



Town of Fairview

PLANNING AND ZONING BOARD

Agenda

July 19, 2016 @ 6:30 p.m.

Meeting will be in the Council Meeting Room

1. Roll Call and Determination of Quorum --- *Vice Chairman Crowell*
2. Public Comments:
3. Report on Council actions: ---*Ed Humphries*
4. Business:
 - a. Discuss Table of Uses pages ---*Ed Humphries*
 - b. Discuss having livestock for personal/commercial use on less than 10 acres---*Ed Humphries*
 - c. Approve Minutes of April 19, 2016 regular meeting
6. Public Comments:
7. Adjourn

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION	RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Camping & Recreational Vehicle Park	180H, Appendix G	6.27		Cs									Cs		
Campsite, Primitive	Appendix G	6.27	Zs	Zs	Zs	Zs	Zs		Zs	Zs	Zs	Zs	Cs		Zs
Candy and Nut Store		2.12							Z	Z		Z	Cs		
Car Wash (See Automobile Wash)	165	9.5		Cs								Cs	Cs		
Card Shop (See Gift, Novelty and Souvenir Store)		2.12						Z	Z	Z		Z	C		
Carnivals, Circus, Festivals, Fairs	161, 179	33	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs
Carpet Store (See Floor Covering Store)									Z			Z	C		
Catalogue Sales Store		2.12							Z	Z		Z	C		
CD, Tape, Record Store		2.12							Z	Z		Z	C		
Cemetery/Columbarium (Accessory Use)	176, 179	33	Zs	Zs	Zs	Zs	Zs	Zs	Zs	Zs	Zs	Zs	Cs	Zs	
Cemetery/Columbarium (Principal Use)	176	33	Cs	Cs	Cs	Cs	Cs						Cs		
Check Cashing Establishment		2.12							Z	Z		Z	C		
Child Care Home		1.4	C	C	C	C	C	C	C	C	C	C	C		
Child Care Institution		7.2		C	C		C	C				C	C		
China and Tableware Shop		2.12							Z	Z		Z	C		
Churches, Places of Worship/Synagogues/Temples	179	5.2	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	C Z	Zs	
Civil Defense Operation (See Public Safety Station)	179	13	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	
Cleaning and Maintenance Service, Building (no outside storage)		3.12							Z	Z		Z	C		

Z - Permitted By Right
 C - Conditional Use Permit Required
 D - Major Development Permit Required
 s - Supplemental Regulations Apply
 / - or, (example Z/D)

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 291(e)	RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Clock and Watch Sales and Repair Shop		2.12							Z	Z		Z	C		
Clothing, Footwear, and Apparel Store		2.12							Z	Z		Z	C		
Coin and Stamp Shop		2.12							Z	Z		Z	C		
College/University	179	5.13												Zs	
Commercial Vehicle Storage and Operations Center		10.2										C	C		Z
Community Centers		6.1							Z	Z		Z	C		
Computer and Data Processing Service		2.12						Z	Z	Z		Z	C		
Computer Store (See Office Equipment and Computer Store		2.12							Z	Z		Z	C		
Condominium (See Dwelling, Multi-Family)	180L, App J	1.3	Z	Z	Zs	Z			Z			C	C		
Consignment Shop (See Second Hand and Consignment Shops)		2.12							Z	Z		Z	C		
Continuing Care Facilities	179, 180 L	1.4	Cs	Cs	Cs	Cs	Cs	C	C	C	C	C	C	Cs	
Contractors Offices and Storage Yard		10.2										C	C		Z
Convalescent Homes (See Rest Homes)				Z		Z						Z	Z		
Convenience Stores (with Retail Fuel Sales), Mini-Marts, Express Fuel	165, 184	2.111		Cs					Cs	Cs		Cs	Cs		
Copying Service (See Photocopying Service)	164	4.1		C				Z	Z	Z		Z	C		

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Cosmetic Store (See Beauty Supply and Cosmetic Store)		2.12							Z	Z		Z	C		
Costume Rental Store (See Formal Wear and Costume Rental Store)		2.12							Z	Z	Z	Z	C		
Country Club (Principal Use)		6.21	C	C	C	C	C		Z	Z	Z	Z	C		
Craft Store (See Hobby, Toy, and Craft Shop)		2.12							Z	Z		Z	C		
Craft Studio	164	4.11		C					Z	Z		Z	C		Z
Crematorium		33													C
Dairy Bars, Ice Cream Stores and Ice Cream Manufacturing for on-premise retail sales only		2.113		C					Z	Z		Z	C		
Dance School (See School for the Arts)	179	5.12						Z	Z	Z		Z	C	Zs	
Day Care Center/Nursery School	179	22	C	C	C	C	C	Z	Z	Z	Z	Z	C	Zs	C
Day Care Center Assoc. with Church	179	5.2	C	C	C	C	C	Z	Z	Z	Z	Z	C	Zs	
Department Store		2.12							Z	Z		Z	C		
Detective Agency		3.12						Z	Z	Z	Z	Z	C		
Diet Facility/House		3.12							Z	Z		Z	C		
Distribution Center, Product		10.2										C	C		Z
Doctors', Dentist's Office (Excluding Animal Hospital)		3.13						Z	Z	Z	Z	Z	C		
Domestic Shop (See Drapery and Linen Shop)		2.12		C					Z	Z		Z	C		
Drapery and Linen Shop		2.12		C					Z	Z		Z	C		

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Dry Cleaning and/or Laundry Plant, Service Outlets (Principal Use)		16							Z	Z		Z	C		
Duplex (See Dwelling, Two-family)									Z					Zs	
Dwelling, Duplex	179	1.11		Z	Z	C	Z		Z						
Dwelling, Manufactured (See Manufactured Home) "A"	162 App. J	1.11	Cs	Zs	Cs	Cs	Cs								
Dwelling, Manufactured (See Manufactured Home) "B"	162 App. J	1.11	Cs	Cs	Cs	Cs	Cs								
Dwelling, Modular Home (one unit per lot)	179	1.11	Z	Z	Z	Z	Z		Z					Zs	
Dwelling, Multi-Family	180 L, App. J	1.3		Z	Z	Zs	Z		Z						
Dwelling, Patio Homes		1.11		Z/D	Z/D		Z/D		Z/D						
Dwelling, Single-Family Detached (one unit per lot)	179	1.11	Z	Z	Z	Z	Z		Z					Zs	
Dwelling, Temporary Dependent Care	178, 179	1	Cs	Cs	Cs	Cs	Cs		Cs				Cs	Cs	
Dwelling, Temporary Emergency, Construction, Repair	160, 179	1	Zs	Zs	Zs	Zs	Zs		Zs	Zs	Zs	Zs	C	Zs	
Dwelling, Two-Family Conversion	179	1.2	Z	Z	Z	Z	Z		Z					Zs	
Dwelling, Two-Family Residence or one Primary Residence and one Accessory Apartment	179	1.2		Z	Z	C	Z		Z					Zs	
Dwelling, Modular Home (one unit per lot)	179	1.11	Z	Z	Z	Z	Z		Z					Zs	
Dwelling, Multi-Family	180 L, App. J	1.3		Z	Z	Zs	Z		Z						
Dwelling, Patio Homes		1.11		Z/D	Z/D		Z/D		Z/D						

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- (a) Except where livestock or poultry are kept on a bona fide farm that is exempt from regulations under this ordinance, no person may keep livestock or poultry within 150 feet from any lot line of property owned by another. Nothing in this subsection shall be construed as authorizing poultry or livestock to be kept except where such uses are authorized as an Agricultural Use, Class II.
- (b) Horseback riding stables are subject to the following requirements:
 - (1) The tract must contain at least one acre for every horse kept thereon, provided that, if this density figure is exceeded as a result of a mare giving birth, the colt or filly may remain for weaning purposes for a period not to exceed six months.
 - (2) The structure that houses a horse must meet the following minimum setback requirements: (1) 50 feet from adjacent property lines; (2) 100 feet from pre-existing adjacent residences; and (3) 30 feet from the principal structure when the structure that houses a horse is accessory to a residential structure. In addition, the structure that houses a horse must be located in the rear yard when accessory to a residential structure and the tract is less than four (4) acres.
 - (3) The number of horse stalls permitted shall not exceed the number of horses permitted by this Ordinance.
 - (4) Any outdoor lighting shall not shine directly into a public right-of-way or into residential structures.

Section 176 Special Setbacks For Cemeteries.

Cemeteries must be set back at least 40 feet from adjacent property lines and street rights-of-way.

Section 177 Electric Substations.

Electric substations are permissible in all zoning districts as a permitted use subject to the following supplementary requirements as well as other relevant provisions of this ordinance.

- (a) All structures shall maintain a minimum front yard setback of one hundred (100) feet measured from the highway right-of-way to the required fence enclosing said structure.
- (b) The design of structures shall conform as closely as possible to the character of the neighborhood in which located.

Also included in this definition of agricultural uses are agricultural accessory buildings, and sales of agricultural products grown or raised on the premises. Not included in this definition are the commercial slaughtering of animals for marketing and farm tenant dwellings. Other uses which shall not be deemed as "agricultural uses" include (i) zoos, (ii) kennels, and (iii) riding stables and academies.

For the purposes of this Ordinance, Agricultural Uses are divided into two classes:

- (a) Agricultural Uses, Class I. Agricultural uses not exempt as bona fide farms, excluding livestock, with the exception of horses.
- (b) Agricultural Uses, Class II. Agricultural uses not exempt as bona fide farms, including livestock, horses, and poultry (e.g. turkeys, chickens, ducks, geese, rheas, emus, ostrich, or other domestic fowl), hog and rabbit meat production centers on 10 acre minimum tracts.

Aircraft: Any contrivance used or designed for navigation of /or flight in the air by one or more persons.

Airport: An area of land or water that is designed or used on a recurring basis for the landing and take-off of aircraft, except that an airstrip shall not be considered an airport.

Airstrip: An area of land or water, located on private property, which the owner of such land uses or authorizes the use of) for the landing and take-off of (i) not more than two aircraft owned or leased by the owner of such property, or (ii) aircraft engaged in crop dusting of land owned or leased by the owner of the airstrip and which airstrip is not used in connection with flying lessons or the rental or sale of aircraft, parts, or fuel.

Alteration: A change in the size, configuration, or location of a structure; or a change in the use of a structure or lot from a previously approved or legally existing size, configuration, location, or use.

Amusement Arcade: A commercial facility providing recreational activities that typically include coin-operated amusement machines such as pinball machines, electronic video games and skeet ball machines. A facility shall be deemed an amusement arcade if it has eight (8) or more of such machines.

Amusement/Fun Park: A permanent, outdoor, pedestrian-oriented facility containing a cluster of structures and facilities which house devices for entertainment, including but not limited to rides, booths for the conduct of games, food and souvenir stands, buildings for shows and entertainment (movies), video games, go-carts, remote control cars track, and miniature golf.

Animal Grooming Facility: An indoor facility where household pets, primarily dogs and cats are bathed, clipped, and styled. No overnight care is given and no outside runs or

TAE : USES

Revised 8/26/09

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 291(e)	USES														
			RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI		
ABC Store																	
Accessory Uses	150, 179, 185	2,112	Zs	Zs	Zs	Zs	Zs	Zs	Z	Z	Z	Z	Z	Z	Z	Z	Z
Accounting, Auditing, Bookkeeping Services		3,12							Z	Z	Z	Z	Z	Z	Z	Z	Z
Administrative or Management Services		3,12							Z	Z	Z	Z	Z	Z	Z	Z	Z
Adult Establishment Hotel/Motel, Video Store, Lingerie Modeling Studio	180C, 308	3,11							Z	Z	Z	Z	Z	Z	Z	Z	Z
Advertising Agency		3,12		Cs													Z
Agribusiness Operations	16B	32															
Agricultural Use, Class I (not exempt as a bona fide farm)																	Zs
Agricultural Use, Class I (not excluding livestock)	175, 150(c)(8)	1	Zs	Zs	Zs	Zs	Zs	Zs									Zs
Agricultural Use, Class I (not exempt as a bona fide farm) including livestock	175, 150(c)(8)	1	Zs	Zs													Zs
Agricultural Use, Class II, (Ten acres or more)	175, 150(c)(8), 179	1	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Air Conditioning Supply & Service (See Electric, Heating Supplies/Sales)																	
Airport, Helipad, Helistop Public/Private		15,2	C	C	C	C	C	C									C
Airstrip		15,2															
Ambulance Service (See Public)																	
Safety Station																	
Amphitheater	179	6,22	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Zs
Amusement Facility/Fun Park		6,23															
Animal Grooming Facility/Services (No outdoor runs)		12							Z	Z	Z	Z	Z	Z	Z	Z	C
Animal Hospital, Animal Kennel, Animal Boarding Services		12		C													C
Animal Obedience School (Principal use)		12		C					Z	Z	Z	Z	Z	Z	Z	Z	Cs
Animal Supply Store		2,12		C					Z	Z	Z	Z	Z	Z	Z	Z	C
Antique Store		2,12							Z	Z	Z	Z	Z	Z	Z	Z	C
Apparel Store (See Clothing, Footwear and Apparel Store)																	
Appliances (Household) Store and/or Repairs		2,12							Z	Z	Z	Z	Z	Z	Z	Z	C
Architect Service (See Engineering, Architect, or Survey Services)																	
Art Gallery/Center	179	5,3							Z	Z	Z	Z	Z	Z	Z	Z	Zs
Art Supply Store	179	2,12							Z	Z	Z	Z	Z	Z	Z	Z	Zs
Auction House (excluding animals, without outside storage)		2,12							Z	Z	Z	Z	Z	Z	Z	Z	C
Auction House (excluding animals, with outside storage)		2,21															C
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (under 1000 seats) etc.	179	6,11							Z	Z	Z	Z	Z	Z	Z	Z	Zs
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (1000+ seats)	179	6,13															Cs

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NOTE: Not all districts in this table may appear on the Fairview Zoning Map



**Town of Fairview
Planning Board Meeting
April 19, 2016**

The following Planning Board members were present: Jesse Hargett, Tony Helms, Patricia Kindley, Dr. John Phifer, Nancy Horak Randall, and Greg Morgan

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk, Teresa Gregorius, Town Clerk

Public Comments

None

Reports

Ed Humphries reported that Council approved Text Amendment TC 16-007 regarding bona fide farms.

Items of Business

A. Propose text amendment to add Event Venue/Center to Table of Uses and Definition

Ed Humphries stated that a recent property purchase inquiry had brought it to his attention that the Table of Uses did not include a line item regarding an Event Venue/Center. Mr. Humphries presented the line item for the Table of Uses and also the definition (Exhibit A). After Board discussion, Greg Morgan made a motion to recommend approval of adding Event Venue/Center to the Table of Uses to the Council. Tony Helms seconded the motion. Board members Hargett, Helms, Kindley, Phifer, Randall, and Morgan voted yes (6-0).

B. Discuss first two pages of Table of Uses

Ed Humphries presented the first two pages of the Table of Uses with several changes for the Board to review. The Board discussed the changes and made their recommendations. The clerk will make the agreed changes to the first two pages.

C. Minutes

Nancy Randall made a motion to accept the minutes of the March 15, 2016 meeting. John Phifer seconded the motion. Board members Hargett, Helms, Kindley, Phifer, Randall, and Morgan voted yes (6-0).

Tony Helms made a motion to adjourn. Patricia Kindley seconded the motion. Board members Hargett, Helms, Kindley, Phifer, Randall and Morgan voted yes (6-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Jesse Hargett
Chairman

Approved this _____ day of _____, 2016

EXHIBIT A

Event Venue/Center

RC-80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
	C		C						C	C		

**See Section 161 Special Events

Definition

Event Venue/Center. A facility for meetings and gatherings, such as reunions, conventions, private parties, and other similar ceremonies