

AN ORDINANCE TO AMEND ARTICLE 3.2.1, 3.2.2, ARTICLE 9 AND ARTICLE 12 OF THE ZONING ORDINANCE TO ALLOW DORMITORIES FOR A BONA FIDE FARM WITH A SPECIAL USE PERMIT

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 Rural District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.2 Transitional Residential District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9 Conditions for Certain Uses of the **Zoning Ordinance** is hereby amended by adding the following:

9.62 Dormitory

Dormitories for a bona fide farm are permitted in the Rural and Transitional Zoning Districts subject to a Special Use Permit according the procedures of Article 11.4.10. The Town Board shall issue a special use permit for the use in a Rural or Transitional Residential Zoning District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

- 1. The use will not endanger health and safety, does not substantially reduce the value of nearby property.**
- 2. The use does not conflict with long range plans.**
- 3. The use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic.**
- 4. Buildings, parking, trash facilities shall be setback at least 100' from any adjoining property line and 500' from any public street right-of-way.**
- 5. The use shall be visual screened year round from all adjoining properties and public streets.**
- 6. The driveway and parking area shall, at minimum, be ground asphalt**
- 7. The dormitory is located on a bona fide farm of at least 100 contiguous acres.**

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12 Definitions and Rules of Construction of the **Zoning Ordinance** is hereby amended as follows:

Dormitory. A building containing bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with, or employed by the same educational, religious, **bona fide farm** or health institution. "Dormitory" shall not include a boarding house, motel, hotel, group home, or health institution.

Section 5. That this ordinance shall become effective upon approval by the Huntersville Town Board

HUNTERSVILLE ORDINANCE ADVISORY BOARD: July 1, 2021

PUBLIC HEARING DATE: July 19, 2021

PLANNING BOARD MEETING: July 27, 2021

TOWN BOARD DECISION: August 16, 2021