

## **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 Board of Commissioners' Public Hearing, June 15, 2009, 7:00 pm, Bill Luther Board Meeting Room, Town Hall, 5770 Rockfish Road, Hope Mills

#### **PREVIOUS HEARING INFORMATION:**

At their meeting on May 26, 2009, the Hope Mills Zoning Board voted to unanimously recommend approval of the proposed amendment and to send it to the Hope Mills Board of Commissioners for final public hearing.

#### **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.