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## **LOWELL PLANNING AND ZONING BOARD MEETING**

Regular Meeting

Tuesday, August 3, 2021, 6:00 P.M.

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- 1. CALL TO ORDER AND DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF THE AGENDA**
- 4. APPROVAL OF MINUTES FROM July 6<sup>th</sup>, 2021 MEETING**
- 5. CONSIDERATION OF TEXT AMENDMENT REMOVING BEAUTY SHOPS AND BARBER SHOPS FROM THE MAIN STREET ZONING DISTRICT.**
- 6. CONSIDERATION OF PROPOSED TEXT AMENDMENT TO LOWELL DEVELOPMENT ORDINANCE ARTICLE 19, SECTION 14 AND SECTION 21.**
  - a. To add reference to the North Carolina Department of Transportation Manual regarding Construction Standards.**
- 7. REVIEW OF LOWELL WOODS SUBDIVISION, PID# 212032, PRELIMINARY PLAT FOR COMMENTS TO PLANNING STAFF.**
- 8. ADJOURN**

Table 8.1 - Table of Uses L-listed use, S-special use, A-use listed with additional standards Section 1 - General Uses of the following:		SIC	Agriculture (AG)	Single Family Residential (SFR-2, SFR-3 & SFR-4)	Manufactured Home Overlay (MHO)	Residential Main Street Transition (RMSST)	Traditional Neighborhood Overlay (TDO)	Main Street (MS)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C-74)	I-85 Commercial (C-85)	Vehicle Service/Repair (VSR)	Industrial (IND)	Heavy Industry Overlay (HIO)
ABC Store (liquor sales)		5971														
Accessory Dwelling Unit			A (10.1-3)	A (10.1-3)		A (10.1-3)	A (10.1-3)	L	A (10.1-3)	A (10.1-3)	L					
Adult Establishment/Uses																
Bookstore, Adult																
Cabaret, Adult																
Massage Parlor																
Motel, Adult																
Movie, Adult - Rental, Sales																
Retail, Adult Products																
Motion Picture Theater, Adult																
Agricultural Based Business Facilities			S (10.2-4)	L					L						L	
Agricultural Production (Crops only)			L													
Agricultural Production (Crops & Livestock)			L													
Agricultural Production (Within Buildings)			L												L	
Alteration, Clothing Repair																
Ambulance, Fire, Rescue Station		7996	L						L	L	L	L	L		L	
Amusement/Water Parks, Fairgrounds		7996										S (10.2-5)	S (10.2-5)			
Antique Store		5992									L	L	L			
Apparel Sales (Clothing, Shoes, Accessories)		5600						L			L	L	L			
Appliance Repair, Refrigerator or Large		7623									A (10.1-37)	A (10.1-37)	L		A (10.1-37)	
Appliance Store		5722									A (10.1-37)	A (10.1-37)	L			
Arts and Crafts Store																
Asphalt Plant		2951														S (10.2-6 & 16)
Athletic Fields			L	L												
Auditorium, Coliseum or Stadium																
Auto Supply Sales		5531						L	L		L					
Automobile Dealers		5571									A (10.1-37)	A (10.1-37)	L			
Automobile Rental or Leasing		7510									L	L	L			
Automobile Repair Services (Major)												A (10.1-4)	A (10.1-4)		A (10.1-4)	
Automobile Repair Services (Minor)												A (10.1-4)	A (10.1-4)		A (10.1-4)	
Automobile Towing and Storage Services		7549													A (10.1-5)	
Bakery		5461						L			L	L	L		A (10.1-37)	
Bank, Savings and Loan, or Credit Union		6000										A (10.1-4)	A (10.1-4)			
Barber Shop		7241						L		L	L	L	L			
Bar/ (with/without Beverage Production Accessory Use)		5813						L		L	L	L	L			
Batting Cage, Indoor																
Batting Cage, Outdoor		7999														
Beauty Shop		7431						L		L	L	L	L			
Bed & Breakfast (incl. Tourist Home, Boarding House except when "Residential Tourist/temporary residence")		7011	A (10.1-8)			A (10.1-8)	A (10.1-8)	L			L	L	L			
Bicycle Assembly (Bike Shop)		3751					A (10.1-37)	A (10.1-37)				A (10.1-37)	A (10.1-37)		A (10.1-37)	
Billiard Parlors		7999					L	L			L	L	L			
Bingo Games		7999					L	L			L	L	L			
Boat Repair		3730										A (10.1-4)	A (10.1-4)		A (10.1-4)	

1. The measures shall control and treat at a minimum the stormwater runoff from the first inch of rainfall volume leaving the project site. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.
2. All structural stormwater treatment systems used to meet the requirements of this ordinance shall be designed to have a minimum of 85% average annual removal for Total Suspended Solids (TSS).
3. The design of drainage facilities in flood hazard areas shall be consistent with the requirements of Article 18 of this Ordinance. No stormwater controls shall be allowed within the floodway. No stormwater controls shall be within 30 feet landward of any perennial and intermittent surface water.
4. The computation of stormwater runoff shall follow established engineering practice. Acceptable methods of computation include the Rational Method, the Peak Discharge Method as described in USDA Technical Release Number 55 (TR-55), and USGS Regression Equations, where applicable. If an alternate method is proposed, the method should be described and justification for using this method should be provided. The same method must be used for both the pre- and post-development conditions.
5. Runoff coefficients shall be based on full development of the project and of the watershed to the extent of the current zoning or land use patterns, and shall include the complete development of the site through build-out, including roof tops and other impervious areas that may be proposed.
6. Stormwater detention shall be provided to insure that the rate of discharge for the 24 hour storm does not exceed the pre-development rate of discharge. In order to demonstrate this, inflow-outflow calculations shall also be submitted for any stormwater detention ponds.

**Section 14:** **Stormwater Design Manual** (amended September 15, 2021)

The City of Lowell's Planning and Development Services Department may furnish additional guidance and standards for the proper implementation of the

regulations of this article and may provide such information in the form of a Stormwater Design Manual. Stormwater management practices that are designed, constructed, or maintained in accord with the Stormwater Design Manual must be presumed to comply with these regulations. However, the Stormwater Administrator shall have the right to consult other engineers and duly qualified professionals, and to impose any conditions or require any modifications deemed necessary to meet the purpose, intent and requirements of this ordinance. In the absence of a Stormwater Design Manual standards and specifications set forth in the NCDOT Subdivision Roads Minimum Construction Standards, specifically Section I - Construction Standards, Subsection I-A - Drainage and structures to meet Subsection I-B Structures (Bridges, Culverts, Dams and Retaining Walls) shall apply.

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4. Spills

Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to a stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to preexisting conditions.

Persons in control of the polluting substances and persons owning the property on which the substances were released or discharged shall immediately notify the City of Lowell Public Works Department of the release or discharge, as well as making any required notifications under state and federal law. Notification shall not relieve any person of any expenses related to restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by State or other law.

5. Nuisance

Illicit discharges and illicit connections which exist within the jurisdiction of the City of Lowell and this provision are hereby found, deemed and declared to be dangerous or prejudiced to public health or public safety and are found, deemed, and declared to be public nuisances.

**Section 20** **Severability**

If any section or sections of this Ordinance is/are held to be invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

**Section 21** **Original Effective Date and Incorporation into Lowell Development Ordinance**

This Article was previously adopted as the Stormwater Ordinance for the City of Lowell, North Carolina and made effective on the 1st day of July 2007. No content has been changed or modified as part of incorporating the material content of this previously adopted ordinance known hereafter as **Article 19** of the **Lowell Development Ordinance** except for the

reference to the NCDOT manual in Section 14.

Draft July 21, 2021