

Proposed Text Amendment

Add “Agritourism Catering Facility” With Associated Site Specific Standards in the Rural Zoning District, Section 3.2.1 of the Huntersville Zoning Ordinance

1. Add the following definition of “Agritourism Catering Facility” to Section 12.2.1, General Definitions:

Agritourism Catering Facility. Buildings, improvements and facilities used in connection with an operation providing event-based food services for both (1) on-site agritourism facilities (whether indoors or outdoors) used for public or private events, including but not limited to weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting; and (2) subject to Section 9.60, off-site public and private events. Personal property and equipment utilized exclusively in providing on-site catering services to agritourism facilities shall be exempt from regulation in the extraterritorial zoning jurisdiction. In order to qualify under this definition, an Agritourism Catering Facility must be located on property designated and used for bona fide farm purposes as contemplated by N.C.G.S. § 153A-340(b).

2. Add the following use to Section 3.2.1 Rural District (R), paragraph A):

*[Note: the Applicant has requested that this use be listed as a Use Permitted With Conditions. Staff requests that this use be listed as a Use Permitted with a Special Use Permit]*

- Off-site Catering Services Performed in an Agritourism Catering Facility (9.60)

3. Add the following new Section 9.60 to Article 9, Conditions for Certain Uses:

*[Note: the Applicant has requested that this use be listed as a Use Permitted With Conditions. Staff requests that this use be listed as a Use Permitted with a Special Use Permit]*

9.60 Off-site Catering Services Performed in an Agritourism Catering Facility

Off-site catering services in an Agritourism Catering Facility are permitted in the Rural Zoning District [applicant request: as a Use Permitted with Conditions if the following standards are met:] [Staff recommendation: subject to a Special Use Permit, according to the procedures of Article 11.4.10, if the evidence introduced at the Special Use Permit Hearing establishes that the following standards are met (as modified, if applicable):

1. The facility shall be located on a lot of at least twenty (20) acres in size.
2. A principal residence shall be located on site.
3. There shall be no more than twelve (12) employees present and performing activities for the off-site catering services at any time, excluding on-site resident family members of the facility owner employed in the catering operation. As used in this section 9.60, employees who are present and performing activities for both on-site and off-site catering services shall count towards the twelve (12) employee limit. The [zoning permit] [special use permit] shall specify the number of employees permitted at the facility at the same time.
4. That facility shall have adequate off-street parking for the permitted number of employees and for the vehicles used for off-site catering services. In order to accommodate employees, off-site catering vehicles and visiting clients of the catering operation, there shall be a minimum of 1.5 spaces for each permitted employee and off-site catering service vehicle. As used in this section 9.60, vehicles used for both on-site and off-site catering services are included and subject to these regulations. Such parking shall have a visually opaque buffer at least thirty-

five feet in width along the adjacent boundary [Requested by applicant: or a structural screen such as a fence that is augmented with vegetation].

5. There shall be no outside storage or evidence of personal property, materials and equipment used for off-site catering services visible from adjoining residences or streets. As used in this section 9.60, personal property, materials and equipment used for both on-site and off-site catering services are included and subject to these regulations.
6. If any portion of the facility utilized by the off-site catering services is located within the on-site principal residence, such portion shall occupy no more than twenty-five percent (25%) of the total finished square footage of such principal residence. The total square footage of the facility used for off-site catering services may not exceed fifty (50%) of the total finished square footage of such principal residence. As used in this section 9.60, portions of the facility used for both on-site and off-site catering services are included and subject to these regulations.
7. The lot containing the facility shall have (i) a minimum of thirty feet (30') of frontage on a public road or (ii) a thirty foot (30') wide exclusive easement to a public road. [applicant requests that a shared exclusive easement, of a minimum of 40' in width, for use by no more than three adjoining properties at the time of the issuance of the [zoning][special use] permit.
8. Entrance drives, internal drives, parking and service areas may be gravel, crushed stone, or other suitable material approved by the Planning Director. These areas shall be well-maintained and kept free of potholes, weeds, etc. The initial fifty feet (50') of driveway from the public roadway connection shall be paved with concrete or asphalt.
9. [Applicant requests that if the Board rejects applicant's suggested language in Items #4 or #7 (above) that the use is classified as a special use and the following language shall be added:] As each property is unique, the Town Board may modify the above standards based on particular topographical issues, or impacts (or lack thereof) on surrounding properties. .