Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

Public Hearing
ZMA-3-2025

2863 East Highway 27
PID 17410



Applicant Request:

Rezone PID 17410 back to Planned Business

Current Zoning:

General Business (Conditional District)

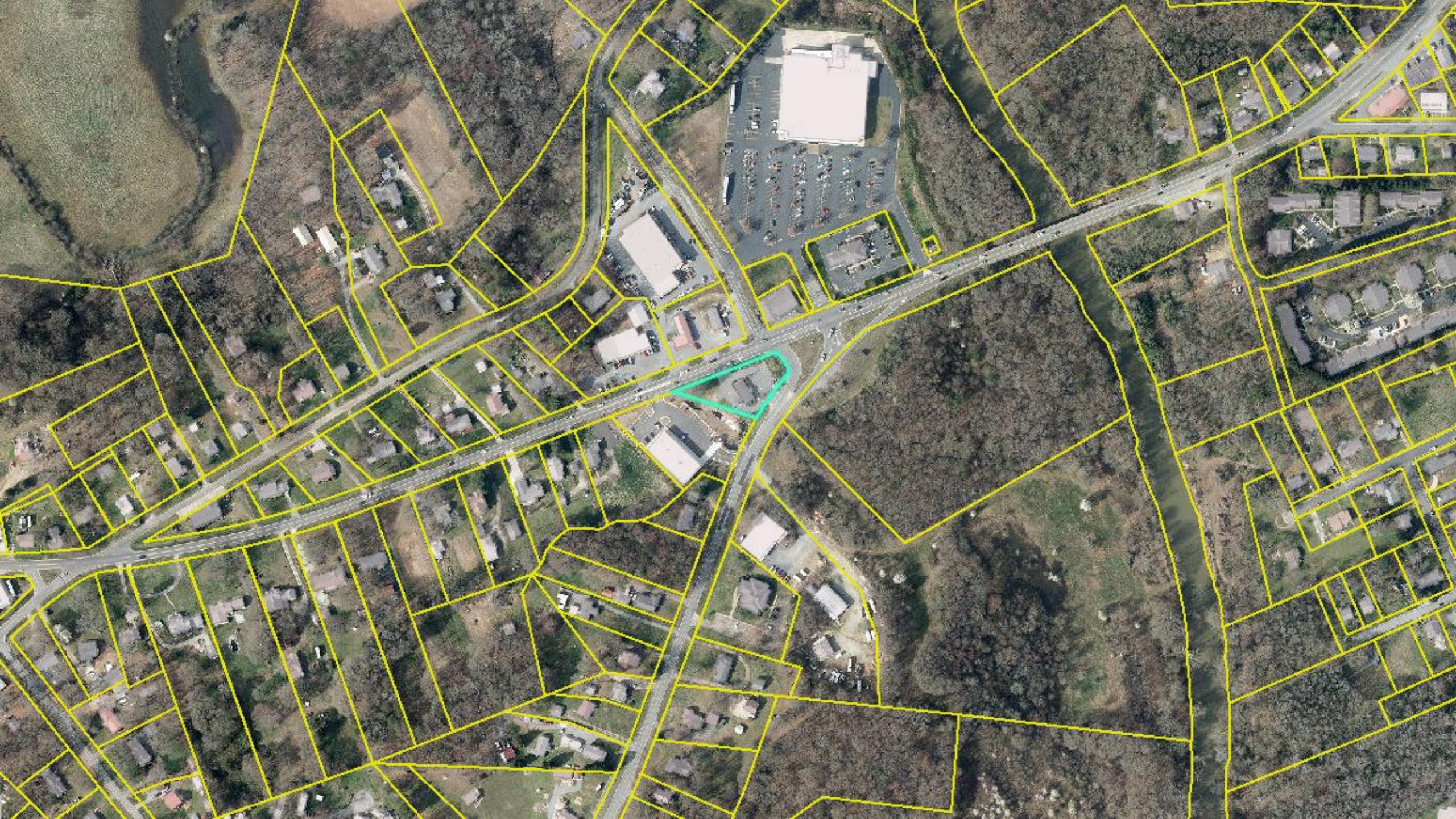
Background:

Until September 2, 2021, when City Council approved a conditional rezoning to the General Business(Conditional District) GB(CD) for the purpose of opening an auto sales lot, it had been zoned Planned Business (since 1990).

Previous Uses:

Automobile Sales Lot – GB(CD)

Carolina Trust Bank - PB




B&C
AUTOMOTIVE


ACE

§ 153.315 AMENDMENTS TO TEXT AND MAP.

Except for conditional rezonings, neither the Planning Board nor the City Council shall evaluate a rezoning petition based on any specific proposal for the use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested zoning district.

§ 153.116 P-B PLANNED BUSINESS DISTRICT.

(A) *Permitted uses.* The following uses shall be permitted by right.

(1) All uses permitted in § 153.113(A) of this chapter provided that the uses:

(a) Are limited to a maximum of 5,000 square feet of gross floor area;

(b) Contain only one principal building on the lot; and

(c) Contain no more than one principal use per principal building.

(d) The limitations in § 153.116(A)(1)(a) through (c) above shall not apply to development sites located 200 feet or more from residential land uses located in residential zoning districts.

(2) The prohibition of fuel sales for convenience stores as listed in § 153.113(A) of this chapter shall not apply to the PB District;

(3) Signs in accordance with §§ 153.160 through 153.172 of this chapter;

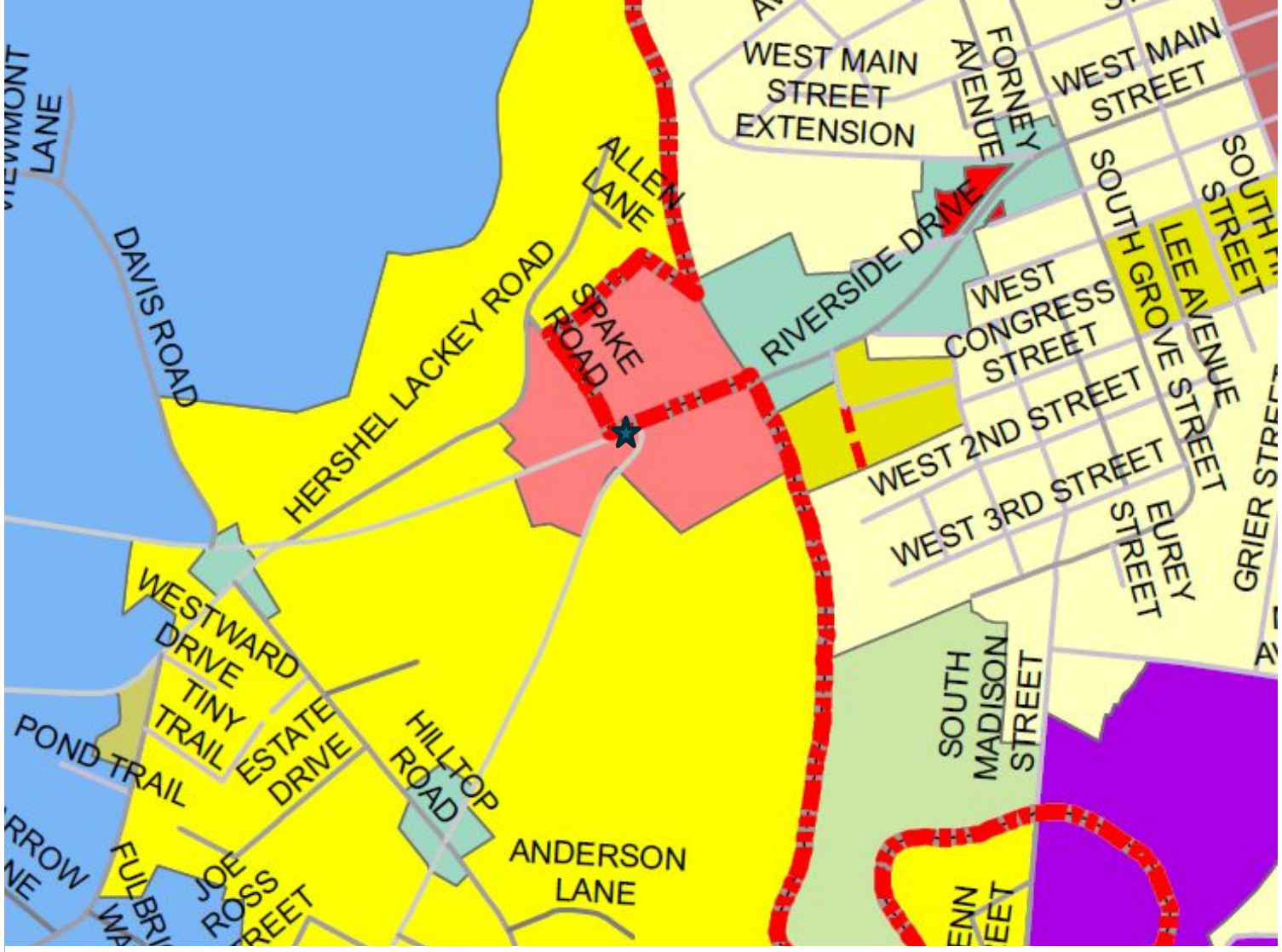
(4) Off-street parking and loading in accordance with §§ 153.185 through 153.188 of this chapter;

(5) Publicly operated alcohol beverage control (ABC) store.

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.259 of this chapter and subject to the associated below prescribed standards.

(1) Accessory apartments in commercial structures provided all building and fire codes are met provided all building and fire codes are met, living quarters do not exceed 30% of the total square footage of the structure and occupancy is limited to employees of the business located in the commercial structure on the premises; and

(2) Tattoo studio.



Land Use Code and Description

CB, Central Business	MURC, Mixed Use Residential/ Commercial	ROS, Recreation/ Open Space
CBT, Central Business Transitional	NB, Neighborhood Business	RR, Rural Residential
GB, General Business	NBC, Neighborhood Business Corridor	RS, Residential Suburban
IND, Industrial	PB, Planned Business	TSF, Traditional Single-Family
IO, Institutional Office	RHD, Residential High Density	

LAND USE PLAN COMPLIANCE

The land use plan shows the property in the **Planned Business** Planning Area.

These are planning areas in select, older portions of the City where true "urban villages" consisting of high-density residential uses (both single- and multi-family) and associated small-scale and pedestrian-oriented offices and retail uses may be located. The thrust behind these planning areas is to create areas in which persons are able to both live, work and shop. They are designed to emulate development patterns from the early and mid portions of the twentieth century when reliance on the automobile was not paramount. In order for such a concept to be feasible, an area of significant size must be so designated thus ensuring that there will be ample room for the variety of uses needed to create a "village.“

Staff views this rezoning as consistent with the Land Use Plan.

Staff's Proposed Statement of Consistency and Reasonableness for APPROVAL of Application

Case No. ZMA-3-2025
Applicant: Bug Busters
Parcel ID#: 17410
Location: 799 W NC 27 Hwy
Request: Rezone from General Business(CD) to Planned Business

The proposed rezoning of the subject property from **General Business Conditional District (GB-CD)** to **Planned Business (PB)** is **consistent with the adopted Land Use Plan**, which designates the area as appropriate for Planned Business development.
This rezoning supports strategies outlined in the Land Use Plan in the following ways:

1. The proposed rezoning facilitates the productive reuse of a commercial property that has been underutilized, aligning with the community's goal of revitalizing existing commercial infrastructure.
2. By promoting redevelopment within an already developed area, this request advances sustainable growth practices and helps to preserve undeveloped land.

The request is **reasonable and in the public interest** because it supports revitalization, encourages investment in existing infrastructure, and aligns with long-term planning goals for economic development and land use efficiency.

Staff's Proposed Statement of Consistency and Reasonableness for DENIAL of Application

Case No. ZMA-3-2025
Applicant: Bug Busters
Parcel ID#: 17410
Location: 799 W NC 27 Hwy
Request: Rezone from General Business(CD) to Planned Business

The Lincolnton Land Use Plan designates this property as part of the Planned Business Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. However, keeping the conditional zoning to allow for an automobile sales lot would be more desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

Planning Board Recommendation:

Planning Board voted 6-0 in favor of recommending approval

Planning Board recommends the following actions:

1. Approval of rezoning of the property from General Business Conditional District to Planned Business
2. Approve the statement of consistency for approval of the zoning map amendment

For Denial, City Council would need a motion to include the following actions:

1. Denial of rezoning of the property from General Business Conditional District to Planned Business
2. Approve the statement of consistency for denial of the zoning map amendment