

## **PENDING AMENDMENT**

### **P09-25**

Allowing limited outdoor recreation in a Mixed Use Development

#### **CASE HEADING:**

REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS ZONING ORDINANCE, AMENDING ARTICLE II, INTERPRETATIONS, CALCULATIONS AND DEFINITIONS, SECTION 102A-203, DEFINITION OF SPECIFIC TERMS AND WORDS, SPECIFICALLY BY INSERTING IN ALPHABETICAL ORDER THE TERM *RECREATION, OUTDOOR (WITH MECHANIZED VEHICLE OPERATIONS)* AND THE DEFINITION FOR SAID TERM; AMENDING ARTICLE IV, PERMITTED, CONDITIONAL AND SPECIAL USES, SECTION 102A-403, USE MATRIX BY INSERTING IN ALPHABETICAL ORDER THE USE DEFINED ABOVE AS A PERMITTED USE IN THE C(P) PLANNED COMMERCIAL DISTRICT; AMENDING ARTICLE VI, MIXED USE DEVELOPMENT – CONDITIONAL USE DISTRICT, SECTION 102A-603, USES ALLOWED, SUBSECTION (C)(11) BY INSERTING AS AN ALLOWED USE *RECREATION, OUTDOOR*; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

#### **CURRENT MEETING INFORMATION:**

Hope Mills Zoning Board Hearing, May 26, 2009, 2:55 pm, Bill Luther Board Meeting Room, Town Hall, 5770 Rockfish Road, Hope Mills

#### **ADDITIONAL INFORMATION:**

This amendment is proposed in order to allow limited outdoor recreation as a permitted use in Mixed Use Developments.

**P09-25**  
**TEXT AMENDMENT**  
**TOWN OF HOPE MILLS ZONING ORDINANCE**

**P09-25. REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS ZONING ORDINANCE, AMENDING ARTICLE II, INTERPRETATIONS, CALCULATIONS AND DEFINITIONS, SECTION 102A-203, DEFINITION OF SPECIFIC TERMS AND WORDS, SPECIFICALLY BY INSERTING IN ALPHABETICAL ORDER THE TERM *RECREATION, OUTDOOR (WITH MECHANIZED VEHICLE OPERATIONS)* AND THE DEFINITION FOR SAID TERM; AMENDING ARTICLE IV, PERMITTED, CONDITIONAL AND SPECIAL USES, SECTION 102A-403, USE MATRIX BY INSERTING IN ALPHABETICAL ORDER THE USE DEFINED ABOVE AS A PERMITTED USE IN THE C(P) PLANNED COMMERCIAL DISTRICT; AMENDING ARTICLE VI, MIXED USE DEVELOPMENT – CONDITIONAL USE DISTRICT, SECTION 102A-603, USES ALLOWED, SUB-SECTION (C)(11) BY INSERTING AS AN ALLOWED USE *RECREATION, OUTDOOR*; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)**

**AMEND Article II, Interpretations, Calculations and Definitions, Section 102A-203, Definition of specific terms and words, specifically by INSERTING in alphabetical order the term *Recreation, outdoor (with mechanized vehicle operations)* and the following definition:**

(Editor's note: Existing definition for "Recreation, outdoor" included for comparison purposes only.)

*Recreation, outdoor.* An area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions and similar structures used primarily for recreational activities.

*Recreation, outdoor (with mechanized vehicle operations):* An area or establishment, which requires the use of motors or engines for the operation of equipment or participation in the activity and afforded passage along a tract or course, typically of rough terrain. This definition includes but is not limited to go-cart tracks, bicycle motorcross (BMX) courses and the like. This definition does not include golf courses (golf carts) or other low impact motorized vehicles.

**AMEND Article IV, Permitted, Conditional and Special Uses, Section 102A-403, Use matrix, by AMENDING the matrix INSERTING in alphabetical order the use *Recreation,***



***outdoor (with mechanized vehicle operations)* allowed as a Permitted use indicated by INSERTING a "P" in the C(P) planned commercial district column.**

**AMEND Article VI, Mixed Use Development – Conditional Use District, Section 102A-603, Uses allowed, sub-section (c)(11) by INSERTING as an allowed use in the MXD/CUD district "outdoor recreation" as follows:**

**Sec. 102A-603. Uses allowed.**

The intent of this district is to allow for flexibility of development; however, unless a use not listed below is specifically requested by the applicant and receives a favorable recommendation from the Zoning Board and approved by the Board of Commissioners, all uses within the district shall be limited to the following:

(a) Any residential use except manufactured homes and manufactured home parks;

(b) Commercial and office uses in the C1(P) planned local business district and O&I(P) planned office and institutional district; and

(c) Allowed uses from the C2(P) planned service and retail and C(P) planned commercial districts are as follows:

(1) Alcoholic beverage control sales;

(2) Bed & breakfast (except those regulated by Sec. 102A-1023);

(3) Food production (with on premises retail sales of product);

(4) Home furnishings and appliance sales;

(5) Janitorial service;

(6) Locksmith, Gunsmith;

(7) Mini-warehousing with no outside storage of vehicles and if constructed in accordance with Sec. 102A-1012;

(8) Motor vehicle washing;

(9) Office supplies and equipment sales and service / mailbox service;

(10) Pet sales (excluding kennel operations, outside runs, and outside storage of animals);

(11) Recreation or amusement, indoor (conducted inside a building for profit, and not otherwise listed herein) and recreation/amusement outdoor (conducted outside building for profit, not otherwise listed or regulated;

(Editor's note: This amendment does not include "Recreation, outdoor (with mechanized vehicle operations)" as defined above.)

(12) Recreation or amusement, public/private (not operated as a business for profit);

(13) Retailing or servicing with operations conducted and merchandise stored entirely within a building (Note: The remainder of this use, as listed in Sec. 102A-403, "and not otherwise listed herein" is not included in this section.); and

(14) Veterinarian.

Any combination of the above permitted uses shall not exceed 50% of the total land area within the district for non-residential development.