



ORDINANCE NO. 5-2023

AN ORDINANCE AMENDING THE LOWELL DEVELOPMENT ORDINANCE OF THE CITY OF LOWELL, NORTH CAROLINA

WHEREAS, on May 11, 2021 the Lowell City Council adopted the Lowell Development Ordinance, also known as the LDO, to promote the health, safety, and general welfare of the residents of the City of Lowell by regulating the use of buildings and land, land development, planned developments, manufactured housing, development of subdivisions, signs off-street parking and loading, planting yards, watershed protection, flood damage protection, and/or undertaking other consistent action as provided in the Ordinance; and,

WHEREAS, Article 5 of the LDO allows the Lowell City Council to amend, supplement, modify, or repeal any provision of the Ordinance or to amend the Zoning Map pursuant to the procedures established by N.C. Gen. Stat. §160D-601 through §160D-605 and upon a finding of compliance with the City of Lowell Comprehensive Land Use Plan; and,

WHEREAS, on February 7th, 2023, the Lowell Planning Board voted in unanimous consent to recommend a text amendment to the Lowell Development Ordinance (Article 3- Definitions Abbreviations and Symbols, Table 8.1 Table of Uses, Section 9.8-2 Highway Lot Type Standards (A) Building Placement, Parking and Vehicle Access and Table 12.1 Off-Street Parking Spaces to be Provided; and,

WHEREAS, the Lowell City Council, after conducting a public hearing which was duly advertised as provided by the foregoing statutes, has found these Amendments to be in the public interest, in furtherance of the general purpose and objectives of the LDO, and in compliance with the City of Lowell Comprehensive Land Use Plan; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lowell, North Carolina that:

PART 1: Article 3 - Definitions, Abbreviations and Symbols, is hereby amended to read as follows:

“Industrial Flex Space - A building or portion thereof that can be used and/or easily converted to use for office, sales, distribution, or storage as allowed in the IND (Industrial) Zoning District. These spaces will typically have larger percentage of office and/or showroom space than would typically be found in warehouse and distribution buildings.”

PART 2: Article 8, Table 8.1 Table of Uses, is hereby amended to read as follows:

Table 8.1 - Table of Uses	SIC	Industrial (IND)
<u>Industrial Flex Space</u>		<u>I</u>

PART 3: Article 9 Building & Lot Type Standards and Specifications, Section 9.8-2(A) Highway Lot Type, Building Placement, Parking and Vehicle Access, is hereby amended to read as follows:

Parking shall be located to the rear and/or side of the building, except parking for Industrial Flex Space. Parking for Industrial Flex Space uses shall be permitted in the front yard and shall be limited to one row of parking between the building and street. Side-yard parking may occupy no more than 35% of the principal frontage line and shall be buffered from the street according to the buffer requirements as set forth in Article 11. Parking shall not be placed in any side-yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on side-yard parking may be modified.

PART 4: Article 12 Off-Street Parking, Stacking and Loading Areas, Table 12.1 Off-Street Parking Spaces to be Provided, is hereby amended to read as follows:

Type of Land Use	Off-Street Parking Spaces to be Provided:	
	Minimum	Maximum
Office, Business, and Industrial Uses		
<u>Industrial Flex</u>	<u>1.5 spaces per 1,000 Sq. ft. gross floor area</u>	<u>2.5 spaces per 1,000 Sq. ft. gross floor area.</u>

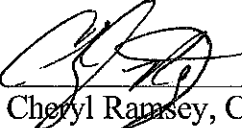
PART 5: All ordinances or portions of ordinances in conflict herein are hereby repealed.

PART 6: Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

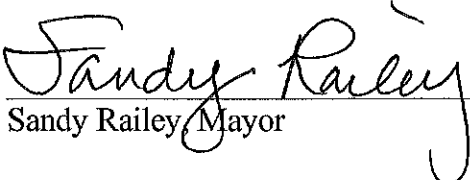
PART 7: This ordinance shall take effect and be in force from and after the date of its adoption. This ordinance is consistent with the purpose and intent of the Lowell Development Ordinance, Lowell City Plan 2040 and any applicable duly adopted small area plans and is reasonable and in the public interest because it promotes the health, safety and welfare.

PASSED AND APPROVED this 14th day of March, 2023.

ATTEST:



Cheryl Ramsey, City Clerk



Sandy Railey, Mayor