

AMENDMENT REGARDING NEW CONDITIONAL ZONING DISTRICT CALLED AGRICULTURAL SUPPORT ENTERPRISES

Whereas, the Granville County Board of Commissioners found it necessary to adopt the Granville County Land Development Code on July 12, 1999, to provide for the orderly, planned, and efficient growth of Granville County; and,

Whereas, the need to amend and/or change this same code from time to time exist to provide for its efficient administration and enforcement or to address changing conditions of the growth and development of the County; and,

Whereas, the Granville County Planning Board held a public hearing on the proposed amendment on November 20, 2014 and after a study of evidence presented, made a favorable recommendation on the adoption of the proposed amendment; and,

Whereas, a notice of public hearing has been given as provided in North Carolina General Statute 153A-323 and the Granville County Land Development Code for a Text Amendment and a public hearing was held by the Board of Commissioners on January 5, 2015, at which, evidence was presented at the public hearing.

Whereas, the Granville County Board of Commissioners hereby adopts the following Plan Consistency Statement:

GRANVILLE COUNTY BOARD OF COMMISSIONERS’ PLAN CONSISTENCY STATEMENT:

There is proposed Comprehensive Plan language under consideration that states “conditional use zoning districts are encouraged to balance neighboring residential and non-residential land uses in agricultural-residential areas. Conditional zoning provides residents an option for developing their property for non-residential land uses in agricultural-residential areas, and provides decision-makers with a legislative process when considering proposed development plans.”

NOW THEREFORE, BE IT ORDAINED BY THE GRANVILLE COUNTY BOARD OF COMMISSIONERS THAT:

SECTION 1. Amend Section 32-42, Table 02.010 of the Granville County Land Development Code by amending the following language (**bold** denotes added language):

District	Map Code	Purpose Section
Agricultural residential-80	AR-80	32-61
Agricultural residential-40	AR-40	32-62
Residential	R-25	32-63
Manufactured home park	MHPD	32-64

Highway business	HB	32-65
Neighborhood business	NB	32-66
Prime industrial	I-1	32-67
General industrial	I-2	32-68
Office/institutional	O/I	32-69
Agricultural support enterprises conditional zoning	ASE-CZ	32-70

SECTION 2. Amend by adding new Section 32-70 to the Granville County Land Development Code by adding the following new language (**bold** denotes added language):

Sec. 32-70. Agricultural support enterprises conditional zoning district (ASE-CZ)

The ASE-CZ district is established as floating zoning district allowing for the development of specific land uses in accordance with established standards. This zoning district requires the approval of a zoning map amendment (rezoning) by the Board of County Commissioners, approval of a site plan (if applicable), and may include agreed-upon conditions of development. Land uses permitted within the district can be found in Sec. 32-144 of this code of ordinances. Any applicable site plan must meet the standards of Appendix 7 of the land development code. Any permitted land use in this district must comply at minimum with the bulk standards in Table 04.100B for non-residential uses in the AR-40 zoning district; and, Articles V, VII (signs allowed in AR-40 zoning district per Table 07.105 of this chapter), VIII, IX, X, XI, XII, XV, XVI, XVII, and XIX of this chapter.

SECTION 3. Amend by adding new Section 32-144 to the Granville County Land Development Code by adding the following new language (**bold** denotes added language):

**TABLE 03.110D
TABLE OF PERMITTED LAND USES – AGRICULTURAL SUPPORT
ENTERPRISES CONDITIONAL ZONING DISTRICT (ASE-CZ)**

Use	ASE-CZ	Other Standards
Agricultural Processing Facility	Y	Setbacks are 75 feet (street, side and rear).
Agricultural Processing Facility, Community	Y	Setbacks are 75 feet (street, side and rear). Building cannot exceed 10,000 square feet.
Agricultural Support Services	Y	

Cattle Merchant Wholesalers	Y	Comply with Section 32-236 (3), (4) & (5).
Cold Storage Facility	Y	Setbacks are 75 feet (street, side and rear).
Community Farmers' Market	Y	Setbacks are 75 feet (street, side and rear) for buildings and vendor areas.
Garden Center with On Premises Sales	Y	
Guest Ranch	Y	Minimum lot size is 20 acres.
Ground-mounted Solar Power Energy System "Solar Farm" (NAICS 221119)	Y	A 25' existing natural vegetative buffer and/or a berm shall be required around the entire solar farm. Either the buffer or berm shall be installed in such a manner that the solar farm shall not be visible from any adjacent property. In addition, the setback from all residential zones shall be 100 feet inclusive of the buffer. The maximum height of the structures shall be 25'.
Horse Shows	Y	Comply with Section 32-235 (3) & (4).
Kennels	Y	
Single-family detached	Y	Dwelling may exist on the same lot as another permitted use or be located on a separate lot. A dwelling located on a separate lot shall comply with the bulk standards for residential uses found in Table 04.100B for the AR-40 zoning district. A dwelling on the same lot as another permitted use shall meet the residential use setbacks found in Table 04.100B for the AR-40 zoning district.
Stockyard/Livestock Market	Y	Comply with Section 32-236 (3), (4) & (5). Minimum of 10 acres.

SECTION 4. Amend Section 32-1302 of the Granville County Land Development Code by adding the following language (**bold** denotes added language):

- (d) ***Agricultural processing facility*** means a facility utilized for the processing and packaging of produce and/or other commodities for transport to off-site wholesale or retail establishments. Facilities may be utilized by farm-based producers, restaurateurs, caterers, food entrepreneurs, and the like. Activities shall include, but may not be limited to, canning, dehydrations, washing, cutting or basic preparation of raw produce prior to shipment but

does not include processing of live animals. May include accessory retail sales of products processed on-site.

- (e) *Agricultural processing facility, Community* means a facility utilized for the processing of produce and/or other commodities produced by no more than 5 cooperative farm partners for the consumption of others (e.g. small canning operation). Activities shall include, but may not be limited to, canning, dehydrations, washing, cutting or basic preparation of raw produce but does not include processing of live animals. May include accessory retail sales of products processed on-site.
- (f) *Cold storage facility* means a facility used to warehouse perishable foods and products prior to transport.
- (g) *Community farmers' market* means an enclosed or open-air facility for the retail sale of locally produced vegetables, flowers, meats, commodities, plants, crafts, etc. For the purpose of this definition, "local" means Granville County and counties that share a border with Granville County.
- (h) *Stockyard/Livestock market* means a facility where livestock are kept temporarily awaiting purchase and/or transport; such facilities may include enclosed pavilions, grandstands, paddocks, and stalls.

SECTION 5. Amend Section 32-1307 of the Granville County Land Development Code by adding the following language (**bold** denotes added language):

- (h) *Guest ranch* means a rural lodge providing overnight accommodations for transient guests seeking a vacation experience characteristic to that of a rural ranch; onsite facilities may include lodge or cabin accommodations, dining facilities, barns, dance hall and recreational facilities, including but not limited to riding rings, trails, fishing holes and swimming facilities.

SECTION 6. Should any provision of this Ordinance amendment be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall have no effect to the validity of the Granville County, North Carolina Land Development Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 7. This Ordinance shall take effect and be in force upon the date and time of adoption.

SECTION 8. This Ordinance duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 5th day of January, 2015.

Tony W. Cozart, Chairman
Board of Commissioners of Granville County,
North Carolina

Attest:

Debra Weary, Clerk to the Board of Commissioners of Granville County, North Carolina