



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners
Planning Board

From: Joshua Grant, Division Manager

Date: February 14, 2025

Re: UDO Proposed Amendment #2025-1
Lincoln County Planning and Inspections Department, applicant

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on March 10th, 2025

Proposal

The planning staff proposes the following amendment to the Lincoln County Unified Development Ordinance:

Amend Article 2.5.1.F to establish all recreation uses and whether they are allowed “by-right” or require a special use permit (SUP) in the Eastern Lincoln Development District (ELDD) overlay. Amend associated definitions in Article 12 or groups of uses in Article 2 to correspond to the amendment made in Article 2.5.1.F.

Background Information

The purpose of the proposed amendment is for the Board of County Commissioners to formally adopt the recreation uses such as outdoor recreation fields, event venue, riding stables, etc. into the Eastern Lincoln Development District (ELDD) overlay by establishing those uses that are permitted by right and those that will be required to obtain a Special Use Permit (SUP) to operate in the district.

Previously, when the board adopted a new subsection of uses entitled “recreational uses” in the base districts zoning table, the uses were included in the Eastern Lincoln Development District (ELDD), but their “by-right” and “special use” status were not established. This proposed amendment also alleviates any discrepancies between recreational uses in the base district and how those same uses are classified in the ELDD overlay.



Zoning Amendment

Proposed Statement of Consistency and Reasonableness

Case UDO #2025-1
Applicant Lincoln County Planning & Inspections
Parcel ID# N/A
Location N/A

Proposed amendment

Amend Section 2.5.1.F. to establish recreation uses in ELDD table and determine permitted by-right versus special use requirement status.

This proposed amendment is **consistent** with the Lincoln County Land Use Plan and other adopted plans in that:

The amendment better aligns the uses in the zoning districts with the community type designations provided in the Land Use Plan.



UDO Text Amendment Application

Lincoln County Planning and Inspections Department
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440

Part I

Applicant Name Lincoln County Planning and Inspections Department

Applicant Address 115 W Main St, Lincolnton, NC 28092

Applicant Phone Number (704) 736-8440

Part II

Briefly describe the proposed text amendment.

Amend Article 2.5.1.F - Eastern Lincoln Development District (ELDD) Permitted Use Table

Update the permissibility of recreation uses listed in the Use Table for the overlay district.

A full copy of the text amendment is included in the application.

I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "John L. Gurnett".

Applicant

12/20/2024

Date

	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
P = Permitted S = Special Use (§9.10) * = Group of Uses (§2.3)																
Wireless facility and tower (up to 60 ft)	P	P	P	P	P	P			P	P	P	P		P	P	4.3.8
Wireless facility and tower (61-100 ft)	S	S	S	S	S	S				S	S	S		P	P	4.3.8
Wireless facility and tower (101-325 ft.)	S	S	S	S								S		S	S	4.3.9
Recreational Uses	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	
Amusement Center - Indoor											P	P				
Amusement Center - Outdoor											S	P				
Amusement Center Indoor and Outdoor											S	P				
Fitness Gym											P	P				
Golf Course/Golf Club	S	S	S	S							P	P				
Recreational Club, Private					S							P				\$4.4.15
Gymnasium												P				
Outdoor Recreation Fields	S	S	S	S							P	P				
Outdoor Private Swimming Pool	P	P	P	P	P							P				
Public Recreation facilities and Parks	P	P	P	P	P	P	P	P	P	P	P	P				
Recreational Fishing Lake	S	S										S				
Riding Stables	P	P	P	P	P	P	P	P	P	P	P	P		P	P	
Event Venue	S	S									S	P				
Commercial Uses	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
Adult establishment															S	\$4.4.1
Agriculture*	P	P	P	P	P	P	P	P	P	P	P	P		P	P	
Agriculture (sales, processing) *	S	S													P	
Agricultural supply/equipment sales	S											P			P	
Animal shelter												S			S	
Artist studio, gallery										P	P	P				
Auctions, livestock or outdoor	S											S			S	
Bank or financial institution										P	P	P		S		
Bar or nightclub												S				\$4.4.2
Bed & breakfast	S	S	S	S	S				P	P	P	P				\$4.4.3
Cabinet shop														S	P	
Campground	S				S							S				
Catering, food												P		P	P	
Club, private	P	P	S	S	S	S	S	S				P				\$4.4.4
Contractor's office												P		P	P	\$4.4.5
Contractor's yard														P	P	
Convenience store without fuel sales											P	P		P	P	
Electronic gaming operation												S		S		\$4.4.6
Farm stand	P	P	P	P							P	P		P	P	\$4.4.7
Flea market												S		S	S	\$4.4.8
Florist, wholesale												S		S	S	
Freezer lockers															P	
Funeral home											P	P		S		
Gas station with convenience retail											S	P		S	S	\$4.4.9
Hotel, motel					S							P				\$4.4.10
Kennel	S	S									S	S			S	\$4.4.11
Marina					S											
Microbrewery											P	P				\$4.4.12

Use Table

	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
P = Permitted S = Special Use (§9.10) * = Group of Uses (§2.3)																
Microbrewery combined with restaurant											P	P				\$4.4.13
Newspaper publisher											S	P		P	P	
Office, general *										P	P	P		P	P	
Office, professional										P	P	P		P	P	
Office, medical *										P	P	P		P	P	
Parking lot, commercial															P	
Photo finishing laboratory												P		P	P	
Post office										S	P	P		P	P	
Postal/parcel processing														P	P	
Racetrack	S														S	\$4.4.14
Radio or television studio												P		P		
Recreational club, private					S							P				\$4.4.15
Restaurant, general					S						P	P		S		\$4.4.16
Restaurant, fast food												P		S		
Retail, neighborhood *											P	P				\$4.4.17
Retail, general *											P	P				\$4.4.17
Self-storage facility												S		S	P	\$4.4.19
Service, neighborhood *											P	P		P		\$4.4.20
Service, general *											P	P		P	P	\$4.4.20
Shooting range, indoor											S	S				\$4.4.21
Shooting range, outdoor	S											S				
Tattoo parlor/body piercing establishment												S				
Vehicle repair *															P	\$4.4.22
Vehicle sales *												S		S	S	\$4.4.23
Vehicle service *											S	P		P	P	\$4.4.24
Vending supply															P	
Veterinarian, animal hospital											P	P		S		\$4.4.25
Winery	S	S	S	S	S											\$4.4.26
P = Permitted S = Special Use (§9.11) * = Group of Uses (§2.3)																
Industrial Uses	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
2022 NAICS Classifications																
Mining, oil and gas extraction																
2111 Oil and gas extraction															S	\$4.5.1
2121 Coal mining															S	\$4.5.1
2122 Metal ore mining															S	\$4.5.1
2123 Nonmetallic mineral mining															S	\$4.5.1
2124 Support activities for mining															S	\$4.5.1
Manufacturing																
3111 Animal food															S	
3112 Grain and oilseed milling															S	
3113 Sugar and confectionery product															P	
3114 Fruit and vegetable preserving, etc.															P	
3115 Dairy product															P	
3116 Animal slaughtering and processing															S	
3117 Seafood product preparation															S	
3118 Bakeries and tortilla														P	P	
3119 Other food															S	
3121 Beverage															P	
3122 Tobacco															S	
3131 Fiber, yarn and thread														P	P	
3132 Fabric														P	P	
3133 Textile and fabric finishing															S	

Commercial Use Groups

Utility, Major: A large-scale utility such as water or wastewater treatment plant, water tower, electrical generation plant, or transmission facility or any similar use. “Solar farm” is specifically excluded from the definition of “Major Utility.”

Utility, Minor: All utility facilities not considered major, including, but not limited to neighborhood-serving facilities such as utility distribution lines, sewage collection lines, pump stations, telephone exchanges, lift stations, and stormwater detention facilities, or any similar use.

§2.3.4. Commercial Use Groups

Agriculture: Bona fide farm purposes as defined by N.C. General Statutes 160D-903(a), including the production and activities relating to or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry and all other forms of agricultural products having a domestic or foreign market.

~~*Indoor Recreation Amusement Center, Indoor:* Amusement or recreational activities carried on wholly within a building, including dance hall, theater, bowling alley, miniature golf, laser tag, paintball, go-carts, ropes courses, golf driving range, batting cages, billiards, skating rink, coin operated games, trampoline parks, rock climbing **health club** and activities of a similar nature. This does not include an adult-oriented business. or amusement center.~~

~~*Amusement Center, Outdoor:* Any recreational facility where activity takes place primarily outdoors, including miniature golf courses, batting cages, swimming pool, driving range or a similar facility. This definition does not include riding stables, racetracks or shooting ranges.~~

Office, General: A facility generally focusing on business, government, professional or financial services. General office shall include the following: advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, or architect; sales office, travel agency or any similar use.

Office, Medical: A medical facility in which a doctor, dentist, psychiatrist, physician’s assistant, nurse practitioner or similar medical provider treats or counsels patients.

~~*Outdoor Recreation:* Any recreational facility where activity takes place primarily outdoors, including miniature golf courses, batting cages, swimming pool, driving range or a similar facility. This definition does not include riding stables, racetracks or shooting ranges.~~

Retail, General: A facility involved in the wholesale or retail sale, lease, or rental of new or used products to through traffic as well as the surrounding neighborhood. General retail shall include the selling, leasing or renting of the following goods: antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods; or any similar use. The retail sale of

Manufactured home, Class B	P
Manufactured home, Class C	P
Manufactured home, Class D	P
Manufactured home, Class E	P
Manufactured home, Class F	P
Manufactured home park (<20 units)	
Manufactured home park (>20 units)	
Civic Uses	
Airport, public or private	
Adult care home	S
Bus terminal, public	S
Cemetery	P
Civic club or community center	S
Coliseums 1000+ seats	S
College	S
Correctional facility	
Child care center, small group (1-6)	P
Child care center (6+)	S
Family care home	P
Hospital	S
Museum, library	P
Nursing home	S
Park, open area *	P
Place of worship, seating capacity<500	P
Place of worship, seating capacity 500 to 1000	S
Place of worship, seating capacity >1000	S
Public facility	P
Railroad terminal and yard	
Recreation facilities, private	S
Recreation facilities, public	S
School, elementary and secondary	P
Solar farm	S
Technical, trade, business school	S
Utility, minor *	P
Utility, major *	S
Wireless facility and tower (up to 60 ft)	P
Wireless facility and tower (60-100 ft)	S
Wireless facility and tower (101-325 ft.)	
Recreational Uses	
Amusement Center - Indoor	P
Amusement Center – Outdoor*	S
Amusement Center – Outdoor & Indoor	S
Fitness Gym	P
Golf Course / Golf Club	S
Recreational Club, Private	S
Outdoor Recreation Fields	S
Outdoor Private Swimming Pool	S
Public Recreation Facilities & Parks	P
Recreational Fishing Lake	S
Riding Stables	P
Event Venue	S

Eastern Lincoln Development District

Commercial Uses	
Adult establishment	S
Agriculture (involving livestock) *	
Agriculture (sales, processing) *	
Agricultural supply/equipment sales	S
Amusement center, indoor	S
Animal shelter	
Artist studio, gallery	S
Auctions, live stock or outdoor	
Bank or financial institution	P
Bar or nightclub	S
Bed & breakfast	S
Cabinet shop	S
Campground	
Catering, food	S
Club, private	S
Contractor's office	S
Contractor's yard	S
Convenience store without fuel sales	P/S**
Commercial fishing lake	
Farm stand	S
Flea market	S
Florist, wholesale	S
Freezer lockers	
Funeral home	P/S**
Gas station with convenience retail	S
Hotel, motel	S
Indoor Recreation *	S
Kennel	S
Machinery repair	S
Marina	
Microbrewery	P
Microbrewery combined with restaurant	P
Newspaper publisher	S
Office, general *	P
Office, professional	P
Office, medical *	P
Outdoor recreation, private *	S
Outdoor recreation, public *	S
Parking lot, commercial	
Photo finishing laboratory	S
Post office	P
Postal/parcel processing	S
Racetrack	
Radio or television studio	S
Recreational club, private	S
Restaurant, fast food	P/S**
Restaurant, general	P/S**
Retail, neighborhood *	P
Retail, general *	P/S**
Riding stable	S
Self-storage facility	S
Service, neighborhood *	S
Service, general *	P/S**
Shooting range, indoor	S
Shooting range, outdoor	
Storage, private (on <2 ac.)	
Storage, private (on 2+ ac.)	

AMUSEMENT CENTER. A commercial facility providing entertainment and recreational activities and games to the general public. ~~Not including theaters, concert halls, stadiums or electronic gaming operations.~~ May occur indoors, outdoors or a combination of both. This includes, but not limited to, ~~theaters, concert halls, stadiums,~~ bowling alley, miniature golf, laser tag, paintball, go-carts, ropes courses, golf driving range, batting cages, billiards, skating rink, coin operated games, trampoline parks, rock climbing.

ANTENNA. A system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals. Such shall include, but not be limited to radio, television, cellular, paging, personal telecommunications services (PCS), microwave telecommunications and services not licensed by the FCC, but not expressly exempt from the County's siting, building and permitting authority.

APPROACH SURFACE. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the angle as the height limitation slope, as established in §2.5.4.B. In plan view, the perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES. See §2.5.4.A.

APPROVAL AUTHORITY. The Board of Commissioners, Board of Adjustment or other board or official designated by Article 8 as being authorized to grant the specific zoning or land use permit or approval that constitutes a site specific development plan.

ARTERIAL. A principal or major arterial. (See §5.4.9)

ARTIST STUDIO, GALLERY. A building used for the preparation and display of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items.

ASSISTED LIVING RESIDENCE. Any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies.

BED AND BREAKFAST. A building designed and built as a detached single-family containing one or more guest rooms for an overnight stay which are rented at a daily rate and where breakfast is the only meal served to guests.

BEST MANAGEMENT PRACTICES (bmps) – Structural or non-structural methods of preventing or reducing non-point source pollution in order to achieve stormwater water quality protection goals.

BOARD OF ADJUSTMENT. A Board consisting of five members appointed by the Lincoln County Board of Commissioners as provided in G.S. § 153A-345. (See also §8.3)

BOARD OF COMMISSIONERS. The Lincoln County Board of Commissioners.

BOARDING HOUSE: A detached single-family, other than a bed and breakfast, in which rooms are rented to persons not part of the immediate family.

BUFFER ZONE. See §7.5.2.

BUFFER, PARKING. See §3.4.6.B.2.

BUFFER, PERIMETER. See §3.4.6.A.

BUFFER, ROAD. See §3.4.6.B.1.

BUFFER, STREAMSIDE. See §7.5.