

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE TOWN OF PITTSBORO
Public Utilities with Service and Storage Yards
ZTA-2018-03

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the request to amend the Zoning Ordinance of the Town of Pittsboro as described in Case File ZTA-2018-03 hereto and incorporated herein by reference that Public Utilities with Service and Storage Yards may be allowed as permitted in the following Districts RA, RA-2, and RA-5 districts pursuant to the provisions of NCGS 160A-383 and Article X of the Town of Pittsboro Zoning Ordinance; and

WHEREAS the Town Planning Board reviewed the application in detail, and forwarded the request to the Town Board of Commissioners with a positive recommendation for approval; and

WHEREAS the Town Planning Board adopted a motion to advise that the proposed text amendment is reasonable considering the potential benefits to the development of the Town of Pittsboro and surrounding community; and the proposed text amendment advances the public health, safety or welfare of the Town of Pittsboro, and is consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans, policies, and documents adopted by the Town of Pittsboro.

WHEREAS a Public Hearing was held on June 25th, 2018 to solicit comments and concerns which were duly considered and acknowledged; and

WHEREAS, the Town Board of Commissioners makes the following findings and conclusions:

1. That the Board has examined the request and associated public testimony to amend the zoning text as described in Case File ZTA-2018-03 and incorporated herein by reference and finds that the amendment is reasonable considering the potential benefits to the development of the Town of Pittsboro and surrounding community; and the proposed text amendment advances the public health, safety or welfare of the Town of Pittsboro, and is consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans, policies, and documents adopted by the Town of Pittsboro.

BE IT ORDAINED by the Board of Commissioners of the Town of Pittsboro as follows:

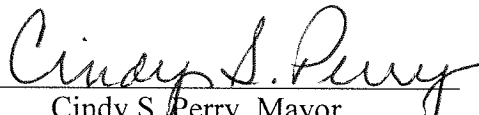
1. That the Town of Pittsboro Zoning Ordinance be amended to allow Public Utilities with Service and Storage Yards as permitted in the following Districts RA, RA-2, and RA-5 districts with the following development standards:
 - a. The public utility shall have a minimum five (5) acres in RA-5, RA-2 & RA zoning districts.
 - b. The entire facility shall be enclosed by a security fence not less than 6 feet in height. In addition, an opaque screen not less than 6 feet in height at the time of planting shall be required.

2. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Adopted this 23rd day of July, 2018.

TOWN OF PITTSBORO

By:


Cindy S. Perry, Mayor

ATTEST:


Alice F. Lloyd, CMC, NCCMC
Town Clerk

Exhibit 1

Proposed Text Amendment - Public Utilities; with service and storage yards

Section 1. Section 5.2.1 of the Zoning Ordinance, Permitted Use Table, is hereby amended by insertion of the following underlined language into the Transportation, Warehousing, and Utilities Use Type Section of the Permitted Use Table:

USE TYPE	R15	R12M	R12	R10	OI	C1	C2	C4	M1	M2	RA	RA2	RA5	MU-PD	LUC
Wholesale establishments, not listed							X		X	X					4
TRANSPORTATION, WAREHOUSING AND UTILITIES															
Landing Strips									S	S	S	S	S		5
Broadcasting studio, radio, TV					X	X	X	X	X	X				X	3
Construction storage yards (see note 6)									X	X					5
Flammable liquids or gases, bulk storage, <100,000 gallons							S		X	X					4
Flammable liquids or gases, bulk storage, > 100,000 gallons										X					5
Garbage landfills, incinerators									S	S					5
Public utilities: no service and storage yards	X	X	X	X	X	X	X	X	X	X	X	X	X	X	-
Public utilities: with service and storage yards							S		X	X	X	X	X	X	5
Public water and wastewater treatment facilities									S	S	S	S	S		5
Storage, outdoor not otherwise listed						S			S	X				X	4
Telephone exchanges, radio and TV towers, transmitting stations, communication towers over 50' height					S	S	S		S	S	S	S	S		3
Transportation terminals, freight							X		X	X					5
Transportation terminals, passenger							X	X	X	X				X	3
Warehousing, general									X	X					4

**Permitted Use Table
Town of Pittsboro, N.C.**

**X = permitted by right
S = permitted by SUP only**

Section 2. Section 5.2.2 of the Zoning Ordinance, Notes to the Table of Permitted Uses, is hereby amended by the insertion of the following underlined language:

NOTE 12 Public utilities; with service and storage yards Public utilities; with service and storage yards shall be a permitted use in the RA, RA-2, and RA-5 districts provided the following conditions are met:

- a) The public utility shall have a minimum of five acres of lot area in the RA RA-2 and RA-5 districts.
- b) The entire facility shall be enclosed by a security fence not less than 6 feet in height. In addition, an opaque screen not less than 6 feet at the time of planting shall be required.