



**TOWN OF HARRISBURG, NORTH CAROLINA
HARRISBURG TOWN HALL
TOWN COUNCIL MEETING**

**February 10, 2025
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. The meeting may be viewed remotely via YouTube at the following link:
[Meeting Video](#)
- B. AGENDA ADOPTION
- C. INVOCATION
- D. PLEDGE OF ALLEGIANCE
- E. SPECIAL PRESENTATIONS
- F. PUBLIC COMMENT - Anyone wishing to address the Town Council may do so during the Public Comment section. Please state your name and address for the record, be courteous and do not repeat what has already been said. Please keep your comments about the subject and not personal in nature.

2. CONSENT AGENDA

- A. Consider the minutes of the January 13, 2025, Town Council Meeting
- B. Consider the minutes of the January 13, 2025, Closed Session of the Harrisburg Town Council
- C. Consideration of FY2025 Budget Ordinance Amendment for Insurance Proceeds for Parks and Recreation
- D. Consideration of granting Utility Easement to Enbridge to serve the new YMCA with Gas line crossing Harrisburg Park property.

3. COMMUNICATIONS

- A. TOWN MANAGER REPORT
- B. FINANCE REPORT
- C. LAW ENFORCEMENT REPORT
- D. FIRE DEPARTMENT REPORT
- E. MAYOR'S COMMENTS

F. COUNCIL COMMENTS

4. **PUBLIC HEARINGS**

- A. H-2024-03-TA Text Amendment of Various Chapter of the Unified Development Ordinance

5. **OLD BUSINESS**

6. **NEW BUSINESS**

- A. H-2024-02-S Tramore II Preliminary Plat
- B. Consideration of the Roberta Road/NC Highway 49 Intersection Improvement Study Professional Services Contract with Rummel, Klepper, and Kahl, LLP (RK&K).

7. **ACTION ITEMS**

8. **CLOSED SESSION**

9. **ADJOURNMENT**

Vision Statement

Harrisburg will be a distinctive, family-focused community where memories are made.

Mission Statement

Together, we enhance our quality of life by collaborating, planning, and investing to create our community of choice.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the January 13, 2025, Town Council Meeting

Presenting Personnel:

Janet Rackley, Town Clerk

Suggested Motion or Action:

Motion to approve the minutes of the January 13, 2025, Town Council meeting.

Description/Background:

Draft minutes of the January 13, 2025, Town Council meeting are presented for consideration.

Recommendation:

Approval

Fiscal Impact:

None

Attachments:

1. January 13, 2025 Town Council Minutes

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, JANUARY 13, 2025
6:00 PM**

MINUTES

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Mayor Pro-Tem La'Trecia Glover, Councilmembers Altyn Cotell, Mike Thevenin, Chris Faw, Ian Patrick, Ron Smith

ABSENT: Councilmember Maurice Price Jr.

1A.

CALL TO ORDER

Mayor Teague called the meeting to order.

1B.

AGENDA ADOPTION

MOTION:

Councilmember Thevenin made a motion to adopt the agenda as presented. Second was made by Councilmember Faw. **The motion passed 6-0.**

1C.

INVOCATION

Councilmember Thevenin conducted the invocation.

1D.

PLEDGE OF ALLEGIANCE

1E.

SPECIAL PRESENTATIONS

None

1F.

PUBLIC COMMENT

- Brian Loux, 8886 Cotton Grove Ct, Harrisburg, NC – president of Addison Park HOA. Need help to get Niblock Homes to correct quite a few issues in the development. They have had no response from the builder. Most notable of the issues is flooding and drainage problems. The HOA has engaged an attorney to help also, but Niblock has stonewalled them so far. Would like the Town to get involved if possible.
- Wally Wallace, 3093 Spring Forest Road, Harrisburg, NC – also spoke concerning the issues with Niblock Homes in Addison Park. Thanked Town staff for all they have done to try to help.
- William Adam, 206 Lakeview Drive, Harrisburg, NC – spoke concerning the “swinger” house in his neighborhood. Asked for an update on when this was going to be taken care of.

Town Manager Rob Donham explained the history of the property and what has been happening up to now. Our hands are tied in some ways in what we can and cannot do, but there is some criminal activity happening there and the Cabarrus County Sheriff's Department is involved in those investigations. We can also deal with the zoning violations that are happening. The Town attorney is filing the zoning violation paperwork with the courts on Monday. All of these actions will take time, though, and that is something we do not have control over. The residents have our support and we will continue to try to help get this resolved.

As far as the issues in Addison Park, those things are solvable, and although they are probably taking too long to be corrected, we should be able to get these resolved.

2.

CONSENT AGENDA

A. Consider the minutes of the December 9, 2024, Town Council Meeting

MOTION:

Mayor Pro-Tem Glover made a motion to approve the Consent Agenda. Second was made by Councilmember Faw. **The motion passed 6-0.**

3A.

COMMUNICATIONS

Town Manager Report

- We submitted the grant request for the train station in December. Thanks to Devin Huston for getting that done. We will also continue to pursue state appropriation as a backup.
- Erin Kegley-Parris, our Recreation Manager, received a \$5,000 no-match grant that will be used for replacing the netting in the Stallings Park batting tunnels.
- The Fire Department received \$25,000 in grant money from Duke Energy for our Swiftwater Team as well and we will hear more about that later in the meeting tonight.
- Very proud of staff and the grant monies that we have received over the last few years. It totals approximately \$25 million and that has enabled us to do many things that would normally have been done with tax dollars.
- Trash/recycling – update on the rollout of the new carts – was scheduled to happen in January, but there has been a delay due to the manufacturer creating the cart with the wrong color. They are correcting that now and so we should see the rollout in February.
- We had to cancel the budget retreat that was scheduled for Saturday due to the weather, so that has been rescheduled for February 1, 2025. We are working on rescheduling the other meetings and may have to hold the department head budget meeting as two separate evening meetings instead of one all day one.

3B.

COMMUNICATIONS

Finance Report

Finance Director Brian Lee presented the Finance report.

3C.

COMMUNICATIONS

Law Enforcement Report:

Captain Measimer was not able to be present tonight so Rob Donham presented the Law Enforcement report.

3D.

COMMUNICATIONS

Fire Department Report:

Fire Chief Bryan Dunn presented the Fire Department report.

3E.

COMMUNICATIONS

MAYOR'S COMMENTS

- Attended the Centralina Board of Delegates meeting last week. Budget this year will be \$15-\$20 million. We currently pay for those services based on our population which is \$0.24 per capita. This has not been increased in ten years and would create a \$100,000 deficit this year so they are proposing a \$0.01 increase both this year and next year to help cover that. Also, advocacy at the legislative level is very important as Rob mentioned. For example at our meeting we discussed Senate Bill 382 that would limit local government authority for down-zoning and we see this in Harrisburg as our current bill creates barriers to updating and amending land use regulations in response to community market needs. It also impacts the ETJ and voluntary annexations, conflicts with state requirements and interferes with long-term planning strategies at the local level. Centralina is partnering with the NC League of Municipalities to present these challenges to the Legislature and we will keep you updated with any new developments.
- A topping-off ceremony for the new YMCA will be held on Wednesday. It will be on the site at 11:30am, and the public is invited. They will be utilizing shuttle buses to the site as well.
- Also Wednesday, the Board of Adjustment will hold a special meeting concerning the Venator case. It will be at Venture Church on Main Street at 6:30pm.
- Condolences for Salisbury Mayor Karen Alexander. Services were held for her on Saturday and another one was being held tonight at Catawba College. She leaves behind a beautiful legacy of public service, and we need to keep her family and her community in our prayers.

3F.

COMMUNICATIONS

COUNCIL COMMENTS

Mayor Pro-Tem Glover:

- The Concord-Cabarrus MLK Committee is having celebrations beginning Wednesday at 5:30pm at Grace Lutheran Church, and the Dream Awards Banquet Friday evening at Gibson Mill and then on Monday there will be a Dream parade at 11:00am followed by an HBCU College Fair.

Councilmember Smith:

- Fully expect next month to bring a letter of support for the Train Station from CRMPO.

4A.

PUBLIC HEARING

H2024-02 TA – Text Amendments of Various chapters of the Unified Development Ordinance. A request to amend Chapter 141.06 Outdoor Lighting and; Section 141.04.02 and 141.04.03 – Development Landscaping and Buffers to:

- Modify development regulations under building design and lighting.
- Correct minor edits within these Chapters

The Public Hearing was opened:
Speaking: none
The Public Hearing was then closed.

After some discussion, the following action was taken:

MOTION:

Councilmember Smith made a motion to approve H2024-02-TA as presented, finding the amendment consistent with the UDO and the HALUP. Second was made by Mayor Pro-Tem Glover. **The motion passed 6-0.**

5A.

OLD BUSINESS

None

6A.

NEW BUSINESS

Consideration of FY2025 Budget Ordinance Amendment for grant proceeds received from Duke Energy for the Fire Department's Swiftwater Rescue Team. The Harrisburg Fire Departments' goal for this project is to provide the safest and most thoroughly vetted equipment made for the purpose of Swift Water Rescue. This equipment will allow our personnel to ensure we stay safe during flood emergencies and allow us to serve our communities at the Local, Regional, & State level.

We will utilize the funds to purchase much needed PPE (Personal Protective Equipment) such as Dry Suits, PFD's, Boots, & Helmets as well as an Inflatable Water Rescue Boat for evacuations during flooding events. Our current equipment has served our department for the past few years, but it is showing significant signs of degradation even after repairs. This degradation creates concerns over its possible lack of performance in an emergency incident, and ultimately the safety factor for our personnel. Although the equipment is still in service/ operational, the equipment is antiquated and therefore calls for a need to be replaced and upgraded. The State of North Carolina has a great pedigree in Swift Water Rescue and has spent countless hours determining the best equipment for this advanced-level service. Now that the Harrisburg Fire Department is not only a local and regional asset but a Type III Swift Water Rescue team that is deployable through the entire State. It is imperative that our department have equipment that meets the standard of the organizations we will be partnered with. The equipment we have requested will not only make our rescuers safe and effective in operations, but they are also tested by the most senior and advanced swift water rescue teams in the State and the Country. This equipment will be a great match for the level of training our responders have put countless hours into obtaining. The items in this request would help us make great strides in being as prepared as possible to deploy our Swift Water team in any incident we encounter, and ensuring we are providing the highest quality of services to our communities across North Carolina in a time of need.

After some discussion, the following action was taken:

MOTION:

Councilmember Faw made a motion to approve the FY2025 Budget Ordinance Amendment to recognize the \$25,000 Duke Energy grant for the Harrisburg Fire Department's Swiftwater Rescue Team. Second was made by Councilmember Thevenin. **The motion passed 6-0.**

7.

ACTION ITEMS

- Meet with residents on Lakeview
- Follow up with Engineering staff on Addison Park issues.
- During upcoming budget meetings – discuss definition of public art.

8.

CLOSED SESSION

Closed Session to discuss legal matters. Mayor Teague excused Councilmember Patrick from the meeting as he has a conflict of interest with the Closed Session subject.

MOTION:

Councilmember Smith made a motion to go into Closed Session to discuss legal matters. Second was made by Mayor Pro-Tem Glover. **The motion passed 5-0.**

After the business of the Closed Session was completed, the following action was taken:

MOTION:

Councilmember Smith made a motion to come out of Closed Session and return to regular business. Second was made by Councilmember Thevenin. **The motion passed 5-0.**

9.

ADJOURNMENT

MOTION:

There being no further business, Councilmember Smith made a motion to adjourn the meeting. Second was made by Councilmember Thevenin. **The motion passed 5-0.**

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the January 13, 2025, Closed Session of the Harrisburg Town Council

Presenting Personnel:

Janet Rackley, Town Clerk

Suggested Motion or Action:

Motion to approve the minutes of the January 13, 2025, Closed Session of the Harrisburg Town Council.

Description/Background:

Draft minutes of the January 13, 2025, Closed Session have been provided to Town Council members for their consideration.

Recommendation:

Approval

Fiscal Impact:

None

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of FY2025 Budget Ordinance Amendment for Insurance Proceeds for Parks and Recreation

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the FY2025 Budget Ordinance Amendment for Parks and Recreation Insurance Proceeds and related replacement-expenditures totaling \$14,000.

Description/Background:

Parks and Recreation

1) Vandalism

On November 1, 2024, Stallings Park playground was vandalized overnight, resulting in damage to several of the playground components. These components require replacement to restore the features to safe, working order. The deductible for this type of property loss is \$1,000 and any reimbursable sales taxes, resulting in insurance proceeds of approximately \$5,800. These proceeds are being contributed toward the full cost of repairing the equipment of approximately \$7,500.

2) Fire at Pharr Mill Park

On November 14, 2024, there was a fire in one of the park shelters at Pharr Mill Park. It was extinguished by our Fire Department, however, damage was caused to some of the structure and furnishings. The deductible for this type of property loss is \$1,000, resulting in insurance proceeds of approximately \$5,500. These proceeds are being contributed toward the full cost of repairing the shelter of approximately \$6,500.

Recommendation:

Staff recommends approval of the attached FY2025 Budget Ordinance Amendment.

Fiscal Impact:

The fiscal impact to the Town for FY2025 is additional revenue of approximately \$11,500 in insurance proceeds toward the total cost to repair of approximately \$14,000. The deductible on the losses was \$1,000 and \$1,500, respectively. This results in a net cost to the Town of \$2,500 for the two events, being funded with GF Contingency. The balance of contingency funds, if approved, for the remaining five months of FY2025, will be \$747,500.

Attachments:

1. Amendment - GF - Parks Insurance Proceeds 02102025



AN ORDINANCE AMENDING THE 2024-2025 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2025:

Section 1. Amend the General Fund to account for insurance proceeds received from claims made for the Pharr Mill Park fire and Stallings Park playground vandalism.

Section 2. To amend the General Fund, the appropriations are to be changed as follows:

Increase line item 100-5000-54300 M/R – Buildings & Grounds	\$ 14,000
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Decrease line item 100-8750-59500 Contingency	\$ 2,500
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Section 3. To amend the General Fund, the estimated revenues are to be changed as follows:

Increase line item 100-49121 Insurance Proceeds	\$ 11,500
--	-----------

Section 4. Copies of this budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Section 5. That this ordinance shall be effective upon its passage. Adopted this 10th day of February, 2025.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of granting Utility Easement to Enbridge to serve the new YMCA with Gas line crossing Harrisburg Park property.

Presenting Personnel:

Devin Huston, Town Engineer

Suggested Motion or Action:

Motion to grant approval for a utility easement to Enbridge for the purpose of serving the new YMCA location with gas as shown and described in the attached easement document and exhibit.

Description/Background:

As part of the ongoing construction of the new Harrisburg YMCA, they are now at the point that they need the easement for installation and maintenance of the gas line which will serve the new YMCA location is needed in order for the line to be located within Town property. This was an anticipated step in the process of constructing their new facility.

Recommendation:

Recommendation is to approve the easement as presented in the attached easement document and exhibit.

Fiscal Impact:

No fiscal impact.

Attachments:

1. YMCA Enbridge Gas Easement - Town of Harrisburg

UTILITY EASEMENT

PREPARED BY: Enbridge Gas North Carolina
RETURN TO: Enbridge Gas North Carolina
Attn: Warren Dumford, 800 Gaston Rd, BLDG A, Gastonia, NC 28056

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

Project No. WFM.P76258

Know all men by these presents that for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid to **TOWN OF HARRISBURG, NORTH CAROLINA** a North Carolina Municipal Corporation, authorized to do business in the State of North Carolina (hereinafter designated "Grantor"), the receipt of which is hereby acknowledged, the Grantor hereby bargains, sells, and conveys unto **Public Service Company of North Carolina, Incorporated**, a South Carolina corporation, dba Enbridge Gas North Carolina (hereinafter designated "Grantee"), and its successors and assigns, a perpetual and exclusive, except as otherwise provided herein, utility easement ten (10) feet in width for the purpose of installing, laying, constructing, maintaining, operating, repairing, altering, replacing, and removing gas pipeline equipment for the transportation and control of natural gas under, upon, over, through and across lands of Grantor, or in which Grantor has interest situate in Cabarrus County, North Carolina as described in that deed recorded in Book 11995 at page 139 in the Cabarrus County Registry, together with the rights of ingress and egress over and across the easement and the remaining lands of the Grantor for the purpose of obtaining access to and from the easement. The easement shall be generally located as shown on Exhibit "A" drawing attached hereto and incorporated herein by reference. The centerline of the pipeline as installed and/or constructed shall be the centerline of such right of way and easement hereby granted.

The Grantee shall have the right to assign this easement in whole or part at any time.

The Grantee shall have the right to remove all trees, undergrowth, and other obstructions which may be located within the easement that may injure, endanger, or interfere with the construction, operation, maintenance, and repair of said utility pipeline.

The Grantor, for itself, its successors and assigns, agrees to do nothing inconsistent with the rights of the Grantee hereunder, specifically including, but not limited to the following: 1) no structure nor obstruction of a temporary or permanent nature (including, but not limited to, fences and/or walls) shall be constructed or allowed to remain upon the easement herein granted; 2) nothing shall be done which would increase or decrease the depth of the pipeline below the surface of the ground; 3) roads, streets and/or public utility crossings may be built or erected by the Grantor or authorized agents over or upon the easement, subject to the above restrictions and so long as a minimum of a two (2) foot horizontal and a one (1) foot vertical separation is maintained from Grantee's facilities by such public or private facilities.

To have and to hold said utility easement unto the Grantee, its successors, and assigns, in title forever and the undersigned hereby binds itself, its successors, and assigns to warrant and forever defend all and singular said premises unto the Grantee, its successors, and assigns, against the claims of all persons whomsoever.

It is understood and acknowledged by the undersigned that the person securing this grant is without authority to make any agreement with regard to the subject matter hereof which is not expressed herein, and that no such agreement will be binding on the Grantee.

IN WITNESS WHEREOF this instrument is signed and sealed this _____ day of _____ 2025.

GRANTOR:

TOWN OF HARRISBURG, NORTH CAROLINA
a North Carolina municipal corporation

By: _____ Sign

_____ Print

_____ Title

STANDARD ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

I, _____, a Notary Public for _____ County, _____, certify that _____ personally came before me this day and acknowledged that he (or she) is _____ of **TOWN OF HARRISBURG, NORTH CAROLINA**, a municipal corporation, and that he (or she), in such capacity, being authorized to do so, executed the foregoing Grant of Easement on behalf of the corporation.

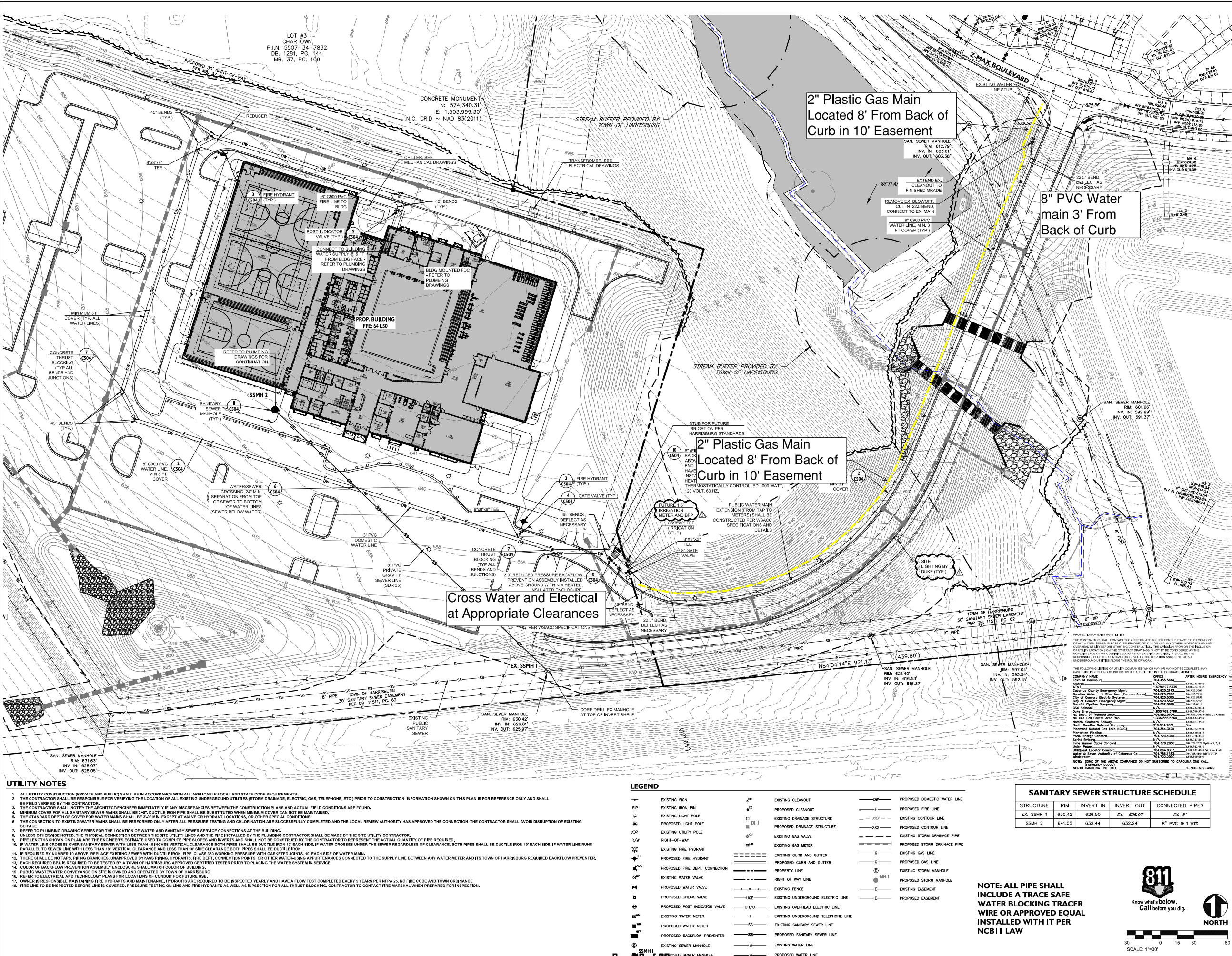
Witness my hand and official seal this the ____ day of _____, 20__.

[NOTARY SEAL]

Sign

Print

My commission expires: _____



Morris Berg
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PERMIT SET
ISSUE DATE: 11/6/2023
REVISIONS

NO.	DESCRIPTION	DATE
1	ASB-02	3/15/24

**ROWAN-CABARRUS YMCA
HARRISBURG BRANCH**
5055 Z-MAX BOULEVARD HARRISBURG, NC

PROJECT NUMBER: 1710
SHEET TITLE: UTILITY PLAN
SHEET NUMBER: C400

SANITARY SEWER STRUCTURE SCHEDULE				
STRUCTURE	RIM	INVERT IN	INVERT OUT	CONNECTED PIPES
EX. SSMH 1	630.42	626.50	EX. 625.97	EX. 8"
SSMH 2	641.05	632.44	632.24	8" PVC @ 1.70%

NOTE: ALL PIPE SHALL INCLUDE A TRACE SAFE WATER BLOCKING TRACER WIRE OR APPROVED EQUAL INSTALLED WITH IT PER NCBI I LAW



SCALE: 1"=30'

LEGEND

- | | | |
|--------------------------------|-------------------------------------|------------------------------|
| EXISTING SIGN | EXISTING CLEANOUT | PROPOSED DOMESTIC WATER LINE |
| EXISTING IRON PIPE | PROPOSED CLEANOUT | PROPOSED FIRE LINE |
| EXISTING LIGHT POLE | EXISTING DRAINAGE STRUCTURE | EXISTING CONTOUR LINE |
| PROPOSED LIGHT POLE | PROPOSED DRAINAGE STRUCTURE | PROPOSED CONTOUR LINE |
| EXISTING UTILITY POLE | EXISTING GAS VALVE | EXISTING STORM DRAINAGE PIPE |
| RIGHT-OF-WAY | EXISTING GAS METER | EXISTING GAS LINE |
| EXISTING FIRE HYDRANT | EXISTING CURB AND GUTTER | PROPOSED GAS LINE |
| PROPOSED FIRE HYDRANT | PROPOSED CURB AND GUTTER | EXISTING STORM MANHOLE |
| PROPOSED FIRE DEPT. CONNECTION | PROPERTY LINE | PROPOSED STORM MANHOLE |
| EXISTING WATER VALVE | RIGHT OF WAY LINE | EXISTING EASEMENT |
| PROPOSED WATER VALVE | EXISTING FENCE | PROPOSED EASEMENT |
| PROPOSED CHECK VALVE | EXISTING UNDERGROUND ELECTRIC LINE | |
| PROPOSED POST INDICATOR VALVE | EXISTING OVERHEAD ELECTRIC LINE | |
| EXISTING WATER METER | EXISTING UNDERGROUND TELEPHONE LINE | |
| PROPOSED WATER METER | PROPOSED SANITARY SEWER LINE | |
| PROPOSED BACKFLOW PREVENTER | EXISTING WATER LINE | |
| EXISTING SEWER MANHOLE | PROPOSED WATER LINE | |

UTILITY NOTES

- ALL UTILITY CONSTRUCTION (PRIVATE AND PUBLIC) SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL AND STATE CODE REQUIREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES (STORM DRAINAGE, ELECTRIC, GAS, TELEPHONE, ETC.) PRIOR TO CONSTRUCTION. INFORMATION SHOWN ON THIS PLAN IS FOR REFERENCE ONLY AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
- THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER IMMEDIATELY IF ANY DISCREPANCIES BETWEEN THE CONSTRUCTION PLANS AND ACTUAL FIELD CONDITIONS ARE FOUND.
- MINIMUM COVER FOR ALL SANITARY SEWER MAINS SHALL BE 3'-0" DUCTILE IRON PIPE SHALL BE SUBSTITUTED WHEN MINIMUM COVER CANNOT BE MAINTAINED.
- THE STANDARD DEPTH OF COVER FOR WATER MAINS SHALL BE 3'-0" MIN. EXCEPT AT VALVE OR HYDRANT LOCATIONS, OR OTHER SPECIAL CONDITIONS.
- THE CONNECTION TO EXISTING WATER MAINS SHALL BE PERFORMED ONLY AFTER ALL PRESSURE TESTING AND CHLORINATION ARE SUCCESSFULLY COMPLETED AND THE LOCAL REVIEW AUTHORITY HAS APPROVED THE CONNECTION. THE CONTRACTOR SHALL AVOID DISRUPTION OF EXISTING SERVICE.
- REFER TO PLUMBING DRAWING SERIES FOR THE LOCATION OF WATER AND SANITARY SEWER SERVICE CONNECTIONS AT THE BUILDING.
- UNLESS OTHERWISE NOTED, THE PHYSICAL CONNECTION BETWEEN THE SITE UTILITY LINES AND THE PIPE INSTALLED BY THE PLUMBING CONTRACTOR SHALL BE MADE BY THE SITE UTILITY CONTRACTOR.
- PIPE LENGTHS SHOWN ON PLAN ARE THE ENGINEER'S ESTIMATE USED TO COMPUTE PIPE SLOPES AND INVERTS AND SHALL NOT BE CONSTRUED BY THE CONTRACTOR TO REPRESENT THE ACTUAL QUANTITY OF PIPE REQUIRED.
- IF WATER LINE CROSSES OVER SANITARY SEWER WITH LESS THAN 18 INCHES VERTICAL CLEARANCE BOTH PIPES SHALL BE DUCTILE IRON 10" EACH SIDE. IF WATER CROSSES UNDER THE SEWER REGARDLESS OF CLEARANCE, BOTH PIPES SHALL BE DUCTILE IRON 10" EACH SIDE. IF WATER LINE RUNS PARALLEL TO SEWER LINE WITH LESS THAN 18" VERTICAL CLEARANCE BOTH PIPES SHALL BE DUCTILE IRON.
- IF REQUIRED BY NUMBER 10 ABOVE, REPLACE EXISTING SEWER WITH DUCTILE IRON PIPE, CLASS 350 WORKING PRESSURE WITH GASKETED JOINTS. 10" EACH SIDE OF WATER MAIN.
- THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE DEPT. CONNECTION POINTS, OR OTHER WATCHING APURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS TOWN OF HARRISBURG REQUIRED BACKFLOW PREVENTER.
- EACH REQUIRED BPA IS REQUIRED TO BE TESTED BY A TOWN OF HARRISBURG APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.
- COLOR OF BACKFLOW PREVENTER ASSEMBLY ENCLOSURE SHALL MATCH COLOR OF BUILDING.
- PUBLIC WASTEWATER CONVEYANCE ON SITE IS OWNED AND OPERATED BY TOWN OF HARRISBURG.
- REFER TO ELECTRICAL AND TECHNOLOGY PLANS FOR LOCATIONS OF CONDUIT FOR FUTURE USE.
- OWNER IS RESPONSIBLE MAINTAINING FIRE HYDRANTS AND MAINTENANCE. HYDRANTS ARE REQUIRED TO BE INSPECTED YEARLY AND HAVE A FLOW TEST COMPLETED EVERY 5 YEARS PER NFPA 25. NC FIRE CODE AND TOWN ORDINANCE.
- FIRE LINE TO BE INSPECTED BEFORE LINE IS COVERED, PRESSURE TESTING ON LINE AND FIRE HYDRANTS AS WELL AS INSPECTION FOR ALL THRUST BLOCKING, CONTRACTOR TO CONTACT FIRE MARSHAL WHEN PREPARED FOR INSPECTION.



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2024-03-TA Text Amendment of Various Chapter of the Unified Development Ordinance

Presenting Personnel:

Shelley DeHart, Assistant Planning Director

Suggested Motion or Action:

Motion to:

- Approve H-2024-03-TA as presented and
- Find the proposed text amendments are consistent with the applicable criteria of Section 144.01.02 of the UDO and consistent with the goals of the HALUP in the areas Land Use & Development Design.

Description/Background:

Staff is proposing the modification of various sections of the UDO. The intent behind this proposed action is to:

1. Make minor corrections and edits that include:
 - A. Links within the newly adopted UDO.
 - B. Corrections related to the Planning & Zoning Board duties.
 - C. Addition of missing information.
2. Modification of the non-residential use table to allow for:
 - A. The expansion of uses allowed for Religious Institutions, pursuant to approval of a Special Use Permit within the Office – Institutional zoning district
 - B. Require Special Use Permits for “Demolition Landfills” in most zoning districts except for the Employment Center (EC) zoning district.

Recommendation:

Town staff recommends the Planning and Zoning Board recommends to the Town Council to approve the amendment as presented.

Fiscal Impact:

N/A

Attachments:

1. H-2024-03-TA Various Chapters_ TC Report
2. Attachment A_Draft Section 140.01.02pdf
3. Attachment B_Draft Section 140.02.01
4. Attachment C_Draft Section 140.02.02
5. Attachment D_Draft Section 140.04.04.D
6. Attachment E - H-2024-03-TA_Draft Ordinance



Planning and Zoning Department

**Staff Report – Town Council
H-2024-03-TA: Various Chapters**

DATE: February 10, 2025

SUBJECT: **H-2024-03-TA:** Various Chapters of the Unified Development Ordinance (UDO). Request to amend various Chapters of the UDO for the purpose of correction, clarification, or adding regulations.

Applicant: Staff Text Amendment

Staff Report Prepared by: Shelley DeHart, Assistant Planning Director

Neighborhood Meeting: N/A

APPLICATION SUMMARY:

- Staff is proposing the modification of various sections of the UDO. The intent behind this proposed action is to:
 - Corrections and minor edits that include:
 - Links within the newly adopted UDO.
 - Corrections related to the Planning & Zoning Board duties.
 - Addition of missing information.
 - Modification of the non-residential use table to allow for:
 - The expansion of uses allowed for Religious Institutions, pursuant to approval of a Special Use Permit within the Office – Institutional zoning district.
 - Require Special Use Permits for “Demolition Landfills” in most zoning districts except for the Employment Center (EC) zoning district.
- These proposed amendments are recommended by staff and found to be consistent with the criteria outlined in Section 145.01.07 (Common Decision Criteria) of the UDO and the goals of the Harrisburg Area Land Use Plan (HALUP).

STAFF ANALYSIS

This is the third in a series of proposed text amendments planned for the Town’s Unified Development Ordinance (UDO). These amendments will vary from minor edits to the full rewrite of Chapters. A number of these amendments are developed as the result of added “conditions of approval” placed on conditional zonings applications, staff identified issues that affect implementation of the codes, or changing conditions in land use or technology. This request is the third proposal of many that will be processed over the coming year as we undertake a comprehensive update of the UDO.

AMENDMENTS

Section 140.01.02 (K & L): The duties of the Board of Adjustment were conducted by the Planning and Zoning Board until September 2023. These boards were separated, along with their associated duties, through the adoption of a text amendment approved by the Town Council. The approved amendment did not include the following recommended adjustments:

K. Uncertain Boundaries. If the boundary remains uncertain, ~~the Planning and Zoning Board, acting as~~ the Board of Adjustment, shall interpret the Official Zoning Map to determine the location of the boundary in question.

L. Appeals. Any aggrieved person may appeal such determination to ~~the Planning and Zoning Board, acting as~~ the Board of Adjustment, as set out in Sec. 145.01.11, *Appeals of Legislative, Quasi-Judicial, and Subdivision Decisions*.

Section 140.02.01 Residential Districts: Corrections are needed within this Section:

- Section 140.02.01 – The section title is being modified to remove ~~(4.3)~~. This refers to a section in the old UDO.
- Table 140.02.01-1 Residential Development Types: The paragraph above (140.02.01.B) identifies four development types in the residential districts and indicates they are described in the table. Only three (3) of the four types of developments were on the table. Staff added the missing development type “Countryside” to the table.
- Section 140.02.01 C – The links to table 140.02.01-2 connected to a table in the old UDO. Staff is proposing to correct the links to the correct table in this section.
- Section 140.02.01-2 – Require a special use permit for a Demolition Landfill use in Agricultural (AG) zoning district.

Waste Related Service	Demolition Landfill	P(L)/S	--	--	--	--	--	--	--	--	140.04.04.S 140.04.04.D
	Salvage Yard	--	--	--	--	--	--	--	--	--	N/A

Section 140.02.02 Non-Residential and Mixed-Use District

- Table 140.02.02-2 Permitted Uses by Nonresidential and Mixed-Use Zoning District is proposed to be modified to allow Religious Institutions, with more than 350 seats, to be allowed within the Office Institutional Zoning Classification with an approved Special Use Permit.

Public Assembly	Club, Private	P(L)	P(L)	--	--	P	P	P(L)	--	140.04.04.C
	Convention Center / Visitors Bureau	--	P	P	--	P	P	P	--	N/A
	Religious Institution (up to 350 seats)	P(L)	P(L)	P(L)	P(L)	P(L)	P	--	P	140.04.04.D
	Religious Institution (more than 350 seats)	--	--	--	P(L) S	P(L)	P	--	P	140.04.04.D 140.04.06
	All Public Assembly Uses	P(L)	P(L)	P	P(L)	P(L)	P	--	P	140.04.04.D
Social Service	All Social Service Uses	--	--	P	S	S	P	P	--	140.04.06.D

Staff also modified the use table to require all demolition landfills to be authorized by a Special Use Permit if located outside of the Employment Center (EC) Zoning District.

Waste Related Service	Demolition Landfill	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	140.04.04.S 140.04.06.D
	Salvage Yard	--	--	--	--	--	--	--	S	140.04.04.T
	All Other Waste Related Service	--	--	--	--	--	--	--	P	N/A

The Town could not prohibit the use within the various zoning districts because of Senate Bill (S.B) 382. This new law states any zoning change cannot 1) decrease the development density of the land,; 2) reduce the permitted uses of the land allowed under existing zoning, or 3) create any kind of non-residential nonconformity without the written consent of each affected property owner. The Town has identified two existing demolition landfill operators that are located within the EC zoning district.

Section 140.04.04.D Public Assembly: This section is proposed to be modified to support the proposed amendment to allow the opportunity to consider a Special Use Permit for Religious Institutional Use with more than 350 seats within the Office-Institutional zoning district.

140.04.04.D Public Assembly

1. **Capacity.** Seating capacity or building occupancy shall not exceed 350 seats or persons unless approved by Special Use Permit for Religious Institution in the O-I zone.
2. **Gross Floor Area.** Institutions shall not exceed 3,000 square feet in gross floor area unless approved by Special Use Permit for Religious Institution in the O-I zone.
3. **Outdoor Storage.** No outdoor storage is allowed.
4. **On-Street Parking.** Outside of the MU district, no on-street parking shall be allowed.
5. **Street Classification.** The property shall front a street classified as a collector or a thoroughfare.

----- End of Section -----

PLANNING AND ZONING BOARD CONSIDERATION:

The Planning and Zoning Board heard this item at its January 21st public meeting. After receiving the staff report and deliberations, the Board found the amendment consistent with the “Specific Review Requirements” of Section 145.03.01 of the UDO, and the applicable “Common Decision Criteria” found in Section 145.01.07, as follows:

1. **Errors.** The amendment is necessary to correct an error or inconsistency in the UDO; or *This amendment is necessary to correct and clarify codes supporting implementation of the UDO.*
2. **Changing Conditions:** The amendment is necessary to meet the challenge of a changing condition that was not anticipated in the HALUP. *The text amendments further the goals of the HALUP under Land Use and Development Design.*

Applicable Common Decision Criteria:

1. The amendment promotes the purposes of the UDO as found in Section 144.01.02 as follows:
 - a. Comprehensive Plan (HALUP) – The amendment furthers the goals associated with Land Use & Development Design.
 - b. Public Health & Safety – The amendment clarifies performance standards and processes that allow for uses through a Special Use Permit, where potential impacts related to public health and safety may be considered.
 - c. Quality of Life – The amendment supports implementation of development regulations and land uses supporting quality of life in Harrisburg.
 - d. Economic Development – The amendment enhances the quality of life that promotes economic growth and vitality within a community.
2. The proposed text amendment includes clarification development regulations aimed at protecting public health and welfare by reducing future conflicts between land uses.
3. This text amendment application is following the required meeting and public hearing process as outlined in the UDO.
4. The proposed amendment furthers the implementation goals of the HALUP.

Upon confirming these findings, the Board unanimously approved a motion to recommend the Town Council approve the text amendment as presented.

RECOMMENDED ACTIONS: Receive the P & Z board’s recommendation, conduct the public hearing, and render a decision approve, approve with modifications, or disapprove the text amendment.

Attachment A – Section 141.01.02

Attachment B – Section 140.02.01 Residential Districts

Attachment C – Section 140.02.02 Non-Residential and Mixed-Use District

Attachment D – Section 140.04.04.D – Public Assembly

Attachment E – Draft Ordinance

140.01.02 Official Zoning Map

- A. Incorporated by Reference.** The Official Zoning Map, together with all legends, references, symbols, boundaries, and other information, is part of, and has the same force of law as the text of this UDO. The Official Zoning Map is incorporated by reference in this UDO.
- B. Boundaries.** The boundaries of [zoning districts](#) established by this UDO shall be designated on a map or maps entitled Official Zoning Map(s) of the [Town](#) of Harrisburg.
- C. Location.** The Official Zoning Map shall be on file and available for inspection during regular business hours in the Office of the Director and a copy of the Official Zoning Map shall be kept on file with the Town Clerk. Any changes thereto shall be clearly shown on the Official Zoning Map.
- D. Official Record.** The Official Zoning Map shall be the official record of zoning status of areas within the Town. Land within zoning districts on the Official Zoning Map shall be classified with a zoning district designation, which shall supersede any contrary designation on the Former Official Zoning Map. Regardless of the existence of any purported copy of the Official Zoning Map, the zoning map located in the office of the Director shall be the final authority as to the current zoning status of land, wet areas, [buildings](#), and other [structures](#).
- E. Missing Designation.** If a zoning district is eliminated and there is no corresponding zoning district classification on the Official Zoning Map, the [property](#) shall remain subject to all restrictions, [regulations](#) and conditions imposed under the UDO in effect at the time that the Former Official Zoning Map was effective, unless and until the zoning classification of the property is amended pursuant to this UDO.
- F. PUD.** If a property is zoned "PUD" at the time of adoption of this UDO, it shall remain subject to all terms, conditions, and restrictions of approval under the UDO in effect when the PUD classification was approved, including any specific modifications of the then-existing PUD or general regulations, and any approved [final plans](#), unless and until the zoning classification of such property is amended pursuant to this UDO.
- G. Interpreting the Official Zoning Map.** Where the map appears to be unclear regarding the location of district boundaries, or where there is a dispute as to the boundary or location of property within a zoning district, the boundaries shall be interpreted by the Director who shall make a determination using the following criteria:
1. *Rights-of-Way or [Easements](#).* Where boundary lines appear to follow existing [streets](#), [alleys](#), railroad tracks, utility lines, or similar features, the zoning boundary shall be construed to follow the center line of the rights-of-way or easement. Where the location of these features on the ground differs from that shown on the Official Zoning Map, the features on the ground control.
 2. *Town or [County](#) Limits and Section Lines.* Where district boundaries are indicated as approximately following the Town or County limits or section lines, such Town or County limits or section lines shall be considered the district boundaries.
 3. *[Property Lines](#).* Where the boundaries are indicated as approximately following property lines, such lines shall be construed to be the boundaries.
 4. *[Watercourses](#).* Boundaries shown as following, or approximately following, the [centerline](#) of drainage ways, [streams](#), water [bodies](#), or other watercourses shall be construed as following the centerline. In the event of a natural change in the location of such streams or other watercourses, the zoning district boundary shall be construed as moving with the centerline.
 5. *Divided [Parcels](#).* If a parcel of land is divided by a zoning district boundary line at the time of enactment of this UDO or by subsequent [amendments](#) to this UDO, the appropriate standards and uses for each district shall apply on the portion of the parcel covered by that district.
- H. Measurement.** Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- I. Vacation or Abandonment.** Where a [public right-of-way](#) is officially vacated or abandoned, the regulations applicable to the abutting property apply equally to the vacated or abandoned street or alley.
- J. Annexed and Undesignated Lands.** For the purposes of ensuring that all land has a zoning designation, any land that is annexed into the Town shall be zoned in accordance with its associated future land uses as set forth in the Harrisburg Area Land [Use](#) Plan (HALUP).
- K. Uncertain Boundaries.** If the boundary remains uncertain, ~~the Planning and Zoning Board, acting as~~ the Board of Adjustment, shall interpret the Official Zoning Map to determine the location of the boundary in question.
- L. Appeals.** Any [aggrieved person](#) may appeal such determination to ~~the Planning and Zoning Board, acting as~~ the Board of Adjustment, as set out in Sec. [145.01.11](#), *Appeals of Legislative, Quasi-Judicial, and Subdivision Decisions*.

140.02.01 Residential Districts ~~(4.3)~~

- A. Applicability.** This Section establishes the provisions necessary for designing a residential development, which include development types, permitted uses, housing types and standards, and site development standards.
- B. Development Type.** Within the residential districts, there are four development types: countryside, conventional, conservation, and planned. The development types described in Table 140.02.01-1, *Residential Development Types*, are selectively permitted in each district as listed in the respective tables of this Section. The abbreviations defined in this table are used in subsequent tables in this Section

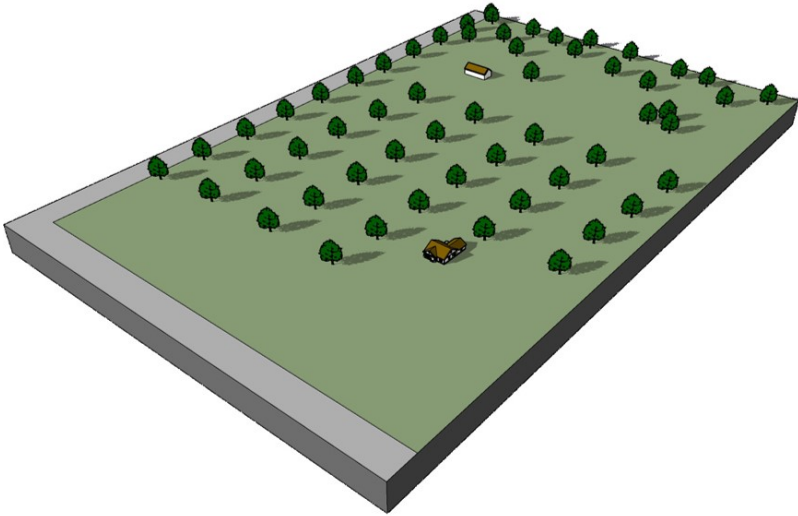
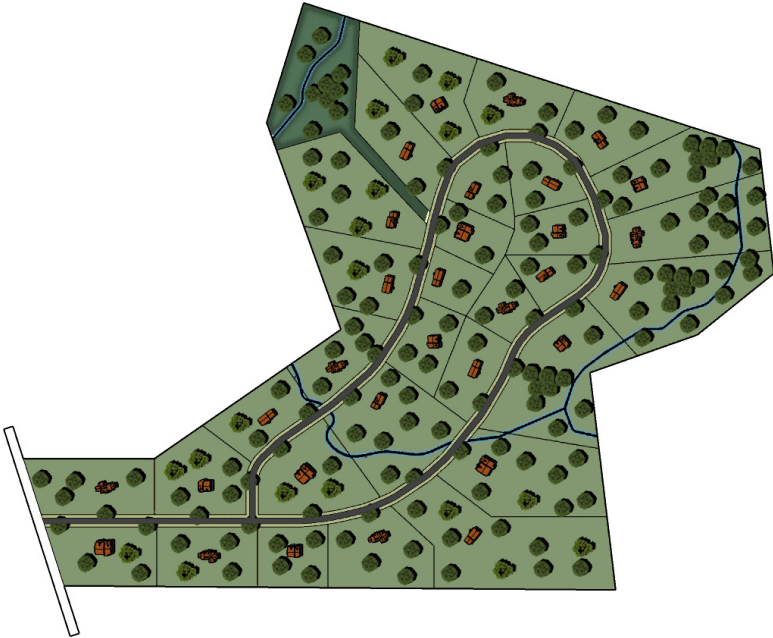
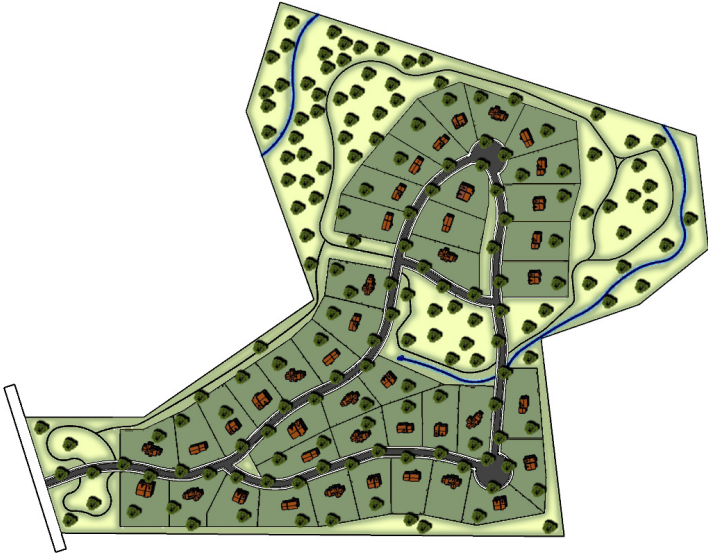
Table 140.02.01-1, Residential Development Types	
Symbol Name Description	Illustration
<u>C</u> Countryside Countryside developments preserves the agricultural use of land in the peripheral areas of the Town. Generally, it is not intended for suburban or urban development yet it may accommodate individual homesteads.	
CV Conventional Conventional development is the standard form whereby the maximum density is achieved by use of minimum lot sizes and common open space.	

Table 140.02.01-1, Residential Development Types

Symbol Name Description	Illustration
CS Conservation Conservation development preserves and accommodates topography and site resources by consolidating smaller lots and/or different housing types around the <u>natural resources</u> of the <u>property</u>. Conservation may produce the same or higher densities than that of a conventional development, often resulting in lower infrastructure costs per <u>dwelling</u>.	
PL Planned Planned development may include a mixture of different lot sizes, <u>retail</u> and <u>office</u> uses, and varying housing types clustered around civic spaces, <u>greenways</u>, and resource features in a <u>horizontal mixed-use</u> environment.	

C. Permitted Uses. Table [140.02.01-2 \(Fix Link to New UDO Table Listed Below\)](#), *Permitted Uses by Residential Zoning District and Development Type*, lists the land uses permitted in the various residential zoning districts by development type.

1. **Symbols.** Table [140.02.01-2 \(Fix Link to New UDO Table Listed Below\)](#) uses the following symbols:

- a. "P" means that the land use is Permitted by Right, subject to the standards that apply to all Permitted Uses. The use is approved by the Director.

- b. "P(L)" means that the land use is Permitted with Limitations, in the same manner as a Permitted Use, but is also subject to Section [140.04](#), *Land Use Standards (Administrative and Special)*.
 - c. "S" means that the use is allowed as a Special Use, which may be approved following a [public hearing](#) by the [Board](#) of Adjustment, subject to:
 - i. The standards in Section [140.04](#); and
 - ii. The procedures set forth in Subsection [145.04.03](#), *Special Use Permit*.
 - d. "--" means that the use is a Prohibited Use in the specified zoning district.
2. **Standards.** The "Standards" column provides a reference to associated standards for uses Permitted with Limitations and for Special Uses. Where "N/A" is in the column, the use is Permitted by Right in all districts.
 3. **Unlisted Use Categories and Uses.** A use category or specific use is prohibited if it is not listed in Table [140.02.01-2](#) and if the Director cannot interpret an unlisted specific use as functionally similar to a use that is allowed, based on the criteria in Section [140.04.02](#), *New and Unlisted Uses*.

Table 140.02.01-2

Permitted Uses by Residential Zoning District and Development Type¹

Key

CV - Conventional	P – Permitted by Right	-- – Prohibited Use
CS - Conservation	S – Permitted as Special	P(L) – Permitted
PL - Planned	Use	with Limitations

Use Category	Specific Use	Zoning Districts and Development Types									Standards
		AG ---	RE ---		RL ---		RM ---		RH ---		
			CV	CS	CV	CS	CV	CS	CV	PL	
Agricultural and Residential											
Agricultural and Animal-Related	Animal Production & Support (excl. Swine & Feed Lots)	P	P(L)	P(L)	P(L)	--	P(L)	--	P(L)	--	140.04.03.A
	Animal Boarding or Shelter	P(L)	--	--	--	--	--	--	--	P(L)	140.04.03.B
	Auction Sales - Livestock only	P	--	--	--	--	--	--	--	--	N/A
	Crop Production	P	P	P	P	P	P	P	P	P	N/A
	Crop Production Support Activity	P	S	S	--	--	--	--	--	--	140.04.06.D
	Farmer's Market or Fruit / Vegetable Stand	P(L)	--	--	--	--	--	P(L)	--	P(L)	140.04.03.C
	Feed Lot	S	--	--	--	--	--	--	--	--	140.04.06.D
	Forestry and Logging	S	--	--	--	--	--	--	--	--	140.04.06.D
	Hunting, Fishing and Game Preserve (Commercial)	S	--	--	--	--	--	--	--	--	140.04.06.D
	Pet Care Service (without outdoor kennels)	P	--	--	--	--	--	--	--	--	N/A
	Swine farm	S	--	--	--	--	--	--	--	--	140.04.06.D
	Veterinarian Office or Hospital , Large Animal	P(L)	--	--	--	--	--	--	--	--	140.04.03.B
	Veterinarian Office or Hospital , Small Animal	P	--	--	--	--	--	--	--	P(L)	140.04.03.B

Table 140.02.01-2

Permitted Uses by Residential Zoning District and Development Type¹

Key CV - Conventional Use **P** – Permitted by Right -- – Prohibited Use
 CS - Conservation Use **S** – Permitted as Special **P(L)** – Permitted with Limitations
 PL - Planned Use

Use Category	Specific Use	Zoning Districts and Development Types									Standards
		AG	RE		RL		RM		RH		
			CV	CS	CV	CS	CV	CS	CV	PL	
Household Living	Accessory Dwelling Unit	S	S	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	140.04.06.D 140.04.07.B
	Duplex or Single-Family Attached Dwelling	--	--	--	--	--	P(L)	P	P	P	140.04.03.D
	Multi-family Dwelling	--	--	--	--	--	--	--	S	P(L)	140.04.06.D 140.04.03.E
	Single-Family Detached Dwelling	P(L)	P	P	P	P	P	P	P	P	140.04.03.F
	Single-family Manufactured Home Park	--	--	--	--	--	P(L)	--	--	--	140.04.03.G
	Single-family Manufactured Home Subdivision	P(L)	--	--	--	--	S	--	--	--	140.04.03.G 140.04.06.D
	Single-Family Modular Home	P(L)	P	P	P	P	P	P	P	P	140.04.03.F
	Townhouse	--	--	--	--	--	--	P	P	P	N/A
	Group Living	Family Care Home	P	P	P	P	P	P	P	P	P
Residential Care Facility		P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	140.04.03.I
All Other Group Living Uses		--	--	--	--	--	P(L)	P(L)	P(L)	P(L)	140.04.03.I
Institutional and Civic											
Community Amenities	All Community Amenities	S	S	S	S	S	S	S	S	P(L)	140.04.06.D 140.04.04.A
Day Care	All Day Care Uses	P(L)	P(L)	S	P(L)	S	S	S	P(L)	P(L)	140.04.04.B 140.04.06.D
Educational Facilities	School, Public or Private, Elementary or Secondary	P	P	P	P	P	P	P	P	P	N/A
	University or College	S	--	--	--	--	--	--	--	--	140.04.06.D
	All Other Educational Facilities	--	--	--	--	-	--	--	--	--	N/A
Government Facilities	Correctional Institution	S	--	--	--	--	--	--	--	--	140.04.06.D
	All Other Government Facilities	S	S	S	S	S	S	S	S	S	140.04.06.D
Medical Facilities	Medical or Dental Office	--	--	--	--	--	--	--	--	S	140.04.06.D
	All Other Medical Facilities	--	--	--	--	--	--	--	--	--	N/A
Parks and Open Areas	Campground, Private	S	--	--	--	--	--	--	--	--	140.04.06.E
	Cemetery, Crematory, or Mausoleum	S	S	S	S	S	S	S	S	S	140.04.06.F
	Zoo	S	--	--	--	--	--	--	--	--	140.04.06.D
	All Other Parks and Open Areas	P	P	P	P	P	P	P	P	P	N/A

Table 140.02.01-2

Permitted Uses by Residential Zoning District and Development Type¹

Key CV - Conventional Use P – Permitted by Right
 CS - Conservation Use S – Permitted as Special
 PL - Planned Use -- – Prohibited Use
 P(L) – Permitted with Limitations

Use Category	Specific Use	Zoning Districts and Development Types									Standards
		AG ---	RE ---		RL ---		RM ---		RH ---		
			CV	CS	CV	CS	CV	CS	CV	PL	
Passenger Terminals	Airport	S	--	--	--	--	--	--	--	--	140.04.06.D
	Park and Ride Facility or Transit Terminals	S	--	--	--	--	--	--	--	S	140.04.06.D
	All Other Passenger Terminals	--	--	--	--	--	--	--	--	--	N/A
Public Assembly	All Public Assembly Uses	S	S	S	S	S	S	S	S	P(L)	140.04.06.D 140.04.04.D
Social Service	All Social Service Uses	--	--	--	--	--	--	--	--	--	N/A
Utilities	Solar Energy Facilities (Level 1)	P	P	P	P	P	P	P	P	P	N/A
	Solar Energy Facilities (Level 2)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	140.04.04.E
	Solar Energy Facilities (Level 3)	S	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.E
	Wireless Telecommunications Tower	S	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.F
	All Other Major Utilities	S	S	S	S	S	S	S	S	S	140.04.06.D
	All Other Minor Utilities	P	P	P	P	P	P	P	P	P	N/A
Commercial											
Entertainment, Outdoor	Amusement park	S	--	--	--	--	--	--	--	--	140.04.06.D
	Sports and Recreation Instruction/Camps	P	--	--	--	--	--	--	--	--	N/A
	All Other Outdoor Entertainment	--	--	--	--	--	--	--	--	--	N/A
Offices	Bank or Credit Union	--	--	--	--	--	--	--	--	--	N/A
	All Other Office Uses	--	--	--	--	--	--	--	--	P(L)	140.04.04.I
Retail Repair, Sales, and Service Uses	All Retail Repair, Sales, and Service Uses	--	--	--	--	--	--	--	--	S	140.04.06.D
Vehicle Sales and Service Uses	Automobile Repair, Major	S	--	--	--	--	--	--	--	--	140.04.06.D
	Automobile Repair, Minor	S	--	--	--	--	--	--	--	--	140.04.06.D
	All Other Vehicle Sales and Service Uses	--	--	--	--	--	--	--	--	--	N/A
Industrial											
Resource Extraction	Mining / Extraction Industries	S	--	--	--	--	--	--	--	--	140.04.06.H
	All Other Resource Extraction	--	--	--	--	--	--	--	--	--	N/A
Waste Related Service	Demolition Landfill	P(L)/S	--	--	--	--	--	--	--	--	140.04.04.S 140.04.06.D
	All Other Waste Related Service	--	--	--	--	--	--	--	--	--	N/A

Table 140.02.01-2

Permitted Uses by Residential Zoning District and Development Type¹

Key CV - Conventional P – Permitted by Right -- – Prohibited Use
 CS - Conservation S – Permitted as Special P(L) – Permitted
 PL - Planned Use with Limitations

Use Category	Specific Use	Zoning Districts and Development Types									Standards
		AG ---	RE ---		RL ---		RM ---		RH ---		
			CV	CS	CV	CS	CV	CS	CV	PL	
Wholesale Trade	Farm Supply Product Sales (with outdoor storage)	S	--	--	--	--	--	--	--	--	140.04.06.D
	Farm Supply Product Sales (without outdoor storage)	P	--	--	--	--	--	--	--	--	N/A
	Florist and Nursery Supply (with outdoor storage)	S	--	--	--	--	--	--	--	--	140.04.06.D
	Florist and Nursery Supply (without outdoor storage)	S	--	--	--	--	--	--	--	--	140.04.06.D
	All Other Wholesale Trade	--	--	--	--	--	--	--	--	--	N/A

TABLE NOTES:

1. All uses that are permitted, limited, or special in the underlying zoning district are respectively permitted, limited, or special in the overlay district. However, if a use is expressly permitted, limited, or special in the overlay district, it is respectively permitted, limited, or special in the base zoning district, superseding the base zoning district.

D. Dimensional Standards.

1. Generally. Tables 140.02.01-1, AG Dimensional Standards, through Table 140.02.01-5, RH Dimensional Standards, establishes the dimensional standards for the various housing and development types in the residential zoning districts.
2. Garage Setbacks. Garages shall be set back a minimum of 20 feet from the front property line or street side property line that associated driveways take access from, in order to maintain an adequately sized parking space in the portion of the driveway in front of the garage and avoid encroachment into public sidewalks, despite lower minimum setback standards in Tables 140.02.01-1 through 140.02.01-5.

Table 140.02.01-1, AG Dimensional Standards

Development Type	Density, maximum	Common Open Space, minimum ¹	Lot Dimensions, minimums		Bulk Standards					
			Lot Area (per D.U.)	Lot Width	Height, max.	Yard, min. (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	(acres)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	% of Lot
Single-Family Detached Dwelling, Modular Home, or Single-Family Manufactured Home Subdivision										
Countryside	.30	N/A	3	200	35	50	20	40	30	N/A
Nonresidential										
N/A	N/A	N/A	3	200	35	50	20	40	30	30

Table 140.02.01-1, AG Dimensional Standards

Development Type	Density, maximum	Common Open Space, minimum ¹	Lot Dimensions, minimums		Bulk Standards					
			Lot Area (per D.U.)	Lot Width	Height, max.	Yard, min. (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	(acres)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	% of Lot

Table Notes:

1. Refer to [142.02.11.F](#), *Public Open Space Dedication*.

Table 140.02.01-2, RE Dimensional Standards

Development Type	Gross Density	Common Open Space, minimum ¹		Lot Dimensions, minimums		Bulk Standards					
				Lot Area (per D.U.)	Lot Width	Height, max.	Yard, min. (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	% in- accessible ²	(sq. ft.)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	(%)

Single-Family Detached Dwelling or Modular Home

Conventional	.80 to 2.0	15	10	43,560	150	35	50	20	40	30	N/A
Conservation		35	10	14,750	125	35	25	10	20	25	30

Nonresidential

N/A	N/A	N/A	N/A	87,120	200	35	50	20	40	30	30
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Table Notes:

1. Refer to [142.02.11.F](#), *Public Open Space Dedication*.

2. Measured as a percentage of required open space.

Table 140.02.01-3, RL Dimensional Standards

Development Type	Gross Density	Common Open Space, minimum ¹		Lot Dimensions, minimums		Bulk Standards					
				Lot Area (per D.U.)	Lot Width	Height, max.	Yard, min. (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	% In-accessible ²	(sq. ft.)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	(%)
Single-Family Detached Dwelling or Modular Home											
Conventional	1.0 to 2.0	20	10	25,000	125	35	35	15	25	30	N/A
Conservation		30	10	14,500	75	35	25	10	20	25	35
Nonresidential											
N/A	N/A	N/A	N/A	43,560	200	35	50	2	40	30	30
Table Notes:											
1. Refer to 142.02.11.F , <i>Public Open Space Dedication</i> .											
2. Measured as a percentage of required open space.											

Table 140.02.01-4, RM Dimensional Standards

Development Type	Gross Density	Common Open Space, minimum ¹		Lot Dimensions, minimums		Bulk Standards					
				Lot Area (per D.U.)	Lot Width	Height, max.	Yard, min. (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	% in-accessible ²	(sq. ft.)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	(%)
Single-Family Detached Dwelling or Modular Home											
Conventional	2.0 to 3.0	12	10	15,000	75	35	25	10	20	25	N/A
Conservation		30	10	9,500	55	35	20	10	20	25	45
Duplex or Single-Family Attached Dwelling											
Conventional	2.0 to 3.0	12	10	9,500 ³	60	35	25	10 ⁵	20	25	N/A
Conservation		30	10	4,750 ⁴	50	35	20	10 ⁵	15	20	35
Townhouse											
Conservation	3.0	35	10	8,500	30	35	20	0 / 10 ⁵	15	20	40
Nonresidential											
N/A	N/A	N/A	N/A	15,000	75	35	25	0 / 25 ⁶	20	0 / 25 ⁴	40

Notes:

1. Refer to [142.02.11.F](#), *Public Open Space Dedication*.
2. Measured as a percentage of required open space.
3. 19,000 total square feet and 60 feet in width for both units on the lot (for a Duplex) or 9,500 square feet and 30 feet in width per lot (for Single-Family Attached).
4. 9,500 total square feet for both units on the lot (for a Duplex) or 4,750 square feet and 25 feet in width per lot (for Single-Family Attached).
5. Refer to [140.04.03.D](#), *Duplex or Single-Family Attached Dwelling*, or [140.04.03.H](#), *Townhouse*.
6. 0 feet if adjacent to nonresidential / 25 feet if adjacent to residential.

Table 140.02.01-5, RH Dimensional Standards

Development Type	Gross Density	Common Open Space, minimum ¹		Lot Dimensions, minimums		Bulk Standards					
				Lot Area (per D.U.)	Lot Width	Height, max.	Yard, (ft.)				Lot Coverage, max.
	Units per Acre	% of Development	% In-accessible ²	(sq. ft.)	(ft.)	(ft.)	Front	Side Interior	Exterior Side	Rear	(%)
Single-Family Detached Dwelling or Modular Home											
Conventional	3.0 to 5.0	15	10	9,500	55	35	25	10	20	25	N/A
Planned ⁶		20	10	6,000	50	45	15	5	10	5	45
Duplex or Single-Family Attached Dwelling											
Conventional	3.0 to 7.0	12	10	6,000 ³	60	35	25	10 ⁸	20	25	N/A
Planned ⁶		15	10	2,100 ⁴	50	45	15	5 ⁸	10	5	45
Townhouse											
Conventional	10.0 Max.	15	10	4,000	40	45	25 ⁵	0 / 10 ⁸	15	25	N/A
Planned ⁶		25	10	2,800	20	45	15	0 / 10 ⁸	10	15	40
Multi-Family Dwelling											
Conventional	10.0 Max.	15	10	3,500	60	45	15	15	15	15	N/A
Planned ⁶		35	10	2,800	60	45	5	15	5	15	40
Nonresidential											
N/A	N/A	N/A	N/A	7,500	75	35	25	0 / 25 ⁷	20	0 / 25 ⁷	40

Notes:

1. Refer to [142.02.11.F](#), *Public Open Space Dedication*.
2. Measured as a percentage of required open space.
3. 12,000 total square feet in area and 60 feet in width for both units on the lot (for a Duplex) or 6,000 square feet and 30 feet in width per lot (for Single-Family Attached).
4. 4,200 total square feet and 50 feet in width for both units on the lot (for a Duplex) or 2,100 square feet and 25 feet in width per lot (for Single-Family Attached).
5. Front-loaded access and parking in front of the building is prohibited except that the Director may allow under circumstances related to lot shape, topography, or other factors.
6. Front-loaded access and parking in front of the building is prohibited in accordance with Subsection [142.03.05](#), *Planned*.
7. 0 feet if adjacent to nonresidential / 25 feet if adjacent to residential.
8. Refer to [140.04.03.D](#), *Duplex or Single-Family Attached Dwelling*, or [140.04.03.H](#), *Townhouse*.

140.02.02 Nonresidential and Mixed-Use Districts

- A. Applicability.** This Section establishes the factors necessary for designing a [residential development](#), which include development types, permitted uses, housing types and standards, and site development standards.
- B. Development Type.** Within the nonresidential and mixed-use districts, there are two specialized sub-districts: traditional neighborhood development and transit-oriented development. The sub-districts described in Table 140.02.02-1, *TND and TOD Descriptions*, are selectively permitted in each district as listed in the respective tables of this Section. The abbreviations defined in this table are used in subsequent tables in this Section

Table 140.02.02-1, TND and TOD Descriptions	
Name Description	Illustration
TND Traditional Neighborhood Development Development that consists of a variety of residential lot sizes and housing types, along with neighborhood supportive commercial development, in a vertical mixed-use setting.	
TOD Transit-Oriented Development A higher density, mixed-use development within walking distance (approximately a 1/2 mile) of a transit station.	

- C. Permitted Uses.** Table 140.02.02-1, *Permitted Uses by Nonresidential and Mixed-Use Zoning District and Development Type*, lists the land uses permitted in the various nonresidential and mixed-use zoning districts.
- Symbols.** Table 140.02.02-2 uses the following symbols:
 - "P" means that the land [use](#) is Permitted by Right, subject to the standards that apply to all Permitted Uses. The use is approved by the Director.
 - "L" means that the land use is Permitted with Limitations, in the same manner as a Permitted Use, but is also subject to Section 140.04, *Land Use Standards (Administrative and Special)*.
 - "S" means that the use is allowed as a [Special Use](#), which may be approved following a [public hearing](#) by the [Board](#) of Adjustment, subject to:
 - The standards in Section 140.04; and
 - The procedures set forth in Subsection 145.04.03, *Special Use Permit*.
 - "--" means that the use is a Prohibited Use in the specified zoning district.
 - Standards.** The "Standards" column provides a reference to associated standards for uses Permitted with Limitations and for Special Uses. Where "N/A" is in the column, the use is Permitted by Right in all districts.

3. *Unlisted Use Categories and Uses.* A use category or specific use is prohibited if it is not listed in Table 140.02.02-2 and if the Director cannot interpret an unlisted specific use as functionally similar to a use that is allowed, based on the criteria in Section 140.04.02, *New and Unlisted Uses*.

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District										
Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development	P – Permitted by Right S – Permitted as Special Use	-- – Prohibited Use P(L) – Permitted with Limitations							
			Zoning Districts and Development Types							Standards
			MU		CC	O-I	NC	GC	CD	
Use Category	Specific Use	TND	TOD							
Agricultural and Residential										
Agricultural and Animal-Related	Animal Boarding or Shelter	--	--	--	--	--	S	--	P	140.04.06.D
	Farmer's Market or Fruit / Vegetable Stand	--	--	P(L)	--	--	P	--	--	140.04.03.C
	Pet Care Service (without outdoor kennels)	--	--	P	--	--	P	--	P	N/A
	Pet Care Service (with outdoor kennels)	--	--	--	--	--	P	--	P	N/A
	Veterinarian Office or Hospital , Large Animal	--	--	P(L)	--	--	--	--	--	140.04.03.B
	Veterinarian Office or Hospital , Small Animal	--	--	P	--	P	P	P	--	140.04.03.B
	All Other Agricultural and Animal-Related Uses	--	--	--	--	--	--	--	--	N/A
Household Living	Accessory Dwelling Unit	P(L)	P(L)	--	--	--	--	--	--	140.04.07.B
	Duplex or Single-Family Attached Dwelling	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	--	140.04.03.D
	Multi-family Dwelling	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	140.04.03.E
	Single-Family Detached Dwelling	--	--	--	S	--	--	--	--	140.04.06.D
	Single-family Manufactured Home Park	--	--	--	--	--	--	--	--	140.04.03.G
	Single-family Manufactured Home Subdivision	--	--	--	--	--	--	--	--	140.04.03.G
	Single-Family Modular Home	--	--	--	S	--	--	--	--	140.04.06.D
	Townhouse	P(L)	P(L)	--	P(L)	P(L)	--	--	--	140.04.03.H
Group Living	Family Care Home	--	--	P(L)	S	--	--	--	--	140.04.07.B 140.04.06.D
	Residential Care Facility	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	140.04.07.B 140.04.03.I
	All Other Group Living Uses	--	--	P	--	--	P	--	--	140.04.03.I
Institutional and Civic										
Community Amenities	All Community Amenities	P(L)	P(L)	P	S	P(L)	P	--	--	140.04.04.A
Day Care	All Day Care Uses	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	140.04.04.B
Educational Facilities	School, Technical or Trade	--	--	--	S	--	P	P	P	140.04.06.D
	University or College	--	P	P	S	--	P	P	--	140.04.06.D
	All Other Educational Facilities	P	P	P	P	P	P	P	--	--

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

Key	TND - Traditional Neighborhood Development		P – Permitted by Right		S – Permitted as Special Use		-- -- Prohibited Use		P(L) – Permitted with Limitations	
	Use Category	Specific Use	Zoning Districts and Development Types							Standards
			MU		CC	O-I	NC	GC	CD	
TND	TOD									
Government Facilities	Correctional Institution	--	--	S	--	--	--	--	S	140.04.06.D
	All Other Government Facilities	P	P	P	P	P	P	P	P	N/A
Medical Facilities	Medical and Dental Office	P	P	P	P	P(L)	P	P	P	140.04.04.I
	All Other Medical Facilities	--	P	P	P	--	P	P	--	N/A
Parks and Open Areas	Campground, Private	--	--	--	--	--	--	--	S	140.04.06.E
	Cemeteries, Crematories, & Mausoleums	--	--	S	S	S	P	P	P	140.04.06.F
	Country Club	--	--	--	--	--	--	P	P	N/A
	Zoo	--	--	--	--	--	S	S	S	140.04.06.D
	All Other Parks and Open Areas	P	P	P	P	P	P	P	P	N/A
Passenger Terminals	Airport	--	--	--	--	--	--	--	S	140.04.06.D
	Park-and-Ride Facility/Transit Terminals	P	P	--	--	--	--	--	--	N/A
	All Other Passenger Terminals	P	P	--	P	S	P	P	P	N/A
Public Assembly	Club, Private	P(L)	P(L)	--	--	P	P	P(L)	--	140.04.04.C
	Convention Center / Visitors Bureau	--	P	P	--	P	P	P	--	N/A
	Religious Institution (up to 350 seats)	P(L)	P(L)	P(L)	P(L)	P(L)	P	--	P	140.04.04.D
	Religious Institution (more than 350 seats)	--	--	--	P(L)/S	P(L)	P	--	P	140.04.04.D 140.04.06
	All Public Assembly Uses	P(L)	P(L)	P	P(L)	P(L)	P	--	P	140.04.04.D
Social Service	All Social Service Uses	--	--	P	S	S	P	P	--	140.04.06.D
Utilities	Solar Energy Facilities (Level 1)	P	P	P	P	P	P	P	P	N/A
	Solar Energy Facilities (Level 2)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	140.04.04.E
	Solar Energy Facilities (Level 3)	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.E
	Wireless Telecommunications Tower	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.F
	All Other Major Utilities	S	S	S	S	S	S	S	S	140.04.06.D
	All Minor Utilities	P	P	P	P	P	P	P	P	N/A
Commercial										

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development		P – Permitted by Right S – Permitted as Special Use		-- – Prohibited Use P(L) – Permitted with Limitations					
	Use Category	Specific Use	Zoning Districts and Development Types							Standards
			MU		CC	O-I	NC	GC	CD	
TND	TOD									
Entertainment, Indoor	Amusement Arcade	P	P	--	--	--	P	--	--	N/A
	Brewpub / Microbrewery, Microwinery, Microdistillery, Microcidery	P(L)	P(L)	P(L)	--	--	P(L)	P(L)	P(L)	140.04.04.G
	Electronic Gaming Establishment	--	--	--	--	--	S	--	--	140.04.04.H
	Fortune Telling / Palm Reading	--	--	--	--	--	S	--	--	140.04.06.D
	Reception Facility	--	--	--	--	--	S	--	--	140.04.06.G
	Tattoo Parlor, Body Piercing	--	--	--	--	--	S	--	--	140.04.06.D
	All Other Indoor Entertainment	P	P	P	--	--	P	--	P	N/A
Entertainment, Outdoor	All Outdoor Entertainment	--	--	--	--	--	S	--	S	140.04.06.D
Offices	Bank or Credit Union	P(L)	P(L)	S	P	P	P	P	--	140.04.04.I
	All Other Office Uses	P(L)	P(L)	P	P	P	P	P	--	140.04.04.I
Overnight Accommodations	Bed & Breakfast Inn or Short-Term Rental	P(L)	P(L)	P(L)	--	P(L)	P(L)	--	--	140.04.04.J
	All Other Overnight Accommodations	P	P	P	--	--	P	P	--	N/A
Parking, Commercial	Truck, Tractor Trailer, or Bus Storage	--	--	--	--	--	--	S	P	140.04.06.D
	All Other Commercial Parking Uses	S	S	S	P	S	P	P	P	140.04.06.D
Retail Repair, Sales, and Service Uses	Auction House (General Merchandise)	--	--	--	--	--	P	--	--	N/A
	Cemetery Monument Sales	--	--	--	--	--	P	--	--	N/A
	Funeral Home	--	--	S	P	--	P	P	--	N/A
	Lawn and Garden Supply (without outdoor display or storage)	--	--	P	--	--	P	P	P	N/A
	Lawn and Garden Supply (with outdoor display or storage)	--	--	--	--	--	S	S	S	140.04.06.D
	Liquor Sales (ABC Store)	S	S	--	--	--	P	P	--	140.04.06.D
	Shopping Center	P(L)	P(L)	--	--	P(L)	P(L)	P(L)	--	140.04.04.K
	Pawnshop	--	--	S	--	--	P	--	--	140.04.06.D
	Tobacco Store or Vapor Shop	--	--	--	--	--	S	--	--	140.04.04.U
	CBD and Hemp Based Products	--	--	--	--	--	S	--	--	140.04.04.V
	All Other Retail Sales and Service	--	--	P	--	P	P	--	--	N/A

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development				P – Permitted by Right S – Permitted as Special Use				-- – Prohibited Use P(L) – Permitted with Limitations		
	Use Category	Specific Use	Zoning Districts and Development Types							Standards	
			MU		CC	O-I	NC	GC	CD		EC
TND	TOD										
Restaurant	Restaurant, Limited-Service (delivery, carryout, drive-thru)	S	S	S	--	--	P	--	--	140.04.06.D	
	All Other Restaurants Uses	P	P	P	--	P	P	P	--	N/A	
Sexually-Oriented Business	All Sexually-Oriented Businesses	--	--	--	--	--	S	--	--	140.04.04.L	
Vehicle Sales and Service Uses	Automobile Repair, Major	--	--	--	--	--	S	P	P	140.04.06.D	
	Automobile Repair, Minor	--	--	--	--	--	P	P	--	N/A	
	Car Wash	--	--	--	--	--	P	--	--	N/A	
	Fuel Sales	--	--	S	--	S	P(L)	--	--	140.04.06.D 140.04.04.M	
	Manufactured / Modular Home and Storage Building Sales	--	--	--	--	--	S	--	--	140.04.04.N	
	Truck Stop, Travel Plaza	--	--	--	--	--	S	--	--	140.04.06.D	
	Vehicle Sales and Rental	--	--	--	--	--	P(L)	P(L)	P(L)	140.04.04.O	
	All Other Vehicle Sales and Service Uses	--	--	--	--	--	P	--	--	N/A	
Industrial											
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--	--	--	S	140.04.06.D	
Light Industrial	Contractor's Office (with outdoor storage)	--	--	--	--	--	--	--	P	N/A	
	Contractor's Office (without outdoor storage)	--	--	--	P(L)	P(L)	P(L)	P	P	140.04.04.P	
	Micromanufacturing	P(L)	P(L)	P(L)	--	--	P(L)	P	P	140.04.04.Q	
	Publishing Industry	--	--	--	P	P	P	P	P	N/A	
	Scientific Research & Development Services	--	--	S	--	--	--	P	P	140.04.06.D	
	All Other Light Industrial Uses	--	--	--	--	--	--	P	P	N/A	
Resource Extraction	All Resource Extraction Uses	--	--	--	--	--	--	--	S	140.04.06.H	
Self-Service Storage	All Self-Service Storage Uses	--	--	--	--	--	S	P	P	140.04.06.I	
Warehousing and Storage	All Warehousing and Storage Uses	--	--	--	--	--	P	P	P	N/A	
Waste Related Service	Demolition Landfill	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	P(L)/S	140.04.04.S 140.04.06.D	
	Salvage Yard	--	--	--	--	--	--	--	S	140.04.04.T	
	All Other Waste Related Service	--	--	--	--	--	--	--	P	N/A	

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District										
Key	TND - Traditional Neighborhood Development	P – Permitted by Right S – Permitted as Special Use	-- – Prohibited Use P(L) – Permitted with Limitations							
	TOD - Transit-Oriented Development									
Use Category	Specific Use	Zoning Districts and Development Types								Standards
		MU		CC	O-I	NC	GC	CD	EC	
		TND	TOD							
Wholesale Trade	Building Material Supply (with outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	Farm Supply Product Sales (with outdoor storage)	--	--	--	--	--	--	--	S	140.04.06.D
	Farm Supply Product Sales (without outdoor storage)	--	--	--	--	--	--	--	S	140.04.06.D
	Florist and Nursery Supply, (with outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	Florist and Nursery Supply, (without outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	All Other Wholesale Trade	--	--	P	--	--	P	P	P	N/A

D. Dimensional Standards.

1. *Nonresidential Uses.* The standards in Table 140.02.02-3, *Dimensional Standards by Zoning District*, establish the minimum dimensional standards of nonresidential development in the nonresidential zoning districts.
2. *Residential Uses.* Permitted residential uses shall comply with the standards for conventional development in Table 140.02.01-5, *RH Dimensional Standards*, except that in the CC district there shall be no maximum density.

Table 140.02.02-3, Dimensional Standards by Zoning District									
Development Standard		MU		CC	O-I	NC	GC	CD	EC
		TND	TOD						
Development Area (min. acres)		Refer to Subsec. 140.03.01	Refer to Subsec. 140.03.02	--	--	--	--	20 ¹	--
Lot Width (min. ft.)				--	--	50	50	100	50
Height (max. ft.)				72	35	50	48	72	72
Impervious Surface (max. %)				100	70	65	80	80	90
Building Setbacks (ft.)	front (min. / max.)			-- / 10	10 / --	10 / --	10 / --	20 / --	20 / --
	rear ²			--	8	8	8	8	15
	interior side ²			--	8	8	8	8	15
	street side			--	10	10	10	30	30
	adjacent to residential district			--	15	15	15	25	25

Notes:

1. Parcels which are less than 20 acres but are at least one acre shall require a Special Use Permit. Any such property less than 20 acres shall have been a lot of record at the time on or before [insert adoption date of previous UDO]. In reviewing such requests, the Planning and Zoning Board shall consider the project's relationship to adjacent CD- zoned properties, developed or undeveloped.
2. Required buffer yards in Subsection 141.04.03, Buffer Yard Landscaping, may require increased rear or interior side setbacks.
3. Applies to permitted multi-family and single-family attached dwellings.

140.04.04.D Public Assembly

1. **Capacity.** Seating capacity or building occupancy shall not exceed 350 seats or persons unless approved by Special Use Permit for Religious Institution in the O-I zone.
2. **Gross Floor Area.** Institutions shall not exceed 3,000 square feet in gross floor area unless approved by Special Use Permit for Religious Institution in the O-I zone.
3. **Outdoor Storage.** No outdoor storage is allowed.
4. **On-Street Parking.** Outside of the MU district, no on-street parking shall be allowed.
5. **Street Classification.** The property shall front a street classified as a collector or a thoroughfare.



**ORDINANCE TO AMEND TEXT OF THE TOWN OF HARRISBURG UNIFIED
DEVELOPMENT ORDINANCE (UDO); SECTIONS 140.01.02, 140.02.01, 140.02.02, and 140.04.04
RELATED TO CORRECTIONS AND MINOR EDITS AND MODIFICATIONS TO THE USE
TABLES FOR CERTAIN USES WITHIN THE TOWN**

WHEREAS, the Town of Harrisburg has a Unified Development Ordinance (UDO) that provides for various rules and operational framework for how land can be used and developed within Harrisburg's planning and zoning jurisdiction; and

WHEREAS, the Town of Harrisburg finds the need to preform minor edits and modify regulations to allow flexibility in establishing Religious Institutions within the Office-Institutional zoning district and require special use permits for demolition landfills in certain zones to enhance safety and the quality of life for Town residents; and

WHEREAS, the North Carolina General Statutes and the Town recognizes the need to amend the UDO to address changes in the community and in State Law; and

WHEREAS, the Town initiated the petition (H2024-03-TA) to amend these various sections of the UDO; and

WHEREAS, the public hearing for this text amendment has been noticed in compliance with North Carolina General Statutes; and

WHEREAS, the Planning and Zoning Advisory Board reviewed this text amendment petition (H-2024-03 -TA) at its January 21st 2025, public meeting and voted 7-0 to recommend approval to the Town Council finding the amendment consistent with the Common Decision Criteria found in Section 145.01.07 and Specific Review Criteria found in Section 145.03.01 of the UDO, and with the goals of the Harrisburg Area Land Use Plan (HALUP).

WHEREAS, the Harrisburg Town Council held the public hearing on February 10, 2025, and after considering the testimony in the public hearing and deliberations made the finding that this petition is consistent with Common Decision Criteria found within Section 145.01.07 and Specific Review Criteria in Section 145.03.01 of the UDO and the HALUP because:

1. This amendment establishes regulations that enhances the quality of life for our residents by evaluating and modifying land uses; and
2. Promotes the goals of the Harrisburg Area Land Use Plan (HALUP) in the area of Land Use and Development Design.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Harrisburg, North Carolina, that Sections 140.01, 140.02.01, 140.02.02, and 140.04.04 of the UDO be amended as described on Exhibit A (attached herein) and fully enforced from the time this ordinance is adopted.

PASSED and ADOPTED this 10th day of February 2025.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk

Exhibit A
(See Attachment A, B, C, and D of this Report)



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2024-02-S Tramore II Preliminary Plat

Presenting Personnel:

Zachary Gordon, Planning Director

Suggested Motion or Action:

Motion to approve Preliminary Plat for the Tramore II subdivision as presented.

Description/Background:

A 23-lot conditional zoning map amendment was approved by Town Council on September 9th, 2024. The next step towards development is to obtain approval of the preliminary plat prior to submitting the construction documents. The preliminary plat is reviewed for compliance of the approved rezoning plan by the Town Council as conditioned.

Recommendation:

Motion to approve Preliminary Plat for the Tramore II subdivision as presented.

Fiscal Impact:

N/A

Attachments:

1. H-2024-02-S_Tramore_II_TC Report_
2. Attachment A_ApplicationandPlat
3. Attachment B_Tramore II_Signed Ordinance
4. Attachment C_145.01.07_CommonDecisionCriteria



Planning and Zoning Department

Staff Report – Town Council H-2024-02-S: Tramore II Subdivision Preliminary Plat

DATE: February 10th, 2025

SUBJECT: **H-2024-02-S: Tramore II Subdivision Preliminary Plat**
Request for approval of the preliminary plat associated with
H-2023-04-R: Tramore II Subdivision Conditional Zoning
approved by the Town Council on September 9th, 2024.

LOCATION 9664 Hickory Ridge Rd (PIN# 5516-41-5119)

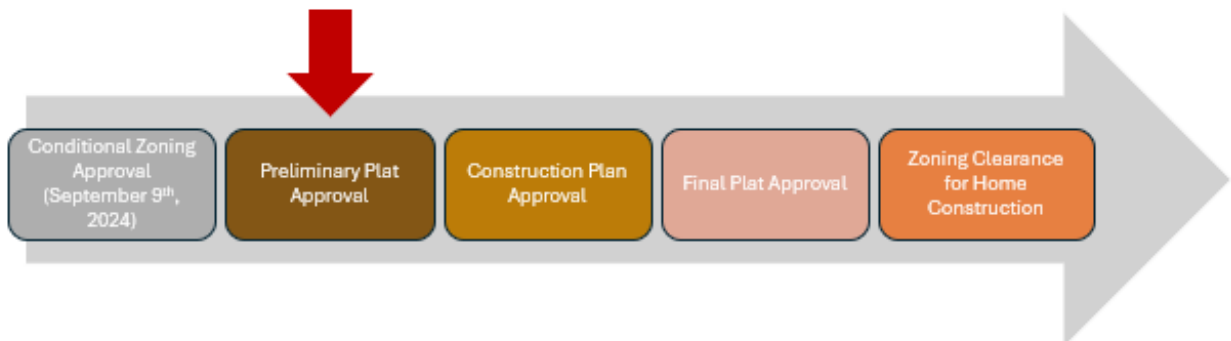
APPLICANT: Alan Kerley of Taylor Morrison Homes

PROPERTY OWNER: Hickory Ridge Holdings LLC

Staff Report Prepared by: Emmilyn Potts, Planner

APPLICATION SUMMARY:

- The applicant is requesting approval of the preliminary plat for the Tramore II Subdivision, authorized with the approval of H-2023-04-R Tramore II Map Amendment on September 9th, 2024. This approval authorized the development of a 25-acre site to accommodate a 23-lot, single-family residential community with conditions of approval (see Attachment B – Ordinance of Approval).
- The applicant is required to obtain approval of the preliminary plat prior to submitting construction plans.



- The preliminary plat application has been reviewed by the Development Review Committee (DRC) and found to be in compliance with the Unified Development Ordinance (UDO) and the associated conditional zoning approval (H-2023-04-R).

STAFF ANALYSIS

Town staff has reviewed the preliminary plat for the Tramore II subdivision and found it to be consistent with the “Common Decision Criteria,” of the UDO. The request complies with the applicable standards of the UDO, Town Codes and HALUP, and the applicant is required to provide proof of compliance with any applicable county, state, or federal requirements.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board heard this request at their January 21st public meeting. After receiving the staff report and deliberations, the Board voted to unanimously approve the motion recommending Town Council approval of the preliminary plat for H-2024-02-S: Tramore II Subdivision.

Common Decision Criteria (Section 145.01.07):

1. The request complies with the applicable standards of this UDO and the Town Code, and the applicant to provide proof of compliance with any preceding and applicable county, state, or federal requirements.
 - This preliminary plat conforms to the standards and purpose of the UDO and Town codes and is conditioned to comply with all local, state, or federal requirements.
2. The project conforms to any associated prior approval for the development.
 - Yes, the project is consistent with the map amendment H-2023-04-R which was approved by the Town Council at its September 9, 2024, meeting.
3. The request promotes the purposes of the UDO criteria.
 - HALUP - The preliminary plat is consistent with the approved conditional zoning amendment, which has been deemed consistent with the HALUP in vision, density and land use. This submittal does not impair the implementation of the HALUP or other adopted plans such as the Harrisburg Transportation Plan.
 - Public Health & Safety – The preliminary plat is consistent with the approved conditional zoning plan that includes in its design, features that enhance public health, safety, and effective traffic design, and fire safety infrastructure.
 - Quality of Life – The preliminary plat is consistent with the approved conditional zoning plan site design and landscaping to promote walkability, provide connectivity between neighborhoods, and enhances the public transportation network because it includes a portion of the future road connector between Robinson Church Road and Hickory Ridge Road.
 - Economic Development – The preliminary plat is consistent with the approved conditional zoning plan, which encourages the expansion of public and private infrastructure, provides roadway capacity, and supports economic viability in the area.
4. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

- The preliminary plat is associated with the approved map amendment H-2023-04-R that includes safety features for public health and general welfare.

Staff recommends that the Town Council approve Preliminary Plat for the Tramore II Subdivision as presented.

RECOMMENDED ACTIONS:

Consider both staff and the P & Z Board's recommendation to approve Tramore II Preliminary Plat as presented and render a decision.

Attachment A – Application and Preliminary Plat for Tramore II subdivision (H-2024-02-S)

Attachment B – H-2023-04-R Tramore II Subdivision Signed Ordinance of Approval

Attachment C – UDO Section 145.01.07: Common Decision Criteria

Subdivision Application

1. Application Type (select all that apply)

☐ Minor ☐ Major ☒ Preliminary Plat ☐ Final Plat

2. Project Information

- a. Project Name: Tramore II
- b. Project Location/Address: 9664 Hickory Ridge Rd, Harrisburg, NC 28075
- c. Tax Map and Parcel Number (PIN): 5516415119
- d. Zoning: Existing: RL-CZ Proposed: _____
- e. Land Use: Existing: Vacant Proposed: 23 lot single-family neighborhood
- f. Description of Request (attach separate sheet if needed):

Develop the site with a mixture of single-family lot sizes + dwellings that will offer diverse housing opportunities to this area of Harrisburg. Create residential collector street through site per adopted Land Use Plan. The proposed + future residential collector street will create multi-modal connectivity to the north of the site, that is currently under construction, and to the south. Tramore I has a proposed pathway that will extend into Tramore II. Site layout has been designed to preserve existing streams + environmental features.

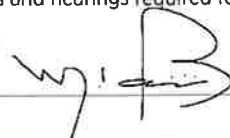
3. Contact Information

- a. Project Manager/Contact Person: Eddie Moore
- Company: McAdams
- Address: 2100 S Tryon St, Suite 400 City, State, Zip: Charlotte, NC 28203
- Phone Number: 704-724-3594 Email Address: emoore@mcadamscsco.com
- b. Applicant Name (if different than above): Alan Kerley
- Company: Taylor Morrison Homes
- Address: 11405 N Community House Rd, 150 City, State, Zip: Charlotte, NC 28277
- Phone Number: 704-941-8554 Email Address: AKerley@taylormorrison.com
- c. Owner Name: Hickory Ridge Holdings LLC
- Company: _____
- Address: 225 E Worthington Ave, 201 City, State, Zip: Charlotte, NC 28203
- Phone Number: _____ Email Address: _____

4. Owner's Consent

Mohammed Idlibi ("Owner") certifies that it is the owner of the property located at 9664 Hickory Ridge Rd ("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the decision making board.

Owner hereby authorizes, _____ as agent, to file this application and represent Owner at any and all meetings and hearings required for the approval of this application.

Owner's Signature:  Date: 10.4.24

5. Affidavit of Completeness and Accuracy (to be completed by the individual submitting the application)

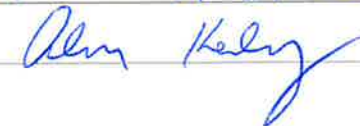
Project Name: Tramore II Submittal Date: 10/7/24

STATEMENT OF COMPLETENESS AND ACCURACY:

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning and Zoning Department of Harrisburg, North Carolina, and will not be returned.

I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required to process this application. I further consent to the Town of Harrisburg to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Applicant Name: Taylor Morrison of Carolinas, Inc., Alan Kerley

Applicant Signature: 

6. Staff Use Only:

Record of Process

Date Received: _____

Application Number: _____

Is Application Complete?

☐

Yes

☐

No

Public Hearing Date(s): _____

Published Notice Date: _____

Mailed Notice Date: _____

Posted Notice Date: _____

Final Action Applicant Notification Mailed Date: _____

Town Staff Signature: _____

Record of Decision

Reviewed By: _____

Recommendation:

☐

Approve

☐

Deny

Final Action:

☐

Approve

☐

Deny

7. Required Attachments

All development application submittals must be accompanied by:

- Applicable fee(s) (see Master Fee Schedule in Appendix B of the Development Guidebook);
- Attachments listed in under the pertinent application;
- Case numbers of other related development applications; and
- Any additional information or attachments required by the Town Attorney, Director or other Town staff, Historic Preservation Commission, Planning and Zoning Board, Board of Adjustment, or Town Council.

Consult staff during pre-application meeting for any required paper copies consult staff during pre-application meeting for any required paper copies.

Minor Subdivision

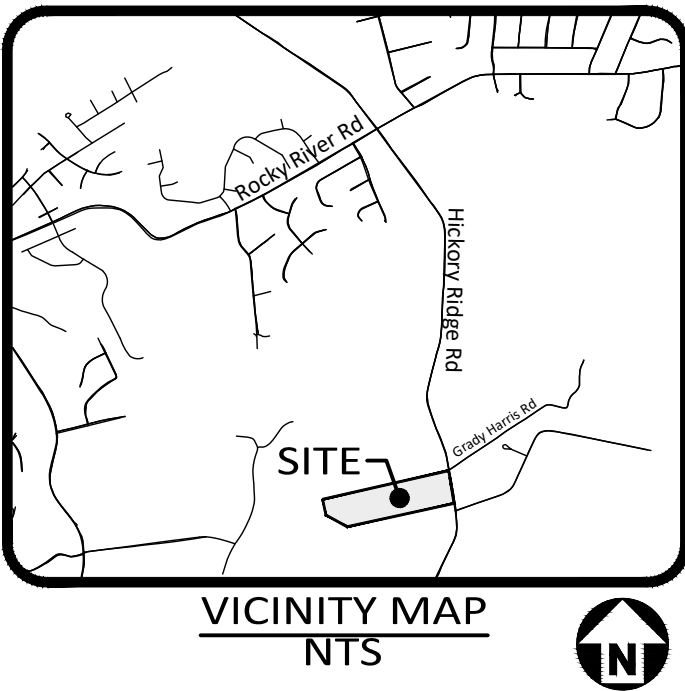
1. A digital (PDF) of minor plat (black and blue lines).
Plat must contain elements listed for "Preliminary Plat"

Major Subdivision (Preliminary Plat)

1. A digital (PDF) of preliminary plat (black and blue lines) that includes the following elements:
 - a. Title
 - b. Vicinity map
 - c. Legal description including township, county, and state
 - d. Date(s) of survey
 - e. Date of any revisions to the plat
 - f. North arrow and declaration
 - g. Scale in feet per inch and bar graph
 - h. Name and address of the owner(s)
 - i. Name, address, registration number and seal of engineer and/or surveyor
 - j. Tract boundaries shown by a heavy line including all bearings and distances
 - k. Intersecting boundaries of adjoining lands
 - l. Location, purpose, and dimensions of areas to be used for other than residential purposes
 - m. Boundaries of floodways and one hundred-year flood plains + RSOD with no build buffer (if applicable)
 - n. Flood Panel(s)
 - o. Total acreage
 - p. Total number of lots
 - q. Lots numbered consecutively throughout the subdivision
 - r. Names of owners of adjoining properties
 - s. Building setbacks in table format
2. Street Name Review and Conformation form
3. Required number of copies of the Transportation Impact Analysis (Number of copies to be submitted to be determined at pre-submittal meeting)
4. List of who will provide utilities (public and private)

Major Subdivision (Final Plat)

1. A digital (PDF) of final plat (black and blue lines) that includes elements listed for "Preliminary Plat"
2. Letter of credit/bond reviews for performance and maintenance bonds and associated fees (Forms can be found at <https://harrisburgnc.org/270/Forms-Applications>)
3. Street Name Review and Conformation form (if streets have not already been approved/placed on reserve)



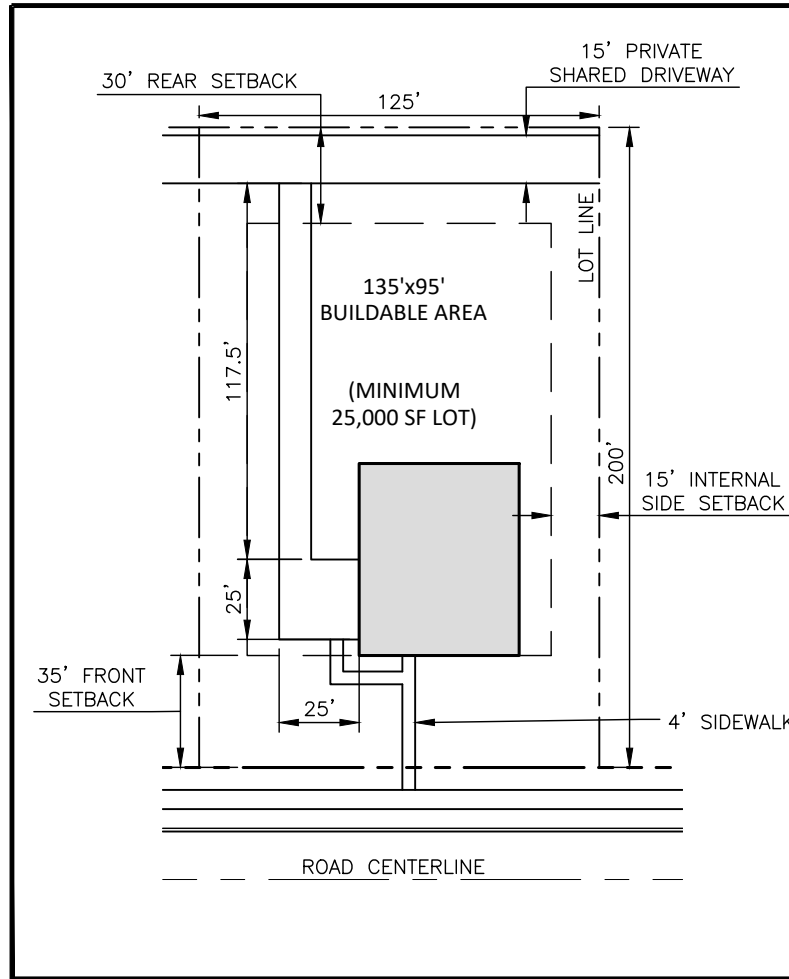
VICINITY MAP
NTS



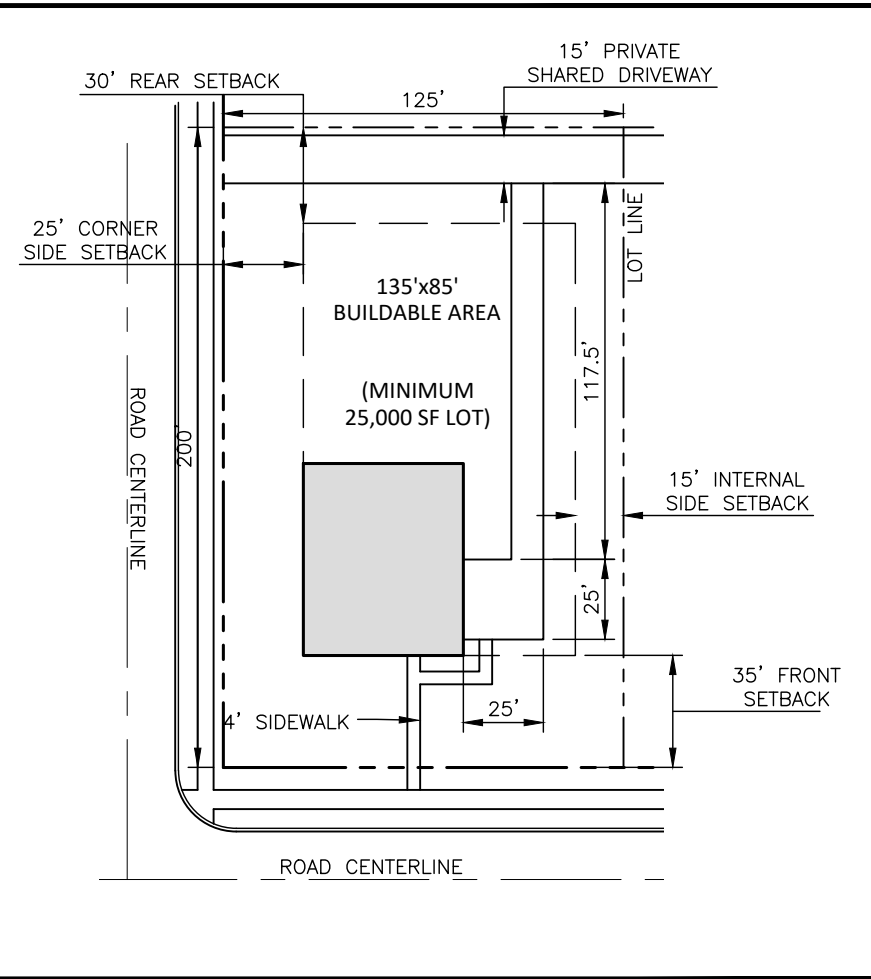
SITE DATA

PREPARED BY:	MCADAMS COMPANY (EDDIE MOORE) 2100 SOUTH TRYON STREET, SUITE 400 CHARLOTTE, NC 28203 704-527-0800 EMOORE@MCADAMSCO.COM
PARCEL PIN: 5516-41-5119	
TOTAL SITE ACREAGE:	±25.20 AC
CURRENT ZONING:	CZ-RL CONVENTIONAL DESIGN - H2023-04-R
UNIT TYPE:	SINGLE-FAMILY
PROPOSED NUMBER OF LOTS:	23 LOTS
LOT SIZE RANGE:	25,081 SF - 37,110 SF
AVERAGE LOT SIZE:	27,435 SF
LOT SETBACKS:	FRONT YARD= 35' CORNER SIDE YARD= 25' SIDE YARD= 15' REAR YARD= 30'
MINIMUM LOT WIDTH:	125'
TOTAL DENSITY:	+/- 0.91 LOTS / AC
RIGHT-OF-WAY WIDTH:	50' - 65'
LINKS AND NODES (MIN. = 1.4):	2.5
TOTAL ACREAGE IN LOTS:	+/- 14.47 AC
TOTAL ACREAGE IN RIGHT-OF-WAY:	+/- 3.95 AC
TREE SAVE AREA PROVIDED:	11.5% OF SITE (±2.91 AC)
REQUIRED COMMON OPEN SPACE:	20% OF SITE (±5.24 AC)
PROPOSED ACTIVE OPEN SPACE:	6.4% OF SITE (±1.62 AC)
PROPOSED PASSIVE OPEN SPACE:	20.3% OF SITE (±5.12 AC)
PROPOSED OVERALL OPEN SPACE:	26.7% OF SITE (±6.74 AC)
PUBLIC OPEN SPACE DEDICATION:	PAYMENT IN LIEU (1/35 AC x 23 = 0.65 AC AVERAGE FAIR MARKET VALUE)
BLOCK LENGTHS:	
LOTS 1-5:	753 LF
LOTS 6-9:	521 LF
LOTS 10-11:	266 LF
LOTS 11-12:	348 LF
LOTS 13-16:	500 LF
LOTS 17-23:	1,156 LF

TYPICAL INTERNAL LOT SIZE

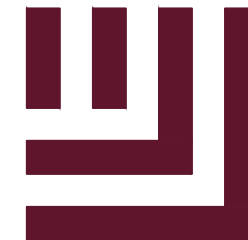


TYPICAL CORNER LOT SIZE



SITE LEGEND

SIGNAGE	PROPERTY LINE
YARD LIGHTS	RIGHT-OF-WAY LINE
LIGHT POLE	LOT LINE
POWER POLE	EASEMENT LINE
TRAFFIC DIRECTIONAL ARROW	CENTERLINE
ACCESSIBLE PARKING STALL	SCM FENCE
VAN ACCESSIBLE PARKING STALL	OVERHEAD UTILITY
PARKING SPACE COUNT	TREE SAVE AREA
ACCESSIBLE RAMPS	ACTIVE OPEN SPACE
ACCESSIBLE ROUTE	OPEN SPACE
	R/W DEDICATION ALONG HICKORY RIDGE ROAD
	15' PRIVATE SHARED DRIVEWAY & PEDESTRIAN EASEMENT
	30' SIDEWALK EASEMENT
	30' SCM ACCESS EASEMENT



McAdams

The John R. McAdams Company, Inc.
2100 South Tryon Street
Suite 400
Charlotte, NC 28203
phone 704.527.0800
fax 919.361.2269
license number: C-0293, C-187

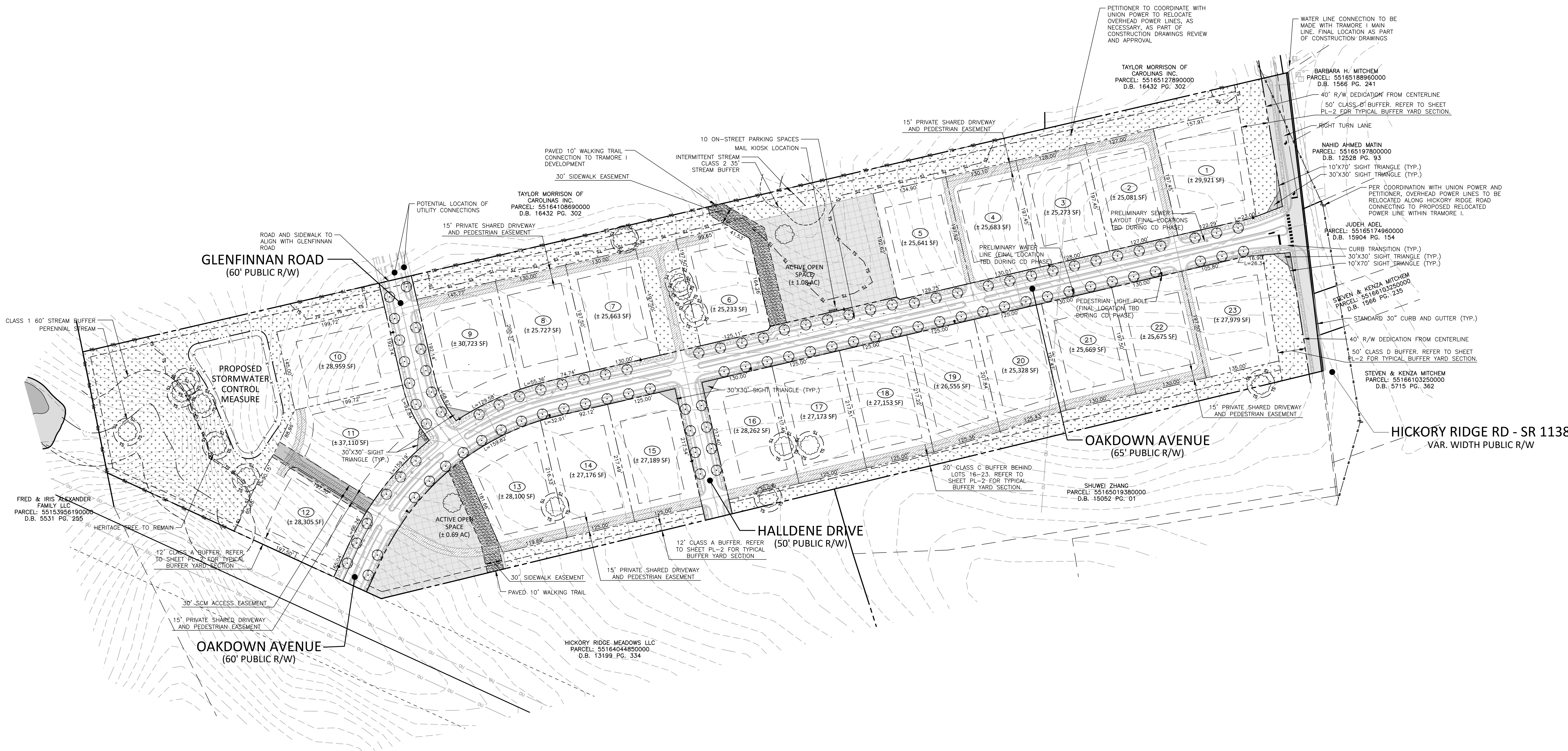
www.mcadamsco.com

CLIENT

ALAN KERLEY
TAYLOR MORRISON
1410 WEST MOOREHEAD STREET, SUITE 100
CHARLOTTE, NORTH CAROLINA 28208
PHONE: 704.357.6632

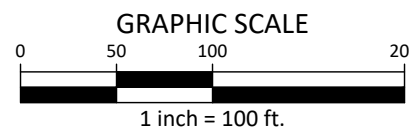
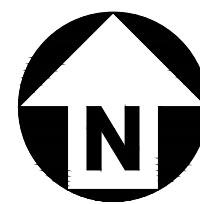


TRAMORE II SINGLE FAMILY PRELIMINARY PLAT HARRISBURG, NORTH CAROLINA



AS A PRELIMINARY PLAT, THIS PROJECT IS SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

1. DEVELOPMENT AGREEMENT, FOUND AT CABARRUS COUNTY, BOOK 17111, PAGE 0150-0177.
2. CZ-2023-04-R AND OTHERWISE NOTED HEREIN.
3. DEVELOPMENT SHALL BE SERVED BY A PUBLIC WATER SYSTEM AND A PUBLIC SEWER SYSTEM.
4. GARAGE AND DRIVEWAY WILL ACCOMMODATE THE REQUIRED 2 PARKING SPACES PER LOT.
5. SIDEWALK OR MUP WILL BE INSTALLED ON BOTH SIDES OF THE PROPOSED RESIDENTIAL STREETS.
6. IN THE EVENT ON-SITE WASTEWATER SYSTEM ASSOCIATED WITH ABANDONED HOMESTEADS ARE LOCATED, THEY WILL BE DE-COMMISSIONED ACCORDING TO PROCEDURES RECOMMENDED BY CABARRUS HEALTH ALLIANCE.
7. IF ILLEGAL SOLID WASTE IS FOUND ON SITE, IT WILL BE RECYCLED OR DISPOSED OF IN AN APPROVED LANDFILL.
8. NEW AND EXISTING UTILITY LINES SHALL BE LOCATED UNDERGROUND.
9. SURFACE COURSE ASPHALT SHALL BE PLACED WITHIN TWO WEEKS OF PLACEMENT OF THE INTERMEDIATE COURSE.
10. DOCUMENTATION REGARDING THE RELOCATION OF THE SEPTIC SYSTEM WILL BE PROVIDED AT TIME OF CONSTRUCTION DRAWING SUBMITTAL.
11. ANTICIPATED DATE OF FINAL PLATTING: APRIL 15, 2026.
12. AT THE TIME OF CONSTRUCTION DRAWING SUBMITTAL, A PROPOSED SCHEDULE WILL BE PROVIDED AS TO WHEN UTILITIES AND POWER LINES ARE GOING TO BE RELOCATED ACROSS HICKORY RIDGE ROAD AND/OR PLACED UNDERGROUND.

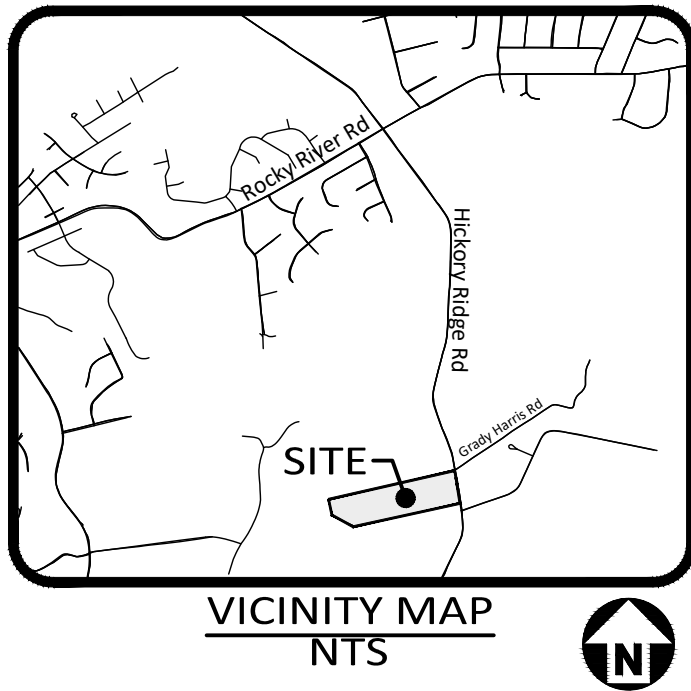


FINAL DRAWING - NOT RELEASED FOR CONSTRUCTION

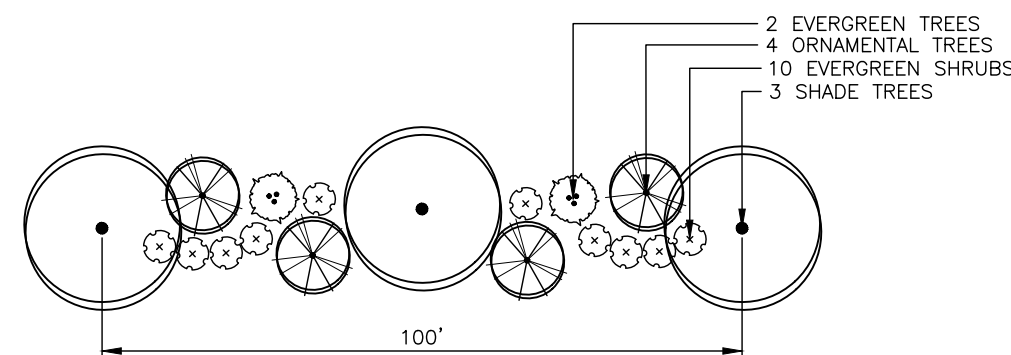
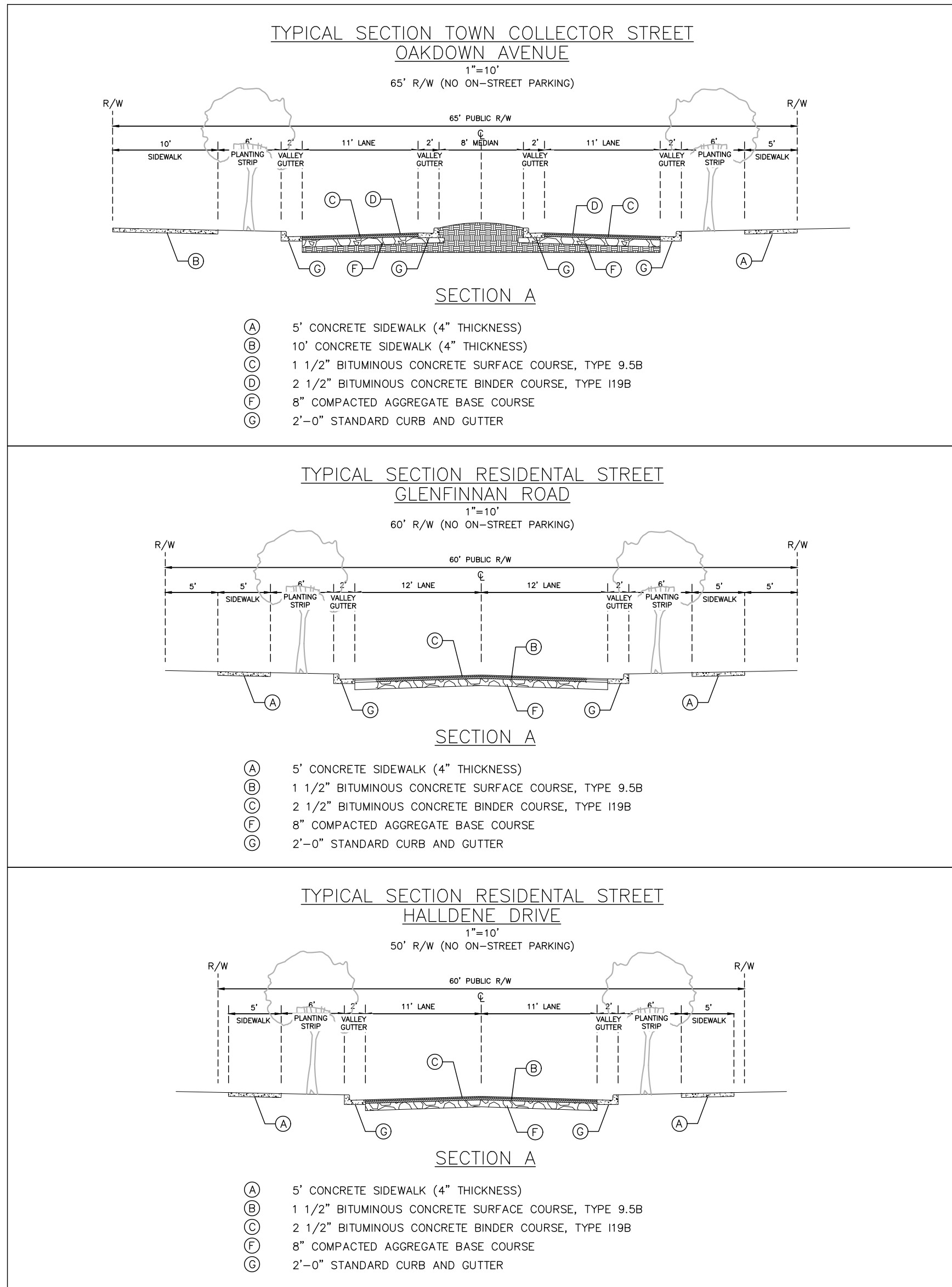
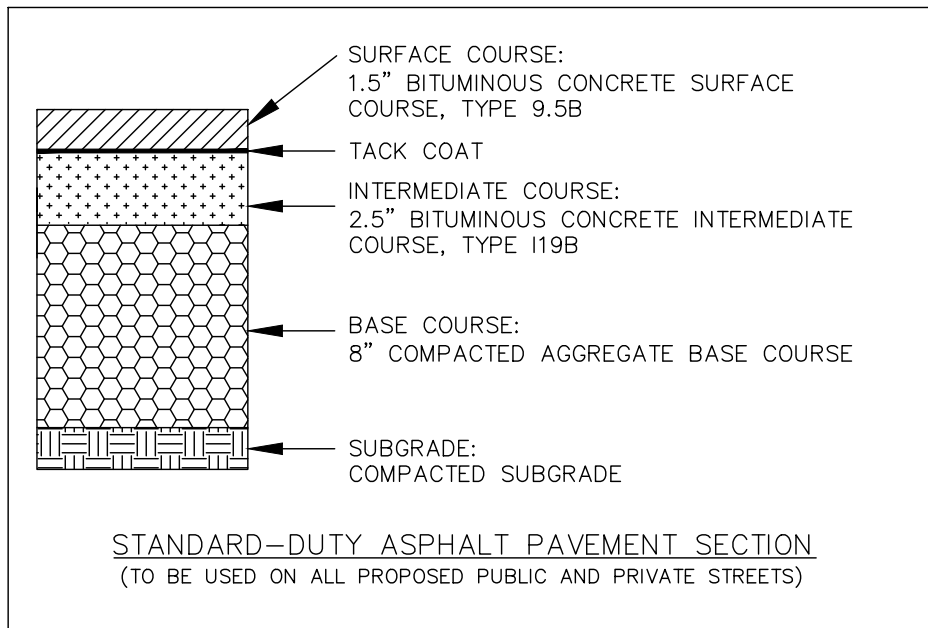


Know what's below.
Call before you dig.

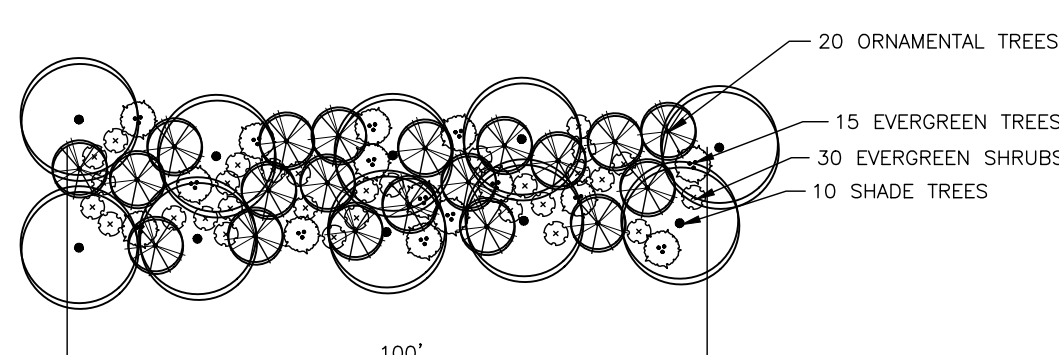
CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.



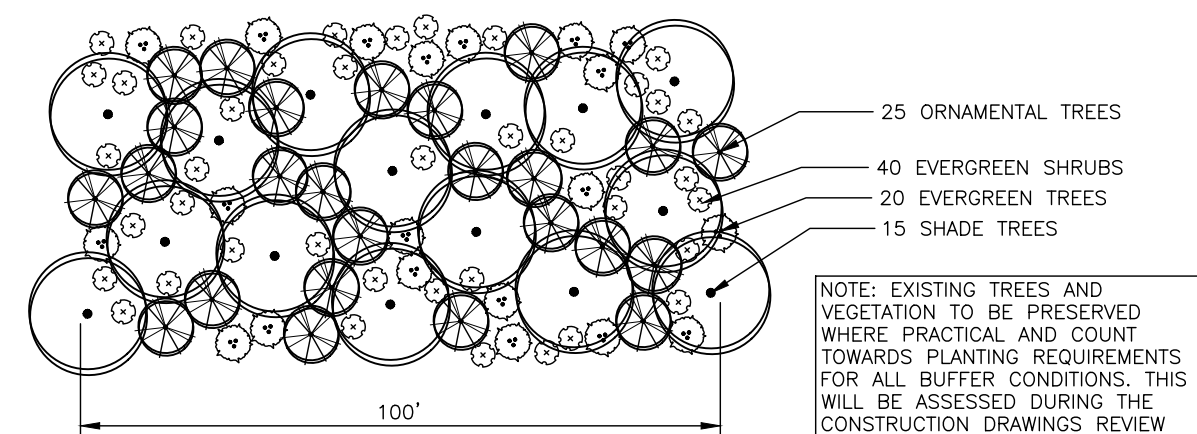
VICINITY MAP
NTS



CLASS A BUFFER YARD SECTION



CLASS C BUFFER YARD SECTION



CLASS D BUFFER YARD SECTION - HICKORY RIDGE ROAD



Know what's below.
Call before you dig.

CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.



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PHONE: 704.357.6632



TRAMORE II SINGLE FAMILY
PRELIMINARY PLAT
HARRISBURG, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	12. 04. 2024	PER CITY COMMENTS
2	12. 09. 2024	PER CITY COMMENTS
3	01. 07. 2025	PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	TMH-22018
FILENAME	TMH22018-F1
CHECKED BY	EM
DRAWN BY	JDS
SCALE	
DATE	10. 18. 2024

SHEET

PRELIMINARY PLAT

PL-2



**ORDINANCE TO AMEND THE TOWN OF HARRISBURG OFFICIAL ZONING MAP
AND ENTER INTO A DEVELOPMENT AGREEMENT**

WHEREAS, the Town of Harrisburg has a Unified Development Ordinance (UDO) and Official Zoning Map that provides for various rules and operational framework for how land can be used and developed within Harrisburg's planning and zoning jurisdiction; and

WHEREAS, Taylor Morrison of the Carolinas, Inc. represented by Alan Kerley, applicant, and Hickory Ridge Holdings, LLC, property owner of record, submitted a zoning map amendment petition (H-2023-04-R) to rezone a 25 acre parcel (PIN#5516-41-5119) from Cabarrus County Countryside Residential (CR) to Harrisburg Residential Low Conditional Zoning District (CZ-RL) for the purpose of developing a 23-lot single family residential subdivision; and

WHEREAS, the zoning map amendment petition is accompanied by a development agreement between the Town and the applicant that sets forth the conditions of the approval granted by the Council, including the benefits to be received by the Town and Developer resulting from development of this project, along with the obligations to be met by both parties to this Agreement.; and

WHEREAS, the public hearing for this zoning map amendment and development agreement has been noticed in compliance with North Carolina General Statutes; and

WHEREAS, the Planning and Zoning Advisory Board reviewed this zoning map amendment petition (H-2023-04-R) at its July 16, 2024 and August 20, 2024, public meeting and voted 7-0 to recommend approval to the Town Council finding the amendment consistent with the Common Decision Criteria found in Sections 145.01.07.A and Specific Review Criteria found in Section 145.03.03 (E) of the UDO, and with the goals of the Harrisburg Area Land Use Plan (HALUP); and

WHEREAS, the Harrisburg Town Council held a public hearing on September 9, 2024, for the map amendment and development agreement, and, after considering the testimony in the public hearing and Council deliberations, made the finding that this petition is consistent with Common Decision Criteria found within Section 145.01.07.A and Specific Review Criteria in Section 145.03.03(E) of the UDO and the HALUP because:

The proposed project (H-2023-04-R) is a reasonable request and is in the best interest of the public because:

- *The 25-acre site is located within a rural area of the Town envisioned for very low density and the development is proposing a density less than 1 dwelling unit to the acre; and*

- *Includes a future roadway connector that will aid in overall transportation circulation within the Town in the future.*

The Board further finds the proposed development (H-2023-4-R) is consistent with the requirements of the very low-density land use area (where it is located), because it complies with the following goals:

- LU-2: Link Land Use with Transportation Improvements: the development is a very low-density residential land use that includes transportation improvements that are envisioned in the future. These improvements include a southbound right-turn lane enhancing safety and the construction of an important local road connector identified within the Harrisburg Transportation Plan that will link two thoroughfares within the Town in the future.
- LU-7: Ensure Zoning in the Planning area is consistent with the Future Land Use Plan Map: The proposed zoning classification of Residential Low density is consistent with the future Land Use Plan Map and criteria of the UDO.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Harrisburg, North Carolina, that approval is hereby granted to H-2023-04-Tramore II Subdivision establishing a Residential Low Conditional Zoning District (CZ-RL) with associated zoning site plan as described on Exhibit A (attached herein), **and** development agreement attached herein as Exhibit B, fully enforced from the time this ordinance is adopted as conditioned below:

1. The conditional zoning district shall be restricted to a 23-lot, single-family detached residential community as designed within the accompanied site plan. The proposed development includes a proposal for payment in-lieu of open space dedication (0.657 acres) in the amount of \$8,212.00 and is due prior to the recording of the final plat.
2. Obtain all applicable local, state, and federal permits required for development before any development activity can take place.
3. All residential lots shall be accessed at rear property line through a 15-ft wide shared private driveway located within a private access easement.
4. Primary cladding materials for all residential buildings are restricted to masonry or similar products; vinyl siding may be used for soffits, windows, and other accessory features.
5. Proposed walking trails shall be paved and constructed or bonded prior to the final plat. The construction of said walking trails shall occur prior to the thirteenth home zoning clearance permit being issued.
6. A minimum of a type A buffer is required around the perimeter of the development. Existing vegetation proposed to be maintained to achieve required buffers shall be identified and inventoried within the required landscape plan in compliance with Section 141.04.03 of the UDO. This survey shall include the species, size, and health of all landscaping proposed to be preserved. Enhanced buffers are required as follows:
 - a) A 50-ft. type D buffer is required along the Hickory Ridge Road frontage. This area shall be clear of utilities (overhead or underground) that may impact the ability to meet said buffer.
 - b) A 20-ft type C buffer is required behind lots 16-23. The critical root zones of the existing vegetation shall be protected during construction, as required in Section 141.04.04, Tree Protection Standards.

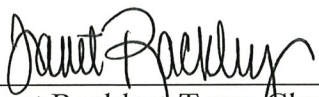
7. No exposed concrete foundations are permissible, and appropriate cladding must extend to the ground level on all sides of the homes.
8. All ponds, if required, shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area. Said pond shall be fenced with a black aluminum fence (non-chain link) to match the approved fence proposed around the pond for Tramore I.
9. Mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
10. Mailbox clusters shall meet minimum ADA Standards and include a cover structure.
11. All streets shall be built to the Town of Harrisburg Engineering Design standards.
 - a) Alternate pavement schedule is not allowable.
 - b) Roadways cross sections shall be consistent with the street details within the conditional zoning plan and shall provide a minimum of a 6-foot-wide landscaped area between curb and sidewalk/multi-use path to accommodate required street trees.
 - c) The connector road centered median shall be landscaped with groundcover and street trees.
12. There will be no more than 10% of the residential units used as rentals at any given time and will be restricted as such by deed restriction.
13. Associated annexation plat shall be recorded within 30 days of approval.
14. The applicant shall enter into a Development Agreement with the Town.

PASSED and ADOPTED this 9th day of September 2024.



Jennifer Teague, Mayor

ATTEST:



Janet Rackley, Town Clerk



145.01.07 Common Decision Criteria

- A. Generally.** In determining whether to approve, approve with conditions or modifications, or deny an application, the applicable development review bodies shall consider the basic review criteria denoted in Table 145.01.07-1, *Common Decision Criteria Applicability*. Additional review criteria may apply and are enumerated in the specific review procedures of this Section.

Table 145.01.07-1, Common Decision Criteria Applicability			
Common Decision Criteria	All Applications ¹	Legislative Applications	Quasi-Judicial Applications ¹
The request complies with the applicable standards of this UDO and the <u>Town Code</u> , and the applicant has provided proof of compliance with any preceding and applicable <u>county, state, or federal requirements</u> .	♦		
The request substantially conforms to any associated prior approval for the development, including, but not limited to: <u>Special Use Permit</u> , <u>Conditional Zoning</u> , <u>Site Development Plan</u> , etc.	♦		
The request promotes the purposes of this UDO as established in <u>144.01.02, Purposes</u> , and in other applicable purpose statements in this UDO.	♦		
The establishment, <u>maintenance</u> , or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare	♦		
The administrative body has considered the recommendation of Staff in the <u>public meeting or hearing</u> .		♦	♦
The request is consistent with applicable policies of the most recently adopted <u>HALUP</u> , any applicable utility plans, and adopted <u>capital improvements plans</u> ; or, if it addresses a topic that is not contained or not fully developed in the HALUP, the request does not impair the implementation of the HALUP.		♦	♦
Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other <u>improvements</u> are present or are planned to be provided.		♦ ²	♦ ³
The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the essential character of the general vicinity of design, <u>façade treatment</u> , <u>setbacks</u> , <u>building materials</u> , and reasonably anticipated negative impacts.		♦ ²	♦
TABLE NOTES: ♦ = Basic review criteria applies ¹ Excluding <u>Appeals of Administrative Decisions</u> ² Excluding <u>UDO Text Amendments</u> ³ Excluding <u>Variances</u>			

- B. Procedures With Common Decision Criteria.** Section 145.01.14, Development Review Summary, denotes the development review procedures that have common decision criteria.
- C. Written Findings.** Required findings for a legislative or quasi-judicial decision, based on basic and specific review criteria for an application, shall be in writing and shall be recorded in the minutes and records of the Planning and Zoning Board, the Board of Adjustment, or the Town Council, as applicable.
- D. Burden of Proof or Persuasion.** In all cases, where there is doubt or question, the burden is on the applicant to show that an application complies with applicable decision criteria.

Effective on: 8/9/2021



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of the Roberta Road/NC Highway 49 Intersection Improvement Study Professional Services Contract with Rummel, Klepper, and Kahl, LLP (RK&K).

Presenting Personnel:

Jonathan Young, Public Works Director

Suggested Motion or Action:

Motion to award the professional services contract in the amount of \$99,328.08 to Rummel, Klepper, and Kahl, LLP. for the Roberta Road/NC Highway 49 Intersection Improvement Study.

Description/Background:

The Town of Harrisburg pre-qualified firms several years ago for assistance with professional service studies and designs. RK&K was one of those firms and they have been utilized with great success on several past projects for Town. The FY2025 budget included funding for additional analysis for the intersection of Roberta Road and NC Highway 49 and Town staff is confident that RK&K will continue their past success with this project.

The goal of this study is to review and provide several recommendations for this challenging intersection that will address the current and future needs as the Town continues to grow. These recommendations and cost estimates will be used to leverage future funding opportunities such as state and federal grants thus easing the burden on local taxpayers. The Town has a wonderful track record for securing grant funding and the goal from staff is to continue that trend.

Recommendation:

Staff recommends approval of the attached contract with RK&K in the amount of \$99,328.08

Fiscal Impact:

The budget for this project was approved at \$100,000. The fiscal impact of this project is \$99,328.08. No budget modification is necessary.

This project will provide the Town of Harrisburg the information required to apply for future grant opportunities thus reducing the local tax burden for needed traffic improvements.

Attachments:

1. HBG_Roberta Study Scope_Fee 20250116

Scope of Work

January 10, 2025

Description of the Project

The Town of Harrisburg (TOH) plans to improve the intersection of Roberta Road and NC 49 to improve safety and intersection operation.

Task Order #01 for the project will include a detailed review of alternate options for the intersection focused on traffic analysis and roadway layout to identify the preferred alternate for detailed design. Detailed design and plans for the preferred alternate will be completed under future Task Orders.

This scope includes the following general tasks as detailed in the “Description of Services” with the corresponding task in the standard NCDOT fee spreadsheet in parentheses:

- Project Management & Administration
- Traffic Analysis
- Roadway Design

The following list of scope items are not anticipated for this Task Order and are excluded from this scope of work.

- Topographic Survey/SUE
- Hydraulic Design (Detailed)
- NEPA / Permitting

Description of Services

RK&K will provide professional services for this project in accordance with the following tasks:

1. Project Management & Administration

1.1. Project Management & Administration

RK&K shall provide routine project management and administration activities, including progress reports, project letters/correspondence, and coordination through the anticipated duration of this task order (5 months). Monthly progress reports with a percentage complete chart will be submitted to show the status of the project and will match the accompanying monthly invoice. Other administrative/management tasks will include the submittal of informal status updates, emails, and phone conversations.

RK&K will hold up to one (1) in-person and three (3) virtual meetings for purposes of project coordination and comment review. RK&K will be responsible for meeting agendas (if needed) and summaries.

Coordination will also be maintained by RK&K with appropriate state and local agencies, stakeholders, or officials having an interest in the project as requested by the TOH. Development of a CPM schedule is not included with this scope.

2. Traffic Analysis

2.1. Traffic Data Collection

RK&K will collect 13-hour turning movement and pedestrian counts in accordance with NCDOT TSG standards, during a typical weekday (Tuesday-Thursday) while school is in session. The listing below shows the study intersections and the locations for traffic data collection. The study intersections are also presented in **Figure 1**.

13-Hour Turning Movement Counts

1. NC 49 at Roberta Road (Existing Traffic Signal)
2. NC 49 at Driveway to Food Lion
3. NC 49 at Kee Lane/Jenkins Lane
4. NC 49 at Main Street (Existing Traffic Signal)
5. Roberta Road at Driveway to Hardees
6. Roberta Road at Driveway to USPS
7. Harrisburg Veterans Road at Driveway to Publix

RK&K will request traffic signal plans and timing information for the existing signalized intersections within the study area and obtain any existing information related to proposed developments or other background improvement projects within the study area.

Field Visit - Additionally, two (2) RK&K staff members will perform site observations during the AM and PM peak periods (weekday traffic) to obtain visual evidence of the existing operational characteristics.

2.2 Crash Analysis

To evaluate the existing safety performance of the study area and intersections, RK&K will prepare a section analysis of the project corridor along NC 49 between Robinson Avenue and Main Street. The time frame will be the most current five (5) year study range.

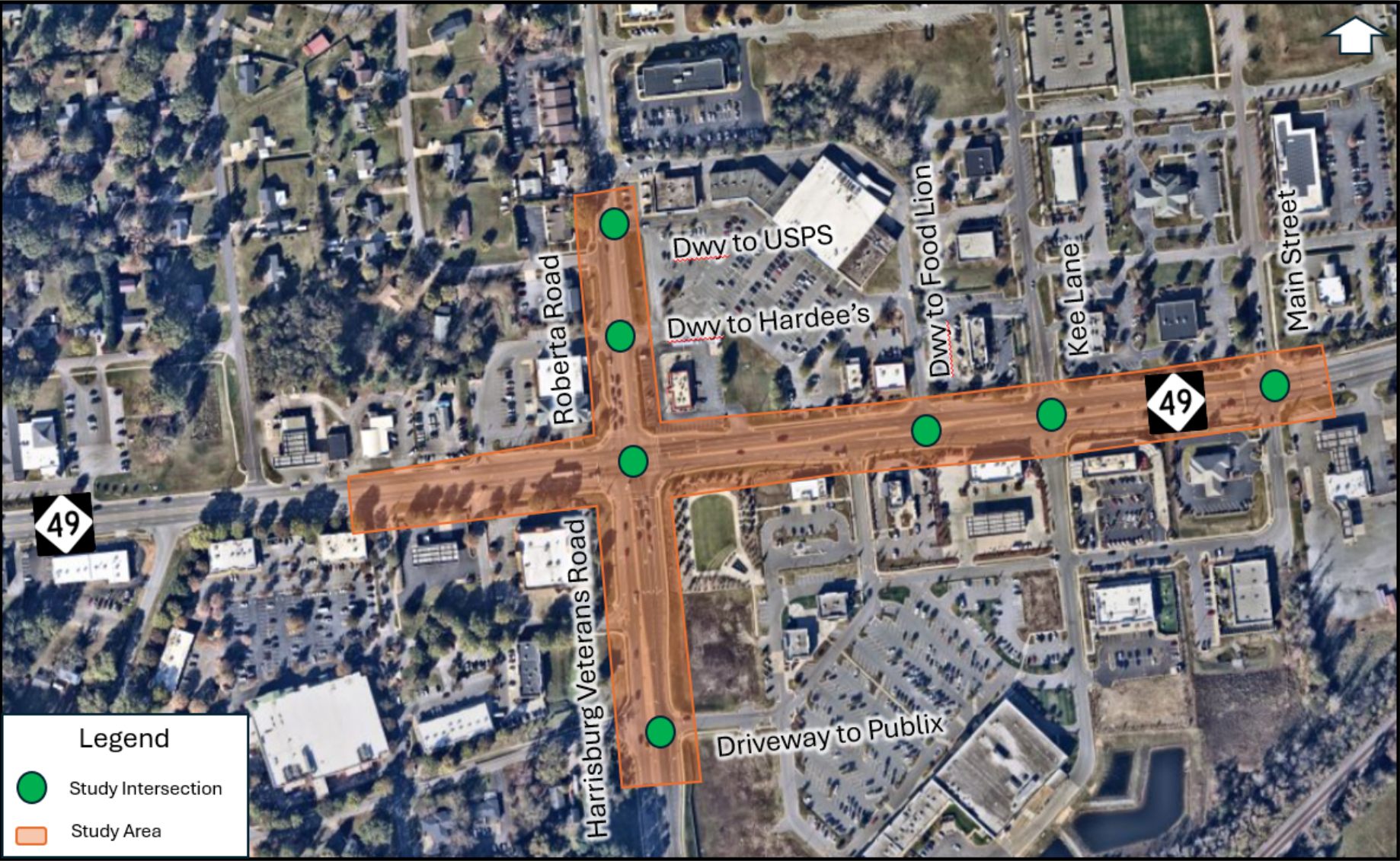
RK&K will provide the following in the development of the crash analysis:

- Coordination with NCDOT Traffic Safety Unit.
- Preparation and QC of the strip crash analysis using Traffic Engineering Accident Analysis System (TEAAS).
- Review of crashes/crash history
- Perform safety review and prepare summary tables.

RK&K will prepare a crash analysis that includes the following information:

- Identify critical crash rates and develop a comparison of the rates.
- Identify crash patterns.
- Identify potential safety issues (based on crash analysis).
- Provide write up in the Draft and Final Traffic Operations Analysis Technical Memorandum.
- Forecast and development of daily traffic volumes.

Figure 1: Study Area and Intersections



2.3 Traffic Volume Development

Peak hour traffic volumes will be developed for two scenarios: Base Year (2025) and Future Year (2050). The Base Year traffic volumes will utilize field collected traffic counts. The growth rates to develop Future Year (2050) traffic volumes will be based on historic NCDOT AADT data and feedback from the Town/NCDOT. Additionally, RK&K will coordinate with the Town to obtain any development information within the study area and factor these developments into the growth rate. Prior to the performance of the Future Year traffic analysis, RK&K will seek approval from the Town/NCDOT on the growth rate for the Future Year scenarios.

Sub Task 2.2 Exclusions:

- Traffic Impact Analysis for any new or future developments
- Project Level Traffic

2.4 Traffic Analysis

RK&K will develop an operational analysis using *Synchro/SimTraffic* (for signalized intersections) and if needed, *Sidra* (for roundabouts). The traffic analysis will utilize the latest version of Synchro/SimTraffic and conform to NCDOT Congestion Management Guidelines. The analysis shall be performed to determine the following measures of effectiveness: average delay per vehicle and the associated level of service (LOS), and queue length at intersections.

2.4.1 No-Build Condition Analysis

Traffic analysis will be performed for Base Year (2025) and Future Year (2050) No-Build conditions. The Base Year scenario will be analyzed based on the existing geometry. For the Future Year No-Build scenario, based on the 2024-2033 STIP, there are no background improvement projects within the study limits. RK&K will coordinate with the Town and incorporate any background improvements affecting the study area and intersections.

2.4.2 Development of Improvement Alternatives

The crash analysis and the 2050 No-Build condition analysis will set the stage for identifying safety and operational issues at the study intersections, respectively.

RK&K will then screen for improvement options (using tools like Cap-X) and present multiple options identified to address safety and operational issues, for consideration to the Town, after which up to 3 alternatives will be shortlisted.

2.4.3 Build Condition Analysis

For the three shortlisted alternatives, RK&K will then perform an operational analysis and compare the operational benefits between the alternatives and No-Build conditions. A predictive safety analyses will also be performed using FHWA's Crash Modification Factors (CMFs). The safety and operational analysis along with other parameters such as cost, ROW impacts, constructability, etc. will then be presented in a matrix, which will assist in the identification of the preferred alternative.

2.4.4 Traffic Report

RK&K will prepare a Traffic Analysis Report that will include a discussion of existing traffic data, method of analysis, discussion of comparative delays, levels of service, queuing, and traffic operational characteristics. Recommendations for turn lane and storage length requirements shall also be provided as part of the analysis. The report shall include the results of the analysis scenarios described above and shall include the traffic count data and software output in the appendix. Electronic copy of the analysis software files shall be included with the final report. The final version of the report shall be signed and sealed by a Professional Engineer licensed in the state of North Carolina.

Sub Task 2.3 Exclusions:

- Microsimulation utilizing software packages such as TransModeler.

Task 2 Deliverables:

- Traffic Analysis Report that would include information related to the following:
 - Data Collection
 - Crash Analysis
 - Growth rate development methodology
 - Analysis files and outputs
 - Comparison matrix

3. Roadway Design

3.1. Conceptual Plans

All plans shall be developed using a combination of MicroStation V8i, GEOPAK and Open Roads software. All design shall be based on 2018 AASHTO, current NCDOT and current TOH design criteria and standards.

RK&K shall prepare conceptual roadway plans for up to three (3) alternates focused on improving safety and operation of the intersection based on the outcome of the detailed Traffic Analysis task. Each alternate will include a plot plan showing major roadway construction items, anticipated cut/fill lines, general locations of anticipated retaining structures, anticipated right-of-way needs, and highlighted utility impacts. Conceptual Profiles and Cross-Sections will also be included for each alternate.

Plans will be accompanied by a brief narrative summarizing any significant hydraulic concerns. The preparation of a formal alternatives report is not anticipated or included in this scope of work. Plans and narratives will be presented to the TOH and discussed at the coordination meetings included under the Project Management task. It is anticipated that alternates will be presented and submitted to the TOH in electronic (PDF) format. Any comments will be incorporated into a final set of conceptual design plans that will serve as the basis for a recommended alternate to move forward into detailed design.

RK&K will prepare a public “Hearing Map” style exhibit showing the final proposed conceptual layout for purposes of communicating the design to the public. No public outreach is anticipated with this Task – the hearing map will be supplied to the Town for the Town’s use.

All submittals under this task will be electronic.

RK&K will perform the following for this task:

- Prepare Design Criteria
- Prepare Typical Sections (2-3)
- Prepare Preliminary Horizontal Layout (3)
- Prepare Existing and Proposed Profile (3)
- Prepare Plan Sheets
- Prepare Profile Sheets / Cross-Sections
- Prepare Preliminary Submittal Package
 - Including conceptual construction cost estimates (all 3 alternates)
- Prepare Public “Hearing Map” Exhibit (1)
- Corridor Modeling

Desktop GIS file review for impacts to natural resources/water/wetlands/LiDar Data

Obtain available GIS data including, but not limited to: digital aerial photography, parcel lines (and owner) data, historic places (known National Register and State Study List), streams, Natural Heritage Program (Threatened and/or Endangered Species), wetland (such as National Wetland Inventory), Hazardous Waste Sites, and any other readily available and pertinent GIS databases. No fieldwork is anticipated during the Feasibility Study Phase. Any significant features found through this research will be presented in the Conceptual Plan Summaries noted under Task 2.1. LiDar Data and readily available aerial photography shall be used for horizontal and vertical design.

Task 3 Deliverables:

One (1) electronic copy of the design criteria and typical sections

One (1) electronic copy of the plans, profiles, cross-sections and narrative for (3) alternates

One (1) electronic copy of the revised plans, profiles, cross-sections and narrative for (3) alternates and a conceptual construction cost estimate for each

One (1) electronic copy of the hearing map

ALL ITEMS LUMP SUM							
Task Number	Task Name	RK&K Hours	RK&K Labor	RK&K Expenses	RK&K Total	Sub-Consultant Fees	Design Team Task Total
1	PROJECT MANAGEMENT & ADMIN	20	\$ 4,587.49	\$ -	\$ 4,587.49	\$ -	\$ 4,587.49
2	TRAFFIC ANALYSIS	364	\$ 48,554.63	\$ 6,300.00	\$ 54,854.63	\$ -	\$ 54,854.63
3	CONCEPTUAL ROADWAY DESIGN	284	\$ 39,885.96	\$ -	\$ 39,885.96	\$ -	\$ 39,885.96
-		0	\$ -	\$ -	\$ -	\$ -	\$ -
-		0	\$ -	\$ -	\$ -	\$ -	\$ -
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Total		668	\$ 93,028.08	\$ 6,300.00	\$ 99,328.08	\$ -	\$ 99,328.08

ENGINEERING FIRM NAME:

RK&K
10150 Mallard Creek Rd, Suite 300
Charlotte, North Carolina 28262

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Cost Prepared by:

Roman Prokopovych, P.E.

1/16/2025

Project No. TBD

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Project No. TBD

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Roberta St & NC-49 - Intersection Improvement Study
Town of Harrisburg
Project No. TBD

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