in the study area. Where proposed access points are in the vicinity of high crash locations or where safety may be impacted, additional safety studies may be required as part of the Traffic Impact Analysis.

E. Traffic Volumes

Traffic turning movement counts shall be taken at each existing intersection in the project area. Existing traffic counts may be used if taken within twelve months of the TIA submittal. At some intersections, counts older than one year may be used if

adjusted to current year. The use of these older counts will be evaluated on a case-by-case basis by the NCDOT and Cabarrus County and shall be approved by the District Engineer or his or her agent.

In general, AM and PM peak hour counts should be used. Other peak hour period counts, such as lunch and weekend periods, may be required if appropriate for the development. Counts shall not be taken on a holiday unless specifically needed for the particular analysis. The effects of school, seasonal variation and special event traffic shall be noted when appropriate.

F. Traffic Capacity Analysis

All capacity analysis shall be performed using methodology and software based on the Highway Capacity Manual procedures or as approved by the NCDOT District Engineer. All software shall be the latest version available unless otherwise approved by the District Engineer. If signalized intersections impacted by the project are within a coordinated traffic signal system, or may be included in a system because of changes to the network by the applicant, then they shall be analyzed as a system rather than as isolated intersections. Where available and appropriate, existing timing information shall be used. All analyses shall include level of service determination for the entire network and individual intersections and roadway segments, as appropriate. Intersection analyses shall include level of service determinations for all approaches and movements. Intersection analyses shall include queue analysis.

G. Growth-to-Background Traffic Volumes

Growth-to-background traffic volumes are factors of increases in annual traffic volumes generated outside the project area. These factors shall be applied to the existing traffic before adding any approved developments in the area. As deemed appropriate, the volume shall be compounded to the proposed build-out years or completion of development stages. In general, these factors will be determined from local or statewide data.

H. Approved Development Traffic

Approved development traffic is defined as traffic generated by all developments approved by local jurisdictions or submitted to local jurisdictions for approval within the development vicinity at the time of the TIA submittal.

I. Background Analysis

Background (no build) analysis shall include existing traffic, traffic signal phasing and timing, background growth, and all approved developments. The analysis shall take into consideration any improvements to the roadway network that will be in place by the build-out year, or staged build-out in development, as appropriate. An analysis shall be performed for each staged build-out year as necessary. This analysis shall be performed

CABARRUS COUNTY DEVELOPMENT ORDINANCE

APPENDIX A – TRAFFIC IMPACT ANALYSIS

for the proposed build-out year of the development or other year as identified by Cabarrus County or NCDOT and approved by the District Engineer.

J. Project Conditions

Site traffic is the traffic that will be generated by the proposed development. Trip generation rates shall be based on trip generation methodology in the latest version of the “Trip Generation Manual” by the ITE. When approved by the District Engineer, available local information may be substituted with appropriate documentation. The District Engineer may coordinate the analysis of the site trip generation with the Division Traffic Engineer. Trip generation reduction factors, such as pass-by traffic and internal capture, shall be justified. Total traffic is to be re-calculated after site traffic is generated. All trip generation calculations and supporting documentation shall be included in the report appendix. Project traffic analysis shall include any roadway network improvements that will be in place by the project build-out year, or stage in development, if appropriate. Any improvements planned by others shall be identified as such and documentation describing the improvements, the entity that is to implement the improvements, and the schedule for such improvements, shall be provided.

K. Roadway Network Improvements

The applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base network conditions to project conditions:

- The total average delay at an intersection or individual approach increases by 25% or greater;
- The Level of Service (LOS) degrades by at least one level;
- Or the Level of Service (LOS) is an “F.”

For turning lanes, mitigation improvements shall be identified when the analysis indicates that the 95th percentile queue exceeds the storage capacity of the existing lane. The District Engineer will be responsible for final determination of mitigation improvements required to be constructed by the applicant.

L. Conclusions/Recommendations

This section of the TIA shall summarize the findings of the analysis, identify all potential intersections or roadway segments that will be at an unacceptable level of service as identified in Section J, and shall identify all proposed improvements to mitigate potential problems. This includes a description of all of the improvements that the developer shall construct (or fund) as part of the development proposal. Improvements to roadway segments and intersections not immediately adjacent to the project site may be required if significant traffic impacts are identified.

M. Supporting Information

CABARRUS COUNTY DEVELOPMENT ORDINANCE
APPENDIX A – TRAFFIC IMPACT ANALYSIS

The applicant shall provide all supporting information to the District Engineer and Cabarrus County. This information may include but is not limited to the following:

- traffic volumes;
- analysis reports;
- signal warrant analysis;
- documentation of approved developments or proposed roadway improvements by others;
- and analysis data and output.

In lieu of printed pages, electronic copies of supporting data may be submitted. The submitted information may include data from traffic analysis, traffic volume, or signal warrant analysis software packages. If submitted, both input data and output reports shall be included. Data files should be named to facilitate identification of the contents.

All plans may be submitted electronically, with the exception that a copy of the proposed site plan must be printed and included with the application. If so provided, the plans must be in a format approved by the District Engineer and Cabarrus County.

N Final Submittal information

Once the TIA is approved by NCDOT and Cabarrus County, one (1) electronic copy of the entire TIA on CD and one (1) paper copy of the TIA shall be submitted to the Cabarrus County Planning Department for the project file.

O. Validity of TIA

Residential Projects

- A TIA shall be valid for a period of two years from the date of the preliminary plat approval by the Planning and Zoning Commission.

Commercial Projects

- In the case of commercial projects, if a preliminary plat is required for the project, the TIA shall be valid for a period of two years from the date of the preliminary plat approval by the Planning and Zoning Commission.
- In the event a preliminary plat is not required for the project and the project is subject to site plan review only, then the TIA shall be valid for a period of ~~two (2)~~ **one** year from the date of site plan approval by Cabarrus County Zoning Services.

Mixed Use Projects

- Where Mixed Use projects are proposed, the TIA shall be valid for a period of two years from the date of preliminary plat approval by the Planning and Zoning Commission or **one year** site plan approval by Cabarrus County ~~Zoning Services~~, whichever occurs first.

SECTION 2: Improvements Required (Projects Not Requiring TIA)

If a project does not require a Traffic Impact Analysis to be performed, the developer/project owner is not exempt from completing improvements to mitigate the impacts of the proposed project. For the project to take place, highway infrastructure improvements may be necessary. For example, improvements may be needed for safe and efficient traffic operations if there are high roadway and/or turning volumes of traffic, when the roadway speeds are moderate or high or where limited sight distance exists.

A. Infrastructure Improvements Defined

Highway infrastructure improvements include, but are not limited to:

- additional through lanes
- acceleration lanes
- turn lanes and tapers for left and right turns associated with a driveway connection
- **Signal improvements.**

As set forth in G.S. 136-18(29), the final determination for the need, extent, location and design of turn lanes is the responsibility of the NCDOT. The NCDOT may require the applicant to provide offsite roadway improvements on public facilities in order to mitigate any negative traffic impacts created by the proposed development. Boundaries for offsite improvements, including intersections and public roadways to be considered, will be determined by the District Engineer in cooperation with Cabarrus County.

B. Right-Of-Way Acquisition

When adequate right-of-way does not exist to provide for the required offsite improvements necessary to maximize the safety of the traveling public, the applicant shall secure the needed right-of-way. If the applicant is unsuccessful in obtaining the needed right-of-way and has demonstrated a “good-faith effort,” the NCDOT may, but shall not be required to, utilize its power of eminent domain to secure adequate right-of-way to contain the required improvements. At a minimum, a “good-faith effort” shall consist of a copy of a certified letter to all affected property owners and all responses received from those property owners. The applicant shall provide copies of the documentation sent to affected property owners and any responses received to Cabarrus County Planning Services for the project file. In the event the ROW acquisitions services of NCDOT are required for the project, the applicant shall be required to reimburse all costs incurred by NCDOT to acquire the additional right-of-way.

C. Local Transportation Plans and Future Right-Of Way

In conjunction with the driveway request, the NCDOT and/or Cabarrus County may require the applicant to reserve or dedicate minimum right-of-way needs as identified

by local government transportation plans for the state-maintained roadway along the property frontage. This may require that the driveway design and internal circulation be compatible with the future right-of-way location.

D. Left and Right Turn Lanes

Generally left and right turn lanes and tapers shall be considered when:

- In accordance with G.S. 136-18(29), the average daily traffic meets or exceeds 4,000 vehicles per day on any secondary route (the average daily traffic should include both the existing traffic plus traffic generated by the proposed development);
- Any US or NC numbered route is being accessed;
- The District Engineer determines that such treatment is necessary to avoid congestion or unsafe conditions on the state-maintained roadway; or
- A TIA identifies a need for an auxiliary lane or taper.

Left and right turn lanes shall be constructed in accordance with the “North Carolina Standards and Specifications for Roads and Structures.” On an undivided highway or a divided highway with a median width that is inadequate for a left-turn lane, it may be necessary to widen the highway in order to provide for the required turn lanes. For greater detail, see the turn lane nomograph figure in the Exhibits section of the “Policy on Street and Driveway Access to North Carolina Highways.” Should widening be required to accommodate turn lanes or tapers, the applicant shall be required to acquire the necessary ROW as stated in Section B, Right-of-Way Acquisition.

E. Channelization

The applicant may be required to protect the integrity of the highway network by providing channelization to physically prevent improper or illegal turns into and out of a driveway or street. Channelization may include medians and raised traffic islands with curbs.

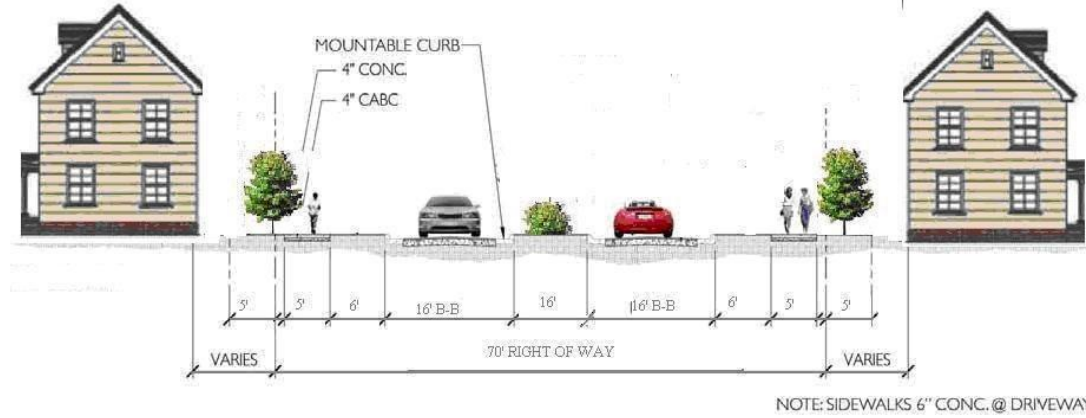
F. Authority

The District Engineer has final authority on decisions regarding infrastructure improvements and shall inform Cabarrus County of any such decisions regarding infrastructure improvements.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 APPENDIX A – TRAFFIC IMPACT ANALYSIS

TYPICAL STREET STANDARDS

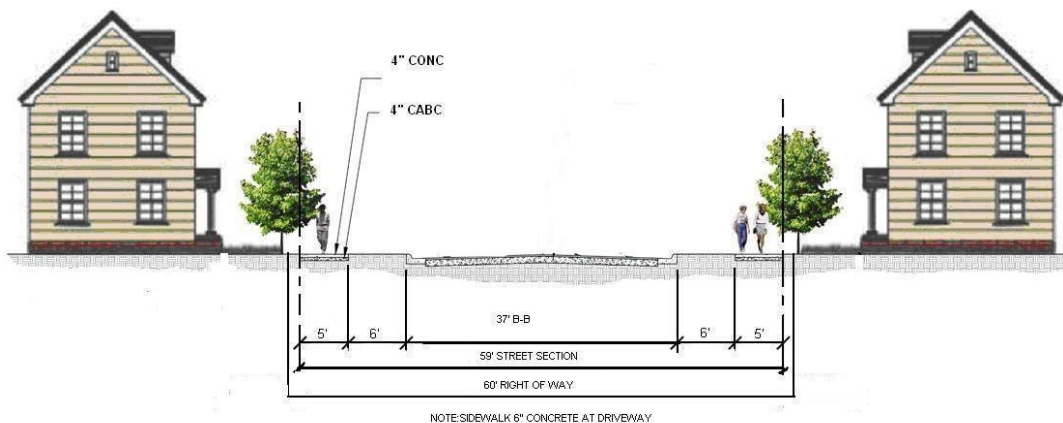
RESIDENTIAL COLLECTOR PARKWAY DESIGN



Right-of-Way	Sidewalks	Planting Strips	Street Width	Median	Parking	Design Speed	Curb Type
70'	5'	6'	2 x 16'	16'	None	40 mph	30" Standard

- NO DIRECT LOT ACCESS ALONG RESIDENTIAL COLLECTOR (PARKWAY)
- THE MEDIANS OF THE PARKWAY SHALL TERMINATE 100' EACH WAY FROM THE CENTERLINE OF ALL INTERSECTIONS

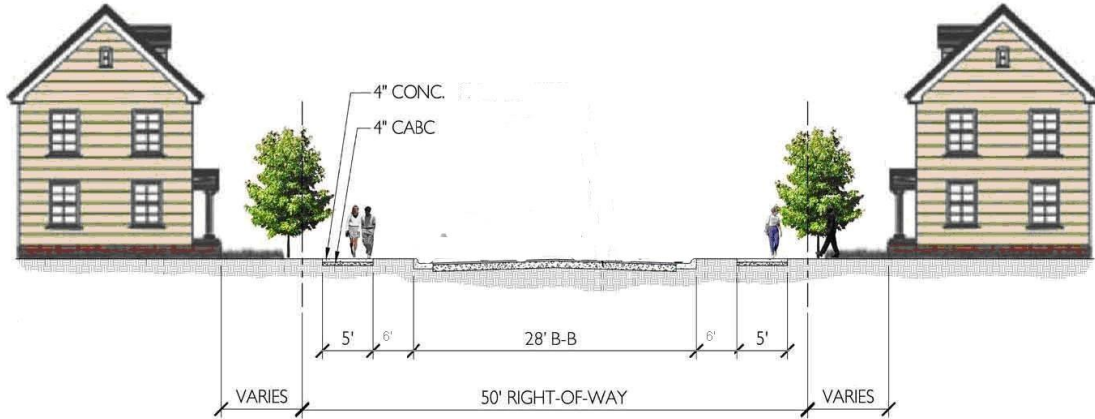
RESIDENTIAL COLLECTOR



**CABARRUS COUNTY DEVELOPMENT ORDINANCE
APPENDIX A – TRAFFIC IMPACT ANALYSIS**

Right-of-Way	Sidewalks	Planting Strips	Street Width	Parking	Design Speed	Curb Type
60'	5'	6'	37'	One Side Only (must be designated)	40 mph	30" Standard

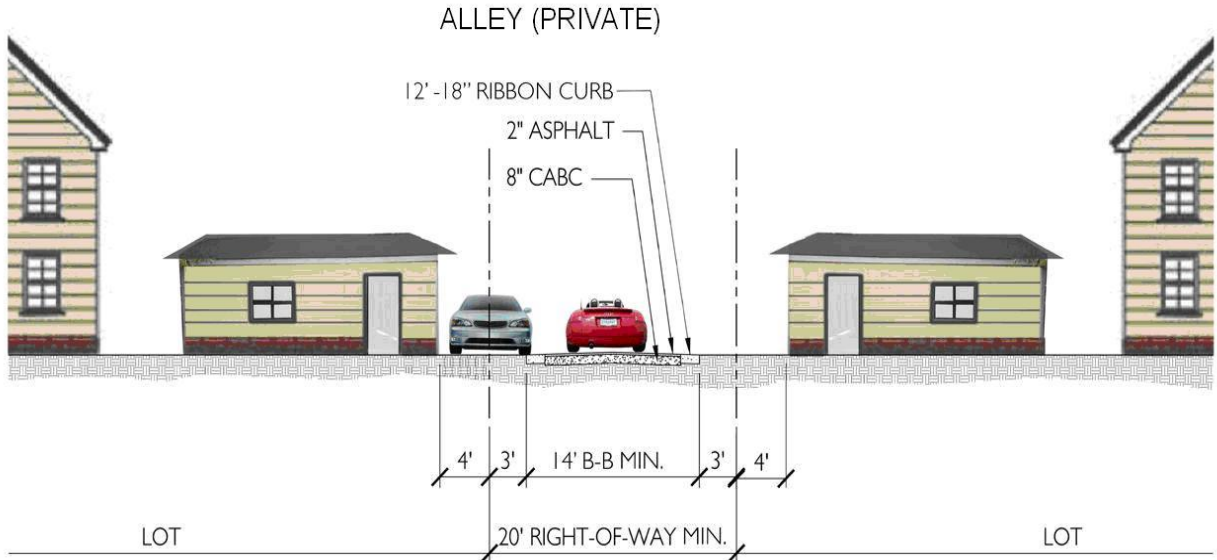
RESIDENTIAL STREET



NOTE: SIDEWALK 6" CONC. @ DRIVEWAY

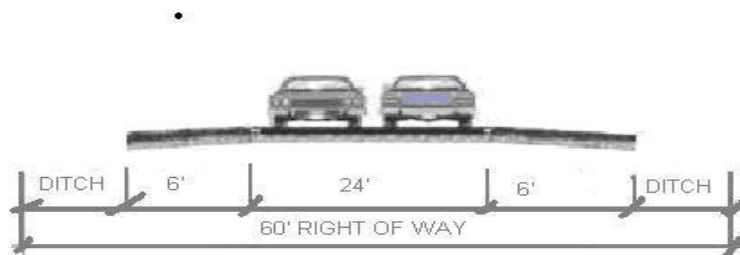
Right-of-Way	Sidewalks	Planting Strips	Street Width	Parking	Design Speed	Curb Type
50'	5'	6'	28'	Not Permitted	35 mph	Standard or Valley

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 APPENDIX A – TRAFFIC IMPACT ANALYSIS



Right of Way	Grass Strips	Street Width	Curb Type
20'	3'	14'	Ribbon Or None

RURAL RESIDENTIAL STREET



Right-of-Way	Planting Strips	Street Width	Parking	Design Speed	Curb Type
60'	6'	24'	None	20 mph	Ribbon or None

Requirements for Dead-End and Stub Streets

Length (feet)	Width (feet)	Turnaround Required
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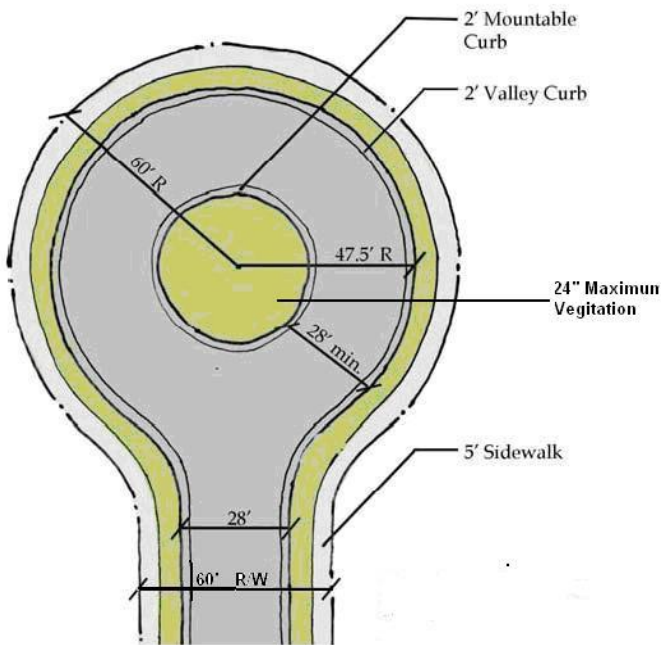
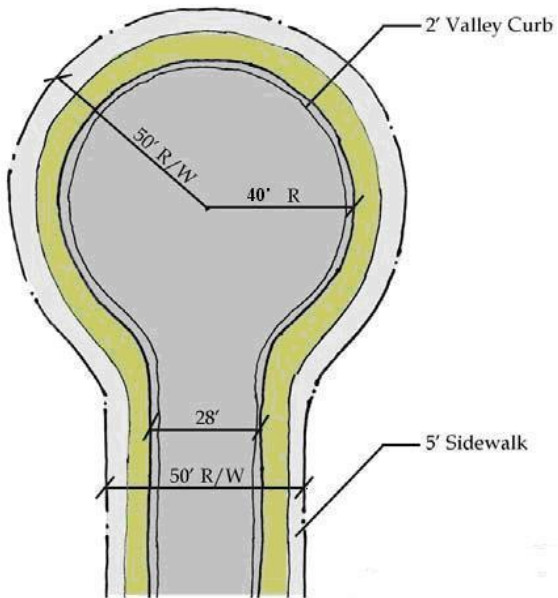
CABARRUS COUNTY DEVELOPMENT ORDINANCE
APPENDIX A – TRAFFIC IMPACT ANALYSIS

0 to 150	Varies (28' minimum)	Stub Street: None required Cul-de-Sac: 80' diameter Hammerhead: 60' stub-see detail (rural and suburban tiers)
151 to 400	Varies (28' minimum)	Stub Street: 80' temporary cul-de-sac or 60' hammerhead (all weather surfaced) Cul-de-Sac: 95' diameter (rural and suburban tiers) Hammerhead: Not allowed
401 to 600	Varies (28' minimum)	Stub Street: Not allowed Cul-de-Sac (suburban tier): 95' diameter with center island Hammerhead: Not allowed
601-1,000 (rural tier only)	Varies (22' minimum)	Stub Street: Not allowed Cul-de-Sac (rural tier): 95' diameter with center island Hammerhead: Not allowed
> 1,000	Not allowed	Not allowed

CUL-DE-SAC

CUL-DE-SAC WITH ISLAND

CABARRUS COUNTY DEVELOPMENT ORDINANCE
APPENDIX A – TRAFFIC IMPACT ANALYSIS

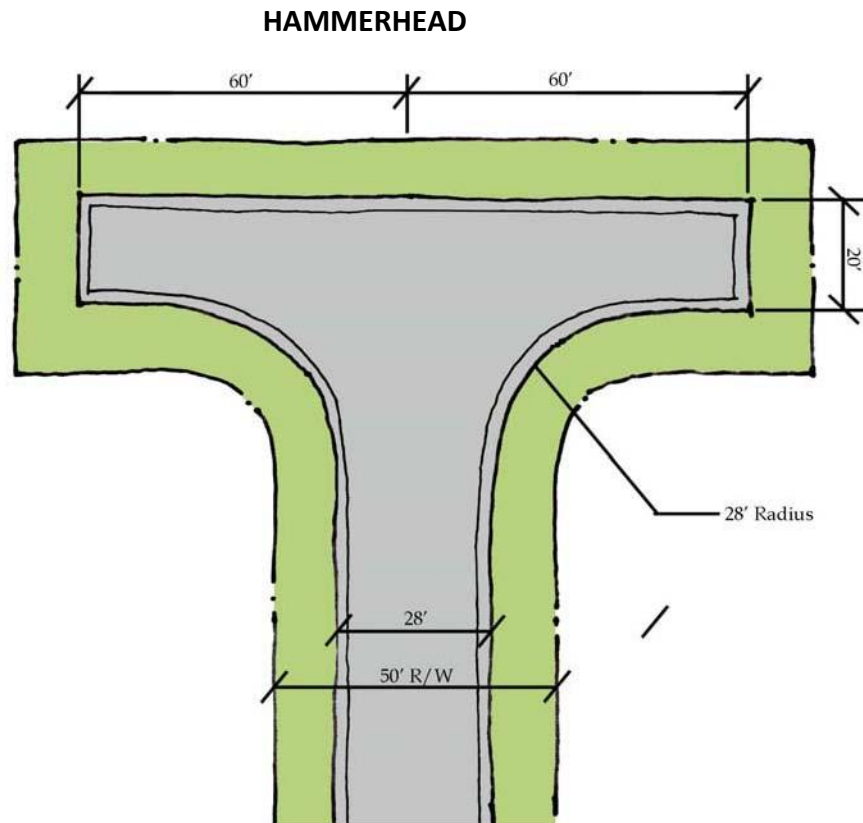


NOTES:

- VEGETATION WITHIN MEDIANS AND/OR PLANTING STRIPS CAN NOT EXCEED 24' IN HEIGHT
- VEGETATION IN MEDIAN/PLANTING STRIP IS TO BE MAINTAINED BY OWNERS, HOME OWNER'S ASSOCIATION OR OTHERS
- ALL PLANTINGS SHOULD CONFIRM TO THE NCDOT PUBLISHING TITLED

CABARRUS COUNTY DEVELOPMENT ORDINANCE
APPENDIX A – TRAFFIC IMPACT ANALYSIS

“GUIDELINES FOR PLANTINGS WITHIN HIGHWAY RIGHT OF WAY”



PAVEMENT SCHEDULE

Classification		Base Course	Intermediate Course	Surface Course
Major Thoroughfare	All	*	*	*
Minor Thoroughfare	All	*	*	*
Major Collector	Non-Residential	*	*	*
	Residential	10" CABC or 5" B-25.0X	2.25" I-19.0X	2.0" SF 9.5X
Minor Collector	Non-Residential	*	*	*
	Residential	10" CABC or 5" B-25.0X	2.25" I-19.0X	2.0" SF 9.5X

CABARRUS COUNTY DEVELOPMENT ORDINANCE
 APPENDIX A – TRAFFIC IMPACT ANALYSIS

Local Street	Non-Residential	*	*	*
	Residential	8" CABC or 4" B-25.0X	2.25" I-19.0X	2.0" SF 9.5X
Alley	All	8" CABC		2.0" SF 9.5X

* Pavement cross sections must be designed on a case by case basis.

1. If there is a difference between the pavement structures listed above and the current version of the NCDOT Subdivision Manual Road, the more stringent pavement design shall be used.
2. Pavement designs shall comply with the current NCDOT Asphalt Quality Management System guidelines for minimum pavement layer depths and maximum layer total depths. Additional pavement thickness may be needed to meet the minimum material depths.
3. If the pavement specification includes an X in the description, the required amount of liquid AC content in the pavement shall be based on the current NCDOT requirements for the proposed traffic loads.
4. No plant mix base course or intermediate course shall be placed that will not be covered with surface course during the same calendar year or within 15 days of placement if the plant mix is placed in January or February. Two lifts of surface course will be required for projects that do not install the full depth of asphalt with initial pavement construction.
5. Non-Residential, Industrial and Thoroughfare pavement designs shall be based on anticipated traffic loads.

**AN ORDINANCE AMENDING THE CABARRUS COUNTY DEVELOPMENT
ORDINANCE
TEXT2020-00001**

BE IT ORDAINED that the Cabarrus Development Ordinance is hereby amended as follows:

AMEND CHAPTER 1 GENERAL PROVISIONS

Delete current Chapter and replace with revised Chapter 1.

AMEND CHAPTER 2 RULES OF CONSTRUCTION AND DEFINITIONS

Delete current Chapter 2 and replace with revised Chapter 2.

CHAPTER 3 ESTABLISHMENT OF ZONES

Delete current Chapter 3 and replace with revised Chapter 3.

Delete current permitted use table and replace with revised permitted use table.

CHAPTER 5 DISTRICT DEVELOPMENT STANDARDS

Delete current Chapter 5 and replace with revised Chapter 5.

CHAPTER 6 GENERAL REQUIREMENTS, EXCEPTIONS AND MODIFICATIONS

Delete current Chapter 6 and replace with revised Chapter 6.

CHAPTER 7 PERFORMANCE BASED STANDARDS

Delete current Chapter 7 and replace with revised Chapter 7.

CHAPTER 8 CONDITIONAL USES

Delete current Chapter 8 and replace with revised Chapter 8.

CHAPTER 9 LANDSCAPE

Amend Section 9-7 Parking Lot Area Landscape Buffer Requirements as follows:

Shrubs are required in addition to trees and at a rate of three shrubs for every ~~10~~ **twenty** linear feet of planting yard.

Amend Section 9-9 Street Yard Landscape Buffer Area as follows:

Shrubs are required in addition to trees and at a rate of five for every ~~fifteen~~ **thirty** linear feet of required planting area.

CHAPTER 12 ADMINISTRATION AND ENFORCEMENT

Delete current Chapter 12 and replace with revised Chapter 12.

CHAPTER 13 AMENDMENTS AND CHANGES

Delete current Chapter 13 and replace with revised Chapter 13.

CHAPTER 14 NONCOMFORMITIES

Delete current Chapter 14 and replace with revised Chapter 14.

CHAPTER 15 SUBDIVISIONS

Delete current Chapter 15 and replace with revised Chapter 15.

Appendix A

Delete current Appendix A and replace with revised Appendix A.

BE IT ALSO ORDAINED that the Cabarrus County Development Ordinance is hereby amended as follows:

RENUMBER AND REVISE the Table of Contents, numbered lists within the text/tables and page numbers in the Cabarrus County Development Ordinance to correspond to the text changes as needed.

Adopted this _____ day of _____ by the Cabarrus County Board of Commissioners.

Chairman
Cabarrus County Board of Commissioners

ATTEST:

Clerk to the Board

Consistency Statement for Proposed Amendment of the Cabarrus County
Development Ordinance

TEXT2020-00001

Having reviewed and considered the Proposed Amendments associated with text amendment TEXT2020-00001, the accompanying documents, the staff analysis, comments from the general public, and the recommendation from the Cabarrus County Planning and Zoning Commission, the Cabarrus County Board of Commissioners adopts this statement of consistency.

The Proposed Amendments are consistent with the direction provided by the North Carolina General Assembly to amend local ordinances for uniformity with 160D. The proposed amendments are also consistent with the adopted Small Area Land Use Plans (Plans) because the Plans seek to create a safe and healthy community, to preserve open space, to create expanded housing options, to limit property damage from flooding and to encourage economic development.

The Proposed Amendments are reasonable and in the public interest because:

The proposed amendments conform to the direction provided by the North Carolina General Assembly to amend local ordinances for consistency with 160D. The proposed amendments are intended to streamline development regulation, clarify the development process and to provide plain language for ease of use by the general public. Additionally, the proposed amendments provide increased flexibility for non-conforming properties, codify legal interpretations and expand economic opportunity related to home occupations and businesses in Cabarrus County.

For the reasons set forth above, the Planning and Zoning Commission recommends that the Cabarrus County Board of Commissioners consider adopting proposed text amendment TEXT2020-00001.

For the reasons set forth above, the Cabarrus County Board of Commissioners hereby adopt this Statement of Consistency and approve TEXT2020-00001.

Signed this _____ day of _____, 2021.

Chair of the Cabarrus County Board of Commissioners

Clerk to the Board of Commissioners

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**January 4, 2021
4:00 PM**

AGENDA CATEGORY:

Approval of Regular Meeting Agenda

SUBJECT:

BOC - Approval of Regular Meeting Agenda

BRIEF SUMMARY:

The proposed agenda for the January 19, 2021 regular meeting is attached.

REQUESTED ACTION:

Motion to approve the agenda for the January 19, 2021 regular meeting as presented, including the required public hearing.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Proposed January 19, 2021 Regular Meeting Agenda

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**January 19, 2021
6:30 PM**

MISSION STATEMENT

THROUGH VISIONARY LEADERSHIP AND GOOD STEWARDSHIP, WE WILL ADMINISTER STATE REQUIREMENTS, ENSURE PUBLIC SAFETY, DETERMINE COUNTY NEEDS, AND PROVIDE SERVICES THAT CONTINUALLY ENHANCE QUALITY OF LIFE

CALL TO ORDER BY THE CHAIRMAN

PRESENTATION OF COLORS

INVOCATION

A. APPROVAL OR CORRECTIONS OF MINUTES

1. Approval or Correction of Meeting Minutes

B. APPROVAL OF THE AGENDA

C. RECOGNITIONS AND PRESENTATIONS

1. Human Resources - Recognition of Emergency Management Director Robert "Bobby" Smith's Retirement
2. Proclamation - Black History Month

D. INFORMAL PUBLIC COMMENTS

E. OLD BUSINESS

F. CONSENT AGENDA

(Items listed under consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Board.)

1. Active Living and Parks - Soccer Complex Recognition Recommendation
2. Appointments - Active Living and Parks Commission
3. Appointments - Cabarrus County Youth Commission

4. County Manager - Ad Hoc Amendment to the Central Area Plan Interlocal Agreement
5. County Manager - Tree and Brush Removal at Stonewall Jackson Property
6. County Manager - Request for Easements from the Water & Sewer Authority of Cabarrus County (WSACC)
7. Planning and Development - Proposed Amendment to Construction Standards Fee Schedule
8. Salisbury-Rowan Community Action Agency, Inc. Presentation of FY 2021-22 Application for Funding
9. Tax Administration - Refund and Release Reports – December 2020

G. NEW BUSINESS

1. Finance - Presentation of the Fiscal Year 2020 Comprehensive Annual Financial Report
2. Planning and Development Department - TEXT2020-00001- Proposed Amendments to the Cabarrus County Zoning Ordinance - Public Hearing 6:30 p.m.

H. REPORTS

1. BOC - Receive Updates From Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
2. BOC - Request for Applications for County Boards/Committees
3. County Manager - Monthly Building Activity Reports
4. County Manager - Monthly New Development Report
5. EDC - December 2020 Monthly Summary Report
6. Finance - Monthly Financial Update

I. GENERAL COMMENTS BY BOARD MEMBERS

J. WATER AND SEWER DISTRICT OF CABARRUS COUNTY

K. CLOSED SESSION

L. ADJOURN

Scheduled Meetings

January 20	Cabarrus Summit	6:00 p.m.	Cabarrus Arena
February 1	Work Session	4:00 p.m.	Multipurpose Room
February 15	Regular Meeting	6:30 p.m.	BOC Meeting Room
February 26	Board Retreat	4:00 p.m.	Multipurpose Room
February 27	Board Retreat	8:00 a.m.	Multipurpose Room
March 1	Work Session	4:00 p.m.	Multipurpose Room
March 15	Regular Meeting	6:30 p.m.	BOC Meeting Room

Mission: Through visionary leadership and good stewardship, we will administer state requirements, ensure public safety, determine county needs, and provide services that continually enhance quality of life.

Vision: Our vision for Cabarrus is a county where our children learn, our citizens participate, our dreams matter, our families and neighbors thrive, and our community prospers.

**Cabarrus County Television Broadcast Schedule
Cabarrus County Board of Commissioners' Meetings**

The most recent Commissioners' meeting is broadcast at the following days and times. Agenda work sessions begin airing after the 1st Monday of the month and are broadcast for two weeks up until the regular meeting. Then the regular meeting begins airing live the 3rd Monday of each month and is broadcast up until the next agenda work session.

Sunday - Saturday	1:00 P.M.
Sunday - Tuesday	6:30 P.M.
Thursday & Friday	6:30 P.M.

In accordance with ADA regulations, anyone who needs an accommodation to participate in the meeting should notify the ADA Coordinator at 704-920-2100 at least forty-eight (48) hours prior to the meeting.