



DATE: April 19, 2022

CASE: TA-05-22 Text Amendment (8.1.8 Use Table)

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BACKGROUND

Staff is proposing two minor revisions to the permitted use table in the Concord Development Ordinance (8.1.8). These changes are summarized below.

1. **Distribution and Warehouse Uses in Light Industrial (I-1):** City Council, after working with Cabarrus County Economic Development and based on concerns expressed by industrial developers, recently changed the sewer allocation policy to allow speculative industrial uses of less than 75,000 square feet to request allocation if they use less than 7,500 gallons per day. This 75,000 sf threshold does not traditionally support large scale distribution.

This amendment allows warehouse/distribution less than 75,000 square feet in Light Industrial (I-1) with specific standards (PS) as shown in F. below, but a special use permit would not be required. For warehouse/distribution greater than 75,000 of floor area, a special use permit and compliance with the standards (SS) would still be required.

Buildings less than 75,000 sf are usually occupied by small to medium size companies that provide jobs as well as support to larger industries.

Warehouse and Freight Movement	Electronic Shopping, Mail Order House																			P	P		
	Moving and Storage Facility																				P	P	
	Product Distribution Center																				SS		8.3.Z.E
	Rail Transportation and Support Facilities																				P		
	Product Distribution Center, Warehousing and Storage (Non-farm related products) greater than 75,000 square feet in floor area																					SS	8.3.Z.F
	Product Distribution Center, Warehousing and Storage (Non-farm related products) less than 75,000 square feet in floor area																					PS	8.3.Z.F
	Truck Terminal and Support Facilities																						SS

F. PRODUCT DISTRIBUTION CENTER, WAREHOUSING AND STORAGE, NON-FARM RELATED PRODUCTS

The facility shall be located on an arterial or thoroughfare. The use may be considered within an industrial park if the street accesses an arterial or thoroughfare and the street is constructed to accommodate projected truck traffic, and the street does not serve passenger vehicle traffic other than employees or customers of the development in which the proposed facility is located.

The use “electronic shopping, mail order house” is proposed to be removed from the use table as a matter of eliminating confusion.

- 2. **Water Treatment Plants in O-I, C-1 and I-1:** The City has been planning an expansion of the Hillgrove Water Treatment plant at 55 Palaside Drive NE for several years. The plant is zoned O-I Office Institutional. While researching the acquisition of an adjacent parcel on Arbor Street (which is zoned C-1 Neighborhood Business) it was discovered that such facilities are not permissible in either district (nor in I-1).

A review of the previous zoning ordinance (prior to 2000) indicates that Hillgrove and similar facilities were permitted under the broad category of “public utility substations” in the O-I and B-2 (predecessor to C-1) zoning districts. It appears that when the current version of the CDO was adopted in the early 2000s, “water treatment plants” and other utilities were separated from the “public utility substation” category and omitted from the use chart in O-I, C-1 and I-1. O-I and C-1 zoning permits a natural gas distribution facility, so it appears reasonable to allow the use in O-I and C-1 (as well as I-1). This corrective change would make the treatment plant a conforming use and would allow the plant expansion to occur in a conforming manner.

The proposed change is illustrated in the chart below.

USE CATEGORY	SPECIFIC USE	AG	RESIDENTIAL						COMMERCIAL					IND		Standards
		AG	RE	RL	RM-1	RM-2	RV	RC	O-1	B-1	CC	C-1	C-2	I-1	I-2	
Passenger Terminals	Air transportation and related support facilities	S											P	P	P	
	Bus Charter Service, including passenger terminal													P	P	
	Limousine/Chauffeur Service/Taxi Company/Taxi Stand										SS	SS	PS			8.3.4.D
	Public Transportation System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Places of Worship	Religious Institution/House of Worship, more than 350 seats	SS	SS	SS	SS	SS	SS	SS	PS	SS	SS	PS	P			8.3.4.E
	Religious Institution/House of Worship, up to 350 seats	SS	SS	SS	SS	SS	SS	SS	P	P	P	P	P			8.3.4.E
Utilities	All utilities, except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Electric Generating Facility	S												S	P	
	Natural Gas Distribution Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Pipeline, Petroleum and Natural or Manufactured Gases	S	S	S	S	S	S	S	S	S	S	S	S	P	P	
	Sewage Treatment Facility, Private as permitted by NCDENR	S	S	S	S	S	S	S	S	S	S	S	S	P	P	
	Water Treatment Facility	P							P			P	P	P	P	

The amendment is in approval form and at the Commission's concurrence, it may be referred to Council for public hearing.