



TOWN COUNCIL REGULAR MEETING

PINEVILLE HUT MEETING FACILITY

TUESDAY, JUNE 22, 2021 AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor Jack Edwards called the meeting to order @ 6:30 p.m.

Mayor Edwards
Mayor Pro Tem Melissa Davis
Council Members: Joe Maxim, Les Gladden, Amelia Stinson-Wesley
Town Manager: Ryan Spitzer
Finance Director: Richard Dixon
Zoning Manager: Travis Morgan
Town Clerk: Barbara Monticello, Lisa Snyder
Planning Board: Jim Knowles, Thomas White, Eric Fransen, Kevin Kendrick

Pledge Allegiance to the Flag (BM)

Town Clerk Barbara Monticello led everyone in the Pledge of Allegiance.

Moment of Silence

Mayor Jack Edwards reminded all of the passing of Daryl Hefner. He also requested we remember our first responders, police, fire, military and other front-line workers.

Oath of Office for New Town Clerk, Lisa Snyder

Mayor Edwards swore the new Town Clerk, Lisa Snyder, in to office

Commercial Block Proclamation. Council Member Amelia Stinson-Wesley wanted to highlight the Proclamation of the Commercial Block and expressed her appreciation to the owners for preserving the architectural aspects of the building and how the flavor and tenor of the building has been maintained. Mayor Edwards consented, as well.

Kyra Stinson-Wesley made a presentation on behalf of Pineville Neighbors Place.

John Holibinko of the Pineville Chamber cited his own proclamation protesting Barbara Monticello's retirement with the Town. Barbara spoke briefly in response to his proclamation.

PUBLIC HEARING

Public Hearing for NCGS 160D Text Amendment

Planning Board Member Eric Fransen moved to open the Public Joint Hearing and Planning Board Member Thomas White seconded.

Planning Director Travis Morgan discussed the elements of the North Carolina General Statutes 160D text requirements and general ordinance updates.

Council Member Les Gladden discussed types of trees being planted and their roots potentially damaging the sidewalks as they grow.

Mr. Morgan stated he had seen problems with Red Maples as street trees and that the approved street tree list had been revised and Red Maples removed. It was noted new sidewalk construction specifications are in place and wider planting strips are encouraged.

Council Member Les Gladden requested that we increase the minimum size of parking lot screening shrubs from 2 ft to 3 ft.

Council Member Joe Maxim asked about default standards regarding Town versus County related to the zoning permitted uses chart. Mr. Morgan stated we have our own Table of Uses which prevails. County and/or state standards mentioned are for building standards, storm water, fire, and similar engineering items not included in the zoning ordinance.

Council Member Amelia Stinson-Wesley inquired about odor nuisance ordinance and applicability within or outside of Town limits. Mr. Morgan stated that our ordinance is used with odors typically originating within Pineville. Mrs. Stinson-Wesley inquired about if our ordinance could be used to help others such as with the out of state odor issue. Mr. Morgan noted the best option for applicability and enforcement for out of state odor issue would be through the local governing body there but could further look into any odor issues as they impact property within Town limits.

Council Member Les Gladden inquired about permitted accessory structures. Discussion was made around permitted secondary dwellings units (mother-in-law suites) versus accessory structures and maximum permitted sized for each. Conversation ended on agreement to remove existing added language for accessory structures for properties less than two acres to revisit maximum sizes on smaller lots in the future.

Concern was noted for illegally constructed structures. Bottom line is that a resident will need a permit and zoning approval for storage structures.

Mr. Morgan summarized the discussion from Council and Planning Board:

- Change in the minimum parking lot screening shrub height from 2 ft. to 3 ft. tall.
- Permitted uses in the zoning ordinance does not default to Charlotte or Mecklenburg standards.
- Maximum number of vehicles parked in the front yard based on bedrooms is related to the primary dwelling and excludes secondary (mother-in-law suite) dwellings.
- Accessory structure amendment provisions for residential lots of 2 acres or less was to be removed in favor for additional future discussion.

Mr. Morgan asked the Planning Board if they were ready to make a recommendation on the Zoning Ordinance updates, Table of Uses Chart, and Current Zoning Map.

Planning Board member Thomas White moved to recommend to the Pineville Town Council the Zoning Ordinance text amendments with the above four summary amendments noted, along with the updated zoning table of uses chart and 2021 Zoning Map.

Planning Board member Thomas White moved to close the public meeting. Second by Eric Fransen. 5 – 0 to close.

Mayor Edwards called for a Motion on 160D Zoning Ordinance. Council Member Les Gladden made the Motion to Approve the revised Zoning Ordinance with the four noted items previously stated by Mr. Morgan and recommended by the Planning Board.

Council Member Les Gladden moved and Council Member Amelia Stinson-Wesley seconded. Motion passed 4 – 0.

PUBLIC HEARING

Subaru dealership located at 10400 Cadillac Street

Planning Director Travis Morgan Council introduced the proposal for a new 60,000 square foot dealership and noted the particular site at the end of Cadillac Street and near Little Sugar Creek floodplain. Mr. Morgan discussed the dealership signage noted by Council Member Les Gladden to not be above the dealership actual roof, landscape plan, lighting plan and display cars as shown. Proposal was to meet all applicable Town and County requirements. Mayor Pro Tem Melissa Davis noted and questioned the desire for businesses like the car dealerships to locate within Pineville but not to include the Pineville name but the name "South Charlotte" instead. Council Member Les Gladden inquired if the dealership would be willing to meet the newly approved 3 ft. tall parking lot shrubs above what was shown along the front of the dealership. Steve Porter, of Subaru, was on Zoom meeting and agreed to plant larger bushes.

Council member Joe Maxim moved to close the Public Hearing and seconded by Mayor Pro Tem Melissa Davis. Motion passed 4 -0.

PUBLIC HEARING TO AMEND PSA WITH US DEVELOPMENTS

Town Manager Ryan Spitzer discussed the phase one study. A study was done and will now require a phase two to determine if the level of contaminants are at a high level. Phase two has to be done to re-evaluate and re-develop. US Development is requesting that the Town pay for Phase two. The proposed cost is between \$27,000 and \$42,000. Council discussed and agreed that it has to be done. Motion made by Council Member Joe Maxim and seconded by Council Member Les Gladden to close the public hearing. Motion passed 4 – 0.

OLD BUSINESS

Proposed Budget. Town Manager Ryan Spitzer presented three changes to the proposed budget since the May meeting. He explained the different type of funds available to the Town. A balanced budget is needed by July 1st. He outlined Restricted Funds and how they can be used. Project Budget was reviewed. The tax rate will remain the same at .33 cents per \$100. Employees will receive a 2% COLA increase and the Police will receive a higher increase of 10% and stepdown as the grade goes up. Telecommunicators will also see a 10% increase.

Adoption of Electric Rates. Electric rates did not increase for residents. This is the fifth year in a row that rates were not increased. Town Manager Ryan Spitzer also discussed the budget impacts for FY 21-22. He anticipates \$2.6 million over the next two years for Covid Relief. We have until the year 2026 to spend those funds.

New Town Hall. Mr. Spitzer updated the progress of the new Town Hall. It is expected to open the Summer of 2022 with the library following two to three months after. Council Member Melissa Davis would like to see a fountain at the new Town Hall. Council member Les Gladden added that now is the time to put in water piping and electric so we could put in a fountain at the new Town Hall.

Since the Public Hearing on May 3rd three changes were made to the budget: (1) reduced Fire Dept. salaries; (2) removed fencing of project at Jack Hughes Park and (3) remove the split A/C units at Lake Park.

Council member Les Gladden moved to adopt the budget and Council Member Joe Maxim seconded. Motion passed 4-0.

Electric rates. Mr. Spitzer noted that the rates increased due to the NC State Statutes for the Renewable Energy and Energy Efficiency Portfolios Standard (REPS):

Residential: 77 cents to 81 cents

Businesses: \$4.19 to \$4.41 per month

Industrial: \$43.15 to \$45.45 per month

A motion was passed to adopt the Electric Reps and Riders rates with 4 – 0 vote.

Vote on Subaru. There was a vote to change the height of the bushes from 2 ft to 3 ft. Council member Les Gladden moved and Joe Maxim seconded. Motion to change the height of the bushes passed 4 – 0.

Vote on the amended PSA with US Development. Council Member Joe Maxim moved to vote on the amended PSA/US Development and Mayor Pro Tem Melissa Davis seconded to approve. Motion passed 4 – 0.

Year-End Budget Finance Director Richard Dixon discussed the year-end budget. There were no questions. Motion made by Council Member Joe Maxim and seconded by Mayor Pro Tem Melissa Davis to approve. Motion passed to approve all year-end budget amendments.

Approve Project Budget for Lynnwood/Lakewood Project. Council member Les Gladden would like to make it easier for residents to understand the next step to determine if council wants to pay those who do not want to donate their land. Mayor Pro Tem Melissa Davis moved to approve and Council Member Joe Maxim seconded to approve the project budget. Motion passed 4 – 0.

Project Budget Fire Department. Finance Director Richard Dixon discussed and requested approval for the creation of a Capital Project budget. The total budget is \$1 million. At this point in time, funds can be added in the account as the project gets implemented. Council Member Les Gladden moved and Council Member Joe Maxim seconded. Motion passed 4 – 0.

Resolution 2021-13 for Town Manager to accept ARPA funds. \$2.64 million is the anticipated fund amount. We expect to receive half by July 1st with the remainder being distributed within two years. The money has to be spent by 2026. We have to have a plan on how to spend the money by 2024. Council member Joe Maxim moved and Council Member Les Gladden seconded. Motion passed 4 – 0.

ARPA Grant Ordinance. Richard Dixon shared his discussion with the auditors. He would like the approval of this ordinance so he won't have to return to Council. Town Manager Ryan Spitzer will report back to Council when he receives the monies. Council member Amelia Stinson-Wesley asked if we have the personnel to handle the details with what this grant would entail. Mayor Pro Tem Melissa Davis moved and Joe Maxim seconded. Motion passed 4 – 0.

Interlocal Agreement. Town Manager Ryan Spitzer explained it will be a mutual aid agreement across State lines to assist law enforcement. Council member Amelia Stinson-Wesley asked Chief Hudgins if he feels comfortable with dealing across the lines and he answered yes. Motion made by Council member Les Gladden to approve and seconded by Council Member Amelia Stinson-Wesley. Motion passed 4 -0.

Manager's Report. Town Manager Ryan Spitzer reported on the new town hall progress. He noted that the Symphony will be in Town this weekend.

Approval or Minutes. A motion was made to approve the May 11 and May 24 Minutes. Council member Amelia Stinson-Wesley moved and Mayor Pro Tem Melissa Davis seconded to approve the Minutes. Motion carried.

ADOPTION OF AGENDA

Motion made by Council Member Joe Maxim, Seconded by Council member Amelia Stinson-Wesley to adopt the agenda.

ADJOURN

Motion made by Council Member Stinson-Wesley, Seconded by Mayor Pro Tem Davis to adjourn the meeting at 8:55 p.m. Meeting adjourned.



Mayor Jack Edwards

ATTEST:



Lisa Snyder, Town Clerk



TOWN COUNCIL REGULAR MEETING

PINEVILLE HUT MEETING FACILITY

TUESDAY, JUNE 22, 2021 AT 6:30 PM

AGENDA

CALL TO ORDER

Pledge Allegiance to the Flag

Moment of Silence

1. **Swearing In of New Town Clerk** (*Mayor Edwards*) - Mayor Edwards will administer the Oath of Office to New Town Clerk, Lisa Snyder.

ADOPTION OF AGENDA

APPROVAL OF THE MINUTES

2. **Approval of the Minutes of the Regular Council Meeting of May 11, 2021 and the Work Session Meeting of May 24, 2021.**

CONSENT AGENDA

3. **Revenue and Finance Reports as of 5/31/21** - (*Richard Dixon*)
4. **Proclamation** - A proclamation recognizing years of service and retirement of Captain Toby Calhoun.
5. **Resolution No. 2021-12 declaring Capt. Calhoun's service weapon & badge as surplus**
6. **Proclamation for Pineville Commercial Block** - (*Mayor Edwards*) - To recognize the 100-year anniversary of the building at 316 Main Street
7. **Resolution for Surplus Items** - Resolution No. 2021-10 for surplus police vehicles and Public Works equipment.
8. **Tax Refund** (*Richard Dixon*) - for \$1,809.40

PUBLIC COMMENT

PUBLIC HEARING

9. **Joint Public Hearing for Chapter 160D ordinance changes** (*Travis Morgan*) - Joint Public Hearing with Planning Board to review ordinance changes. (INFORMATIONAL ITEM)
10. **VOTE on 160D** (ACTION ITEM)
11. **Public hearing for a Subaru Dealership** (*Travis Morgan*) - Final plans being presented for approval (INFORMATIONAL)
12. **Public hearing to Amend PSA with US Developments** (*Ryan Spitzer*) - Public hearing to review changes to original PSA with US Developments.

OLD BUSINESS

13. **Vote on Budget and Fee Schedule** (ACTION ITEM)
14. **Vote on Electric Reps and Riders** (ACTION ITEM)

NEW BUSINESS

15. **Council Vote on Subaru Dealership** (ACTION ITEM)
16. **Council vote on amended PSA with US Development** (ACTION ITEM)
17. **Year-end Budget Amendments** (*Richard Dixon*) - Presenting budget amendments to close out FY21.

18. **Approve Project Budget for Lynnwood/Lakewood project** (*Richard Dixon*) (**ACTION ITEM**)
19. **Project Budget for Fire Building Construction** (*Richard Dixon*) - Presenting project budget for fire department building.
20. **Resolution to accept ARPA funds** (*Ryan Spitzer*) *Resolution No. 2021-13 approving manager to receive ARPA funds.* (**ACTION ITEM**)
21. **ARPA Grant Project Ordinance** (*Ryan Spitzer*) Project Ordinance outlining approved use of ARPA funds
22. **Interlocal Agreement and Resolution** (*Chief Hudgins*) Presenting interlocal agreement for mutual aid assistance with Lancaster County and Resolution 2021-11 authorizing Chief Hudgins enter into the agreement. (**ACTION ITEM**).

STAFF UPDATE

23. **Manager's Report** (*Ryan Spitzer*)
24. **Departmental Monthly Reports**
25. **Calendar of Events for June and July, 2021**

ADJOURN

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Barbara Monticello, Clerk of Council, at 704-889-2291 or bmonticello@pinevillenc.gov. Three days' notice is required.

TO JOIN THE MEETING VIA ZOOM, PLEASE FOLLOW INSTRUCTIONS BELOW:

Topic: June Council Meeting

Time: Jun 22, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting:

<https://us02web.zoom.us/j/89117745174?pwd=VjQ1bVJSbnZ3L2pnU2VWQjU3QXJOUT09>

Meeting ID: 891 1774 5174

Passcode: 647034

One tap mobile

+13017158592,,89117745174#,,,,*647034# US (Washington DC)

+13126266799,,89117745174#,,,,*647034# US (Chicago)

Dial by your location:

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

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Find your local number: <https://us02web.zoom.us/j/89117745174?pwd=VjQ1bVJSbnZ3L2pnU2VWQjU3QXJOUT09>

SPEAKER SIGN-UP SHEET

TOWN COUNCIL MEETING

OF JUNE 22, 2021

When signing in to speak at the meeting, please **print** clearly. If you wish to speak on an agenda item, please indicate which item(s) you wish to speak on. If you are speaking on something *other than* an agenda item, please indicate that.

YOUR NAME/NAME of the BUSINESS YOU REPRESENT and YOUR ADDRESS or the ADDRESS of the BUSINESS YOU REPRESENT.	If you are speaking on an agenda item please indicate which item(s) you wish to speak on.	I am speaking on an item <i>other than</i> an item on the agenda.
✓ 1) Jane Shutt - Kyra Stinson-Wesley		PNP update
✓ 2) John Holdbach Pineville Chamber.		PRE-BARRA Retirement
3)		
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TOWN COUNCIL REGULAR MEETING

PINEVILLE HUT MEETING FACILITY

TUESDAY, MAY 11, 2021 AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor Edwards called the meeting to order at 6:30 p.m. The following were in attendance:

Mayor Edwards
Mayor Pro Tem Melissa Davis
Council Members: Joe Maxim, Les Gladden and Amelia Stinson-Wesley
Town Manager: Ryan Spitzer
Finance Director, Richard Dixon
Town Clerk, Barbara Monticello

Pledge Allegiance to the Flag (MD) – Mayor Pro Tem Melissa Davis lead the group in the Pledge of Allegiance

Moment of Silence – A moment of silence was held for Peggy Walton (passed). Additionally, Mayor Edwards asked all to remember our police, fire and first responders.

ADOPTION OF AGENDA – Mayor Edwards had one item to add to the agenda under New Business regarding Election Filing Fees. Council Member Joe Maxim asked to add a Closed Session at the end of the meeting pursuant to NC143-318.11(4) and (6) to discuss a real estate item in relation to Economic Development and a personnel item. Council Member Joe Maxim moved to approve the agenda with the changes, seconded by Amelia Stinson-Wesley. A roll call vote was taken: Mayor Pro Tem Davis – Aye; Council Member Joe Maxim – Aye, Council Member Les Gladden – Aye; and Council Member Amelia Stinson-Wesley – Aye. Ayes by all – motion passed unanimously to approve the agenda with the changes.

APPROVAL OF THE MINUTES

1. **Approval of the minutes from the Regular Council Meeting of April 13, 2021 and the Work Session Minutes of April 26, 2021**

There was one correction to the name of an individual in the April 13, 2021 set of minutes that needed to be corrected. With no further comments or questions, council Member Les Gladden moved to approve both sets of minutes with the correction. Mayor Pro Tem Melissa Davis seconded the motion. A roll call vote was taken: Mayor Pro Tem Melissa Davis – aye; Council Member Joe Maxim – aye; Council Member Les Gladden – aye; and Council Member Amelia Stinson-Wesley – aye. Vote was unanimous to approve the minutes with the correction.

CONSENT AGENDA

2. **Revenue and Finance Reports as of 4/30/21 (Richard Dixon)**
3. **Proclamation for Tourett Awareness Day** - proclamation to bring awareness to the stigma attached to this syndrome has been requested by the Tourett Association's Greater Carolinas Group.

Council Member Joe Maxim moved to approve the Consent Agenda as is, seconded by Council Member Amelia Stinson-Wesley. A roll call vote was taken: Mayor Pro Tem Melissa Davis – aye; Council Member Joe Maxim – aye; Council Member Les Gladden – aye; and Council Member Amelia Stinson-Wesley – aye. Ayes by all to approve the Consent Agenda as is.

PUBLIC COMMENT

Jane Shutt of Pineville Neighbors Place thanked Council for considering her organization for sponsorship. The past month Pineville Neighbor's Place was able to help 50 people with \$5200 in rent and utilities. Since the beginning of the year they spent a total of \$126,000 helping 515 people. On July 1, Pineville Neighbors Place will be partnering with Atrium and Med Assist to have a drive-through over the counter medication event at the Pineville United Methodist Church from 9-2. The event is open to all and the only requirement is that the attendees

be residents of North Carolina. Council Member Les Gladden asked that this information be communicated to the residents of the Dorchester since they are elderly, some with no transportation to get out. Ms. Shutt would be sure to get the word out to them. She invited all to come to see their new office space at 561 North Polk St.

John Holobinko of the Pineville Chamber of Commerce announced that the Chamber would be creating a business directory for all the businesses in Pineville. There will be no charge to the businesses thanks to Pineville's donation. The Business Directory should be completed by August 1st and will be posted on their website.

PUBLIC HEARING

4. **Public Hearing for FY 2021-2022 Budget (Ryan Spitzer)** - Mr. Spitzer will present the upcoming fiscal year budget including Electric Reps and Riders and the town's fee schedule.

Council Member Joe Maxim moved to open the Public hearing on the Budget, seconded by Mayor Pro Tem Melissa Davis. There were ayes by all and the Public Hearing opened at 6:41 p.m. Town Manager, Ryan Spitzer, spoke on the budget giving an overview of how it was developed. He and Finance Director, Richard Dixon, met with department heads to review their budget needs and then held several workshops with council to finalize it.

He explained that the budget was designed to coincide with the strategic plans of Council. By law, a budget has to be adopted by June 30th. He reviewed the:

- General Funds
- Enterprise Funds – Pineville Communications and Pineville Electric which are typically not comingled with General Funds
- Restricted Funds such as Powell Bill, Storm Water, 911 Emergency and Cultural & Tourism where funds can only be used for certain things
- Capital Expenditures – items over \$5K and not recurring – projected out 5-7 years
- Project Budgets – track revenue and expenditures such as was done with Splash Pad and the Johnson Road Realignment

The FY 2021-2022 Budget does not include a tax increase to residents; tax rate remained the same at \$0.33 per \$100,000K of valuation. The only fee increase was for renewable energy. There was also a COLA increase for employees.

This budget was based on what Council sees as priorities for the town. The capital projects have gone down due to the purchase of the fire truck in the previous budget. There is also a total of \$2.6 million in Covid funds still coming with the first round expected after June and the second half expected a year later.

Those items impacting the FY22 budget included retirements that were coming up, reorganization of the Police Department, new positions, coming off a year of Covid, federal funding, the town's commitment to pay employees a minimum of \$15 an hour, technology needed to fund upgrades for the police department and additional staff needed.

The General Fund Revenues remain stable except for interest revenue and lodging taxes, causing a dip in the funds. He continued stating that the town was still going to move forward with the Lynwood/Lakeview project, construction of a new town hall, purchase of land, economic development projects and sidewalks.

In order to recruit and retain police officers, a proposed increase in officer pay would impact the budget by \$180,000 and an increase in telecommunicators would impact it by \$36,000. Additionally, a request was made to add an analyst position to the police department. The Fire Department requested a new position to handle administrative paperwork as well as an increase in the chief's pay by \$10K, bumping up from \$25K to \$35K.

The proposed sponsorships for the FY21-22 Budget included the following:

- James K. Polk = \$5,000
- PCAA = \$10,000
- Pineville Neighbors Place = \$7,500
- Arts & Science Council = \$15,000 (only \$10K to be given up front & wait to see how they do before giving the additional \$5,000)
- Pineville Chamber = \$5,000

CIP Projects are projected to be \$6.2 million over a 5-year period which includes the new town hall, sidewalks on Polk St. and and Town Center Blvd., Lowry St. right-hand turn lane and fire department squad upfit (half this year, half next). Enterprise Funds has a \$3.2 million budget with expected customer growth in our internet service. Pineville Electric has a \$13.5 million budget with no rate increases in the past 5 years. Minimal load growth is expected in the coming year but a larger load growth the following year due to large warehouse and other projects.

Mr. Spitzer presented a balanced budget at \$31,232,526, with an increased emphasis on police department operations. Additionally, he noted that six out of Council's six goals were met in this budget. The budget will be presented for adoption at the June 8th Council Meeting although Council has up to June 30th to adopt it.

Hearing no further questions or comments, Council Member Joe Maxim moved to exit the Public Hearing at 7:11 p.m., seconded by Council Member Amelia Stinson-Wesley. There were ayes by all and they Public Hearing on the budget concluded.

OLD BUSINESS

NEW BUSINESS

- 4a. **Election Filing Fees** (*added by the Mayor at the beginning of the meeting*). Each year of an election, the town is asked by the Mecklenburg Board of Elections office, if it wants to keep their filing fees as is or increase them. Filing fees have been and currently are \$5.00 for candidates running for Council Member and \$6.00 for those running for Mayor.

Council was fine with keeping the fees as is. Council Member Les Gladden moved to keep the filing fees as is with Council Member Amelia Stinson-Wesley seconding the motion. A roll call vote was taken:

- Council Member Stinson-Wesleyyes
- Council Member Joe Maxim.....yes
- Mayor Pro Tem Melissa Davis.....yes
- Council Member Les Gladden.....yes

Motion carried 4-0 in favor of keeping filing fees the same.

- 5. **Discussion on Excess Revenue** (*Ryan Spitzer*) Council to discuss what capital projects they would like to use that revenue on. Manager, Ryan Spitzer, reminded council that they had put off a lot of larger expenses due to Covid but since our revenues came in \$1million over what was expected, he wanted to know how Council wanted to use that money. Did they want to spend it on property for a new fire station? Invest in a firm to investigate possible properties, purchase a new VAC truck, purchase the side-by-side that the Fire Department requested, purchase outdoor fitness equipment, or purchase heaters for the restrooms at Shay Stage?

There was information in the packet regarding a possible new VAC truck. Council Member Joe Maxim wanted Council to be sure they understood that it was a foreign-made product and that we would need to know how to operate and maintain it as well as where to store it and service it. Mayor Pro Tem Melissa Davis noted that the manufacturer was in Holland and the closest sales center was Columbia, SC. Would the town have to go all the way to Columbia to have it serviced. The rest of Council agreed and asked Mr. Spitzer to find out where the nearest service center would be to have the truck serviced. Council Member Les Gladden asked if Council was approving the purchase of a truck or that specific truck. Mr. Spitzer stated that they were voting on the amount and that he would obtain other quotes for American-made models of vac trucks. This way the funds would be earmarked for that piece of equipment while giving us time to search for an American-made truck.

Outdoor workout equipment was discussed. There really was no place left at Lake Park to put this equipment so the assumption was to put it at Jack Hugh's Park. Mr. Spitzer stated there really wasn't a high demand for outdoor equipment but Council Member Amelia Stinson-Wesley thought there needed to be another amenity at Jack Hughes Park. Council Member Maxim then suggested installing more basic outdoor equipment like you see at some parks with different stations having different exercises using basic equipment and upgrade the indoor equipment at the Belle Johnston Center with the remaining funds since that equipment was older.

Discussion took place regarding A/C and heaters for the bathrooms at Shay Stage. After discussion, it was decided not to install air conditioning because it was too expensive but investigate some type of fan/blower to circulate the

air. Council was not opposed to installing heaters but A/C was too expensive. Mr. Spitzer will check to see if it's more cost-effective to install a fan and heating at the same time or separately.

Mr. Spitzer asked Council if they were OK with doing all of the things listed above or if they want something else. Mayor Pro Tem Davis indicated that Council wanted more information on different makes of vac trucks and the cost for basic workout equipment and upgrades to the indoor equipment at the Belle Johnston Center but that everything else they were fine with.

Council Member Gladden moved to approve spending the funds as indicated above on all items other than the vac truck and fitness equipment which Mr. Spitzer will get more information and quotes on. Council Member Maxim seconded the motion. Roll call vote taken:

- Council Member Amelia Stinson-Wesley.....yes
- Council Member Joe Maxim.....yes
- Council Member Les Gladden.....yes
- Mayor Pro Tem Melissa Davis.....yes

Motion passed unanimously.

6. **Resolution No. 2021-09 adopting a policy for Law Enforcement Mutual Aid Agreement (Ryan Spitzer)** – Mr. Spitzer stated that an Interlocal Agreement for Law Enforcement Mutual Aid Assistance was being presented for consideration. The town has participated previously in the agreement which is for three years and is coming due for renewal. Chief Hudgins recommended to continue participating in it. All were in agreement. Council Member Joe Maxim moved to approve the Resolution to continue participation in the agreement, seconded by Mayor Pro Tem Melissa Davis. A roll call vote was taken:

- Council Member Amelia Stinson-Wesley.....yes
- Council Member Joe Maxim.....yes
- Mayor Pro Tem Melissa Davis.....yes
- Council Member Les Gladden.....yes

Motion passed unanimously.

STAFF UPDATE

7. **Manager's Report/Staff Reports** – Manager Spitzer reported on the following items:

- Splash Pad opening on May 29th
- Jason Klemowitz provided two options of where the department would like to see the new Fire Station
- The LWCF grant got held up due to Covid but we should hear something by July 1st as to whether we got the grant or not
- Mecklenburg County has an agreement with some gas stations that the Public Works Director, Chip Hill, will check into to see if we can piggyback off of them during this temporary gas shortage

8. **Calendar of Events for May/June**

CLOSED SESSION - (None) A closed session was not scheduled but approved and added at the beginning of the meeting under Adoption of Agenda. Pursuant to NC143-318.11(4) and (6), a Closed Session was added to discuss a real estate item in relation to Economic Development and a personnel item.

Council Member Joe Maxim moved to go into the Closed Session, seconded by Council Member Les Gladden. Roll call vote:


- Council Member Amelia Stinson-Wesley.....yes
- Mayor Pro Tem Melissa Davis.....yes
- Council Member Joe Maxim.....yes
- Council Member Les Gladden.....yes

Vote was unanimous to enter into Closed Session. A personnel issue was discussed first. A consensus of the board was reached and direction provided to Town Manager on how to proceed

A real estate item relating to an Economic Development project was also discussed. A consensus of council was reached on how to proceed with the issue at hand. Council directed Town Manager on next steps.

Council Member Joe Maxim moved to exit the Closed Session, seconded by Council Member Amelia Stinson-Wesley. All were in favor and the Closed Session concluded

ADJOURN: Motion was made by Council Member Stinson-Wesley, seconded by Mayor Pro Tem Davis to adjourn the meeting at 8:30 p.m. All were in favor and meeting was adjourned.



Mayor Jack Edwards

ATTEST:



Barbara Monticello, Town Clerk





MINUTES

CALL TO ORDER

DISCUSSION ITEMS

1. **Discussion and Review of New Subaru Dealership** - Subaru will be presenting revised plans for a new dealership located at 10400 Cadillac St. (*Informational*).

Planning Director, Travis Morgan, advised Council this meeting was a continuation of a previous meeting for a new Subaru car dealership. The proposed location for the dealership is 10400 Cadillac St. which is at the very end of the street where the old Funtastics was located. Mr. Morgan reviewed items that were discussed at the last meeting that have been corrected and shown on a revised plan:

- Display vehicles – now five vehicles displayed around a half circle at the front of the building.
- Signage to meet the requirements of our ordinance. The town does not allow roof signs. Sign is now located below the cornice.
- Updated landscaping and lighting plans are now shown.
- Sidewalk extensions have been added to the plan.
- No loading of vehicles on the street noted on the plan.
- No outside servicing (except emergencies such as jump starting a vehicle with a dead battery)

Mr. Morgan continued, stating that the service bay doors were all at the rear of the building. Slides were presented showing elevations and layout of the building along with lighting plans. They are now using thirty-foot candles, which is down from their previous plan and more in line with the lighting plans of other dealerships.

Mr. Morgan reminded council that car dealerships were conditional and must come before Council. He asked for any questions from Council.

Council Member Les Gladden asked that Mr. Morgan clarify the road frontage for this business. He said they technically do not have any road frontage. Director Morgan advised that in this case it's where the front door is. Normally the length of the front façade of the building is used in determining how much signage is allowed but if it's longer than 150 feet, they would not be entitled to more signage as the amount of square footage allowed for signage is capped at 300 sq. ft. They can put the signage on the rear, side or front of the building or split it up and put some on their car wash building in the back as long as it does not exceed a total of 300 sq. ft.

Council Member Les Gladden stated there were two wide open spaces at the top of the plan which he thought the applicant might have cars there all the time if it wasn't specified that they couldn't so he asked that be notated somewhere. There were five display cars up front and one shown in the delivery area. He was trying to eliminate any problems before they got approved so there wouldn't be any issues later on. There shouldn't be any cars in the delivery area.

Mr. Gladden wanted to be sure the town was being consistent because he was seeing things that we were allowing Subaru to do but not other dealerships. There will be cars lined up waiting to get into the service area. He asked the applicant if he understood that no tractor trailers were permitted to be stopped on Cadillac Street to unload vehicles. The applicant stated he understood and added that there were forty-one spots available for cars waiting to be serviced.

Council Member Joe Maxim asked if the entire parking lot would be new pavement. Applicant, Steve Porter, responded that it would. Council Member Maxim asked if their layout allowed for any expansion. Mr. Porter indicated they still had a little more room towards the back by the car wash area.

Council Member Amelia Stinson-Wesley asked if the greenway would be going that far back to which Mr. Morgan replied that it would be running on the East side.

Mayor Pro Tem Melissa Davis asked about the name of the dealership. Steve Porter said that currently it was called Subaru of South Boulevard but the name they are proposing was Subaru of South Charlotte. Mayor Pro Tem Melissa Davis stated that everyone wanted to be in Pineville but no one wanted to say they were located in Pineville. It was real pet-peeve of hers.

Mr. Porter explained there was a certain marketing strategy that was used to blend in with the rest of the dealerships along Polk St. and they were just trying to be consistent. He stated he would bring her concerns to his superiors and that he understood her point with the name.

Council Member Les Gladden noted the town was having some issues with the new Hyundai Dealership that was also going in on Polk St. They were not maintaining their grass and reminded Mr. Porter that the grass has to be maintained even during construction.

Council Member Amelia Stinson-Wesley asked what the time frame was for Council to take action. Mr. Morgan stated that Council could ask for another Work Shop if they thought it was necessary, or move forward with the Public Hearing if they were OK with it, but if Council chose to have the Public Hearing, a date would need to be set for it.

Mayor Edwards asked Mr. Morgan if there was anything he had asked for that they did not do in this presentation. Director Morgan said they had addressed everything and that he just needed to go over in detail, the final plans.

Mayor Edwards was fine moving forward with a Public Hearing in June and the consensus of Council was the same. Mayor Edwards announced that the Public Hearing for a new Subaru Dealership would be held on June 22, 2021.

Presentation concluded at 6:40 p.m.

Council Member Les Gladden made a motion to go into Closed Session, with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the Closed Session was opened at 6:40 p.m.

2. **A Closed Session will be held pursuant to NCGS 143-318.11 (6) to follow up on a personnel issue and discuss progress made. Council was please with the progress that had been made. At 7:22 p.m. Council Member Joe Maxim moved to exit the Closed Session, seconded by Council Member Les Gladden. There were ayes by all.**

ADJOURN: Council Member Joe Maxim moved to adjourn the meeting, seconded by Council Member Amelia Stinson-Wesley. There were ayes by all and the meeting concluded.

ATTEST:



Barbara Monticello, Town Clerk



Mayor Jack Edwards

Town of Pineville
Budget vs. Actual
5/31/2021

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Property Tax	\$ 8,125,000	\$ 8,040,770	98.96%
Prepared Food Tax	450,000	678,880	150.86%
Room Occupancy	460,000	248,922	54.11%
Franchise Tax	975,000	789,441	80.97%
Sales Tax	1,200,000	1,774,874	147.91%
Storm Water	405,000	363,348	89.72%
Powell Bill	180,000	203,629	113.13%
Other	1,687,374	2,115,415	125.37%
G/F Repayment from Loan Proceeds	800,000	621,495	77.69%
Sale of Fixed Asset	2,300,000	-	0.00%
Appropriated F/B - Restricted Police	1,063,150	1,063,150	100.00%
Appropriated F/B Stormwater	1,000,000	1,000,000	100.00%
Total	\$ 18,645,524	\$ 16,278,428	87.30%
Expenditures			
Governing Board	\$ 176,715	\$ 124,428	70.41%
Administration	5,939,175	2,693,645	45.35%
Human Resources	222,999	127,190	57.04%
Zoning	436,499	377,216	86.42%
Police	5,494,378	4,925,045	89.64%
Fire	1,701,074	821,278	48.28%
Public Works	852,372	698,548	81.95%
Storm Water	405,000	291,511	71.98%
Powell Bill	908,274	777,523	85.60%
Sanitation	640,000	485,033	75.79%
Recreation	585,264	451,470	77.14%
Cultural/Tourism	1,179,774	721,356	61.14%
Cemetery	4,000	472	11.80%
Contingency	100,000	48,310	48.31%
Total	\$ 18,645,524	\$ 12,543,027	67.27%

Town Of Pineville
Johnston Road Realignment
5/31/21

	FY18	FY19	FY20	FY21	Total Project	Project Budget
<u>Road Realignment Revenue</u>						
DOT grant	-	-			1,175,000	1,175,000
Transfer from Fund Balance					2,492,000	2,492,000
Total Road Realignment Revenue	-	-			3,667,000	3,667,000
<u>Road Realignment Expense</u>						
Land/Building	731,228	6,586	-	-	737,814	750,000
Engineering	74,089	47,278	84,216	40,925	246,508	307,000
Construction	-	-	-	-	-	2,610,000
Total Road Realignment Expense	805,317	53,863	84,216	40,925	984,321	3,667,000

Town of Pineville

Electric

5/31/21

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Electric	16,204,000	12,836,418	79.22%
Expenditures			
Administration & Billing Support	489,264	408,316	83.46%
Purchased electricity	8,991,096	7,828,406	87.07%
Operations and Maintenance	6,723,640	3,200,406	47.60%
Total	<u>16,204,000</u>	<u>11,437,128</u>	70.58%

Town of Pineville
ILEC Telephone Fund
5/31/2021

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Revenues	1,398,198	1,313,575	93.95%
Telephone Reserves	608,506	608,506	100.00%
Total Revenue	<u>2,006,704</u>	<u>1,922,081</u>	95.78%
Expenditures			
Operating Transfer Out	242,873	242,873	100.00%
Operating Expenses	1,183,981	899,675	75.99%
Plant under Construction	<u>579,850</u>	<u>535,130</u>	<u>92.29%</u>
Total	<u>2,006,704</u>	<u>1,677,678</u>	83.60%

Town of Pineville
CLEC Telephone Fund
5/31/2021

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Revenue	1,053,127	861,556	81.81%
Transfer from ILEC	242,873	242,873	100.00%
Total	<u>1,296,000</u>	<u>1,104,429</u>	85.22%
Expenditures			
Operating Expenses	904,500	782,177	86.48%
Plant under Construction	<u>391,500</u>	<u>115,418</u>	29.48%
Total	<u>1,296,000</u>	<u>897,594</u>	69.26%

Town Of Pineville

Revenue & Expense Statement - Fund 80

5/31/2021

Capital Project - Financing

3360.1240.80	Loan Proceeds Town Hall Library	\$ 21,000,000.00
Total Capital Project - Financing		21,000,000.00

Capital Project - Expenses

2003.0000.80	Plant Under Construction	2,187,200.48
7000.7300.80	Capital Outlay Telephone Relocation	-
7000.7301.80	Capital Outlay A&E Fees	-
7000.7302.80	Capital Outlay Legal And Financing Fees	60,673.00
7000.7303.80	Capital Outlay THL Construction	621,495.18
Total Capital Project - Expenses		2,869,368.66

Total Net	<u>\$ 18,130,631.34</u>
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**A PROCLAMATION RECOGNIZING THE
RETIREMENT OF CAPTAIN TOBY CALHOUN
FROM THE PINEVILLE POLICE DEPARTMENT**

WHEREAS, TOBY CALHOUN WALKED THROUGH THE PINEVILLE POLICE DEPARTMENT DOORS ON JANUARY 30, 1992 AS A FRESH-FACED, AMBITIOUS 21-YEAR-OLD; AND

WHEREAS, WORKING THE PATROL BEAT FOR MANY YEARS, TOBY WAS DETERMINED TO PUSH FORWARD AND IN 2005 WAS MADE DETECTIVE; AND

WHEREAS, WORKING IN A VARIETY OF ROLES AFFORDED HIM THE OPPORTUNITY TO SHARE HIS KNOWLEDGE AND TOBY BECAME THE TRAINING COORDINATOR FOR THE DEPARTMENT FOR MANY YEARS AS WELL AS A GENERAL INSTRUCTOR; AND

WHEREAS, WITH HIS WEALTH OF KNOWLEDGE, TOBY WAS PROMOTED TO PATROL LIEUTENANT IN MARCH, 2017 AND BECAUSE OF HIS KNOWLEDGE, EXPERIENCE AND EASY-GOING NATURE, HE EARNED YET ANOTHER PROMOTION TO CAPTAIN IN SEPTEMBER, 2020; AND

WHEREAS, TOBY BECAME WELL-KNOWN AS A SPECIALIZED FIREARM INSTRUCTOR AND A DEDICATED DRIVING INSTRUCTOR;

WHEREAS, TOBY IS VERY INVOLVED IN HIS CHURCH AND WILL CONTINUE HIS INVOLVEMENT AFTER HIS RETIREMENT.

NOW, THEREFORE, I, MAYOR JACK EDWARDS, DO RECOGNIZE THE ACCOMPLISHMENTS THAT TOBY CALHOUN HAS ACHIEVED AND ASK THE RESIDENTS OF PINEVILLE, NORTH CAROLINA, TO ALSO JOIN IN CELEBRATING HIS ACHIEVEMENTS AND HIS UPCOMING RETIREMENT.

I, FURTHER RECOGNIZE TOBY'S LOVE OF FIREARMS, RETIRING IN HIS BELOVED CABIN IN THE MOUNTAINS, AND HIS ENDLESS PURSUIT OF SASQUATCH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THE GREAT SEAL OF PINEVILLE TO BE AFFIXED ON THIS 22ND DAY OF JUNE IN THE YEAR OF OUR LORD TWO THOUSAND AND TWENTY-ONE.



MAYOR JACK EDWARDS



**DECLARATION BY THE MAYOR OF PINEVILLE, N.C.
RECOGNIZING THE 100 YEAR ANNIVERSARY OF THE PINEVILLE
COMMERCIAL BLOCK**

WHEREAS, the Pineville Commercial Block has been declared an historic landmark in Mecklenburg County, due to its historical, architectural features, and;

WHEREAS, the commercial block includes buildings 312 to 330 Main Street, and;

WHEREAS, the Pineville Commercial Block is nearing its 100th year in existence, having been constructed in the early 1910's and 1920's, and;

WHEREAS, this block of buildings is one of the only commercial blocks in Mecklenburg County to have retained its historical and architectural features, and;

WHEREAS, its special historic significance reveals the story of Pineville's most prominent families and the civic, social and cultural development of the Town; and

WHEREAS, one of the most successful businessmen of Pineville, Samuel Younts, owned the store at 316 Main Street, which generated between \$100,000 to \$175,000 annually; and

WHEREAS, 316 Main then became the Howard Brothers Grocery Store which remained opened until the early 1970's followed by an antique store opening in the early 1980's; and

WHEREAS, current owner, Kevin Devaney, has turned this treasure into Margaux's Wine, Pizza and Market which continues to display the original architectural and historical values to this day.

IT IS THEREFORE NOW PROCLAIMED that 316 Main Street in Pineville is a 100-year old treasure.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the **GREAT SEAL OF PINEVILLE** to be affixed. Done at Pineville this 22nd day of June in the year of our Lord two thousand and twenty-one.



Mayor John "Jack" Edwards

Memorandum



To: Mayor and Town Council

From: Richard Dixon

Date: 6/17/2021

Re: Consent Agenda – Tax Refund

Please approve the following tax refund(s) during the June, 2021 Council Meeting. Total refund due is \$1,809.40.

Approval _____

A handwritten signature in black ink, appearing to be "Richard Dixon", is written over the signature line.

Date _____

JUNE, 22, 2021

PINEVILLE Refunds

Tax Year	Bill Number	Parcel #	Source Type	Adj #	Adj Reason	Date of Adj	Additional Owners	Refund Recipient Name	Refund Address Line 1	City	State	Zip	Payment Date for Interest Calculation	Refund Amount (\$)	Total Interest to Pay if mailed on or before 6/3/2021 (\$)	Total Interest to Pay if mailed on or before 6/14/2021 (\$)	MECK Portion Refund (\$)	MECK Portion Interest (\$)	MECK Portion Interest (\$)	Police Refund (\$)	Police Interest (\$)	Police Interest (\$)	Fire Refund (\$)	Fire Interest (\$)		
2019	00020163-86-2019-2019-0000-00	2211921-9	REI	593386	PTC Decision	5/21/2021	1415 WATERMA RK LLC	BVB PROPERTY ES	204-C WEST WOODLAWN RD	CHARLOTTE	NC	28217	1/7/2020	\$ 864.27	\$ 60.74	\$ 62.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2020	00020163-86-2020-2020-0000-00	2211921-9	REI	593387	PTC Decision	5/17/2021	1415 WATERMA RK LLC	BVB PROPERTY ES	204-C WEST WOODLAWN RD	CHARLOTTE	NC	28217	1/6/2021	\$ 864.27	\$ 17.52	\$ 18.82	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
														TOTAL \$ 1,728.54	\$ 78.26	\$ 80.86	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

1,809.40

Public Hearing



To: Town Council

From: Travis Morgan

Date: 6/22/2021

Re: **Zoning Ordinance Text Amendment (Action Item)**

REQUEST:

North Carolina General assembly approved amendments to North Carolina General Statutes zoning enabling legislature. These changes require text amendments to our ordinance. ^{Zoning} These text amendments are required to be adopted by July 1, 2021. The primary changes are relatively simple in that the previous NCGS numbering sections has changed from 160A to 160D and general procedural requirements and addition of staff conflict of interest sections among other items. Staff has taken this opportunity to have a general Zoning Ordinance update. Staff seeks your input and recommendation of the Zoning Ordinance 2021 updates.

STAFF TEXT AMENDMENT HIGHLIGHTS:

Below are selected zoning text change highlights beyond 160D and procedural items:

- Automotive and vehicle storage definition added
- Downtown mixed-use parking exemption 4.1.1(B)
- Elimination of compact parking 4.2.5
- Addition of residential parking moved over from town code 4.3
- Cart corrals 4.7.8
- Flags and poles update 5.2.3
- Parking space signs for online pickups 5.8
- Outdoor animal runs 6.5.3
- Usable open space requirement 6.7
- Outdoor dining per state statute in right-of-way 7.24
- Parking on grass prohibition expanded beyond residential properties 7.22(C)
- POD storage units 7.8.6
- Lighting clarification and individual Chapter 8 added
- Coffee Shop added to 6-1 Table of Use chart

STAFF COMMENT:

Intent of the update beyond State 160D requirements are for clarity, functionality, and conformity to existing conditions. The Zoning Ordinance is a larger document and staff will resolve any ordinance index, page numbering, and type errors upon approval. Staff welcomes comment and suggestions. There is the State deadline so any unresolved or contested items staff recommends removing or reverting to prior ordinance in the interest of time. Staff would like for you to adopt the new zoning ordinance, table of use chart, and zoning map.

PROCEDURE:













This is a joint public hearing between Town Council and Planning Board with vote requested. This meeting is to familiarize you with the proposal and hear public comment. If there is no additional questions or clarification you may jointly close the public hearing. After the close of the public hearing Planning Board is asked for a recommendation. With a Planning Board recommendation Town Council may vote on the proposal.

Pineville

PLANNING & ZONING

North Carolina
Official Zoning Map 2021

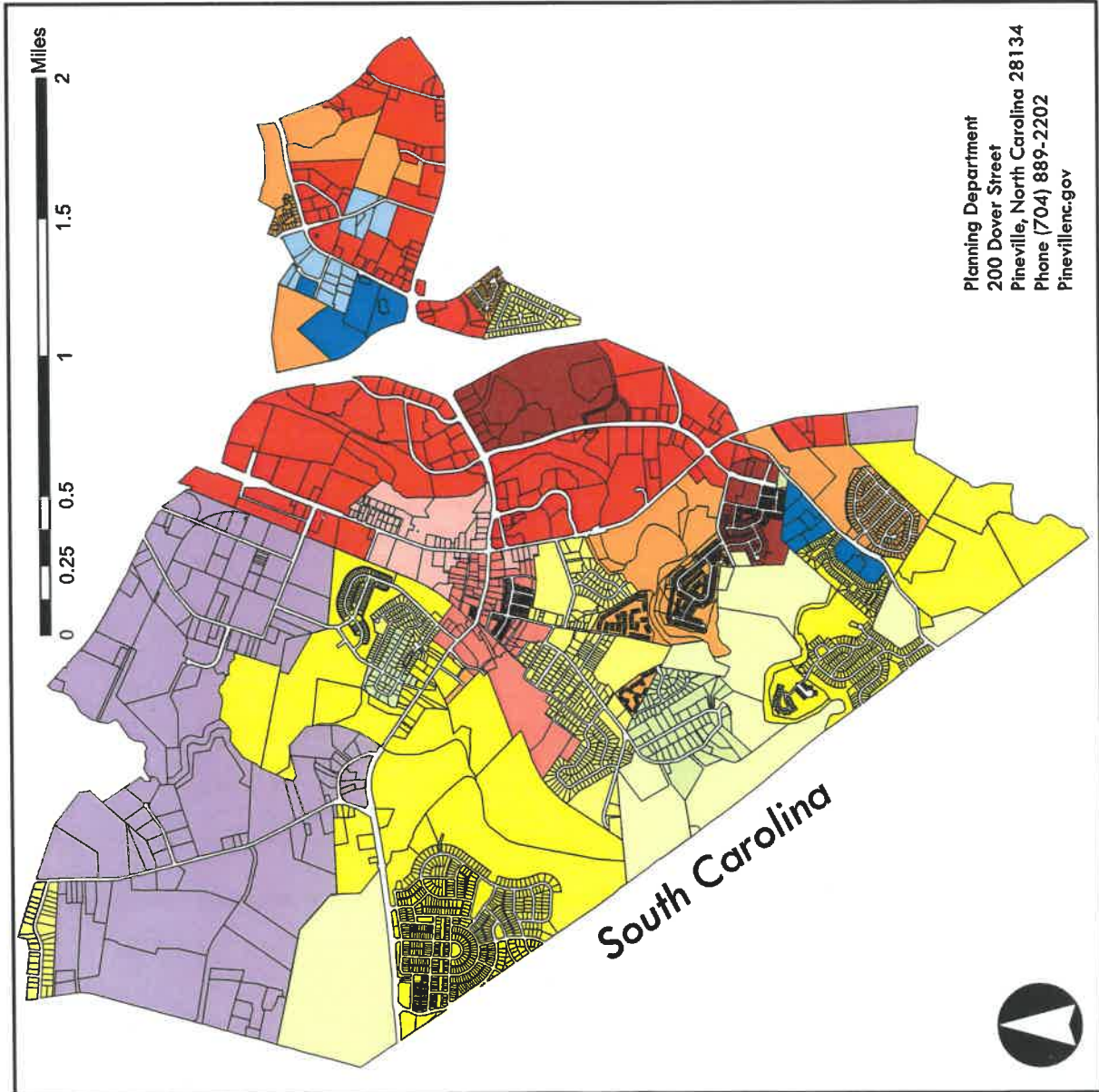
Zoning Designation

	B-P
	B-4
	B-3
	DC
	O-C
	O-I
	G-I
	R-44
	R-12
	R-7
	RMX
	R-MF

***Please see staff for all conditional use permits and conditional districts**

This map may not represent the most current information available and may be revised without prior notice to the user.

Please contact Pineville Planning Dept to verify all zoning information displayed in this document.



2021

TABLE 6-1: USE CLASSIFICATIONS

P = Permitted Use by Right
 C= Conditionally Approved Only
 PS = Permitted with Special Regulations
 CS = Conditional with Special Regulations

ZONING DISTRICTS

Use Classification	R-44	R-12	R-7	R-MF	DC	RMX	O-I	O-C	B-3	B-4	B-P	G-I	Special Regulation
--------------------	------	------	-----	------	----	-----	-----	-----	-----	-----	-----	-----	--------------------

Adult Day Care (see "Day Care")													PS	6.5.01
Adult Establishments														
Amusement Park (Indoors)					P	C		C	P	P	P	P		
Amusement Park (Outdoors)					C									
Animal (Household) Grooming Services					PS	PS		C	PS	PS	PS			6.5.02
Animal Hospital (indoor only)					P			C	P	P	P	P		
Animal Hospital (outdoor kennel)														
Animal Kennel and Boarding (indoor only)								C	P	P	P	P		
Animal Obedience Schools					P	C		PS	PS	PS	PS	PS		6.5.02
Animal Shelter								C		PS	PS	PS		6.5.03
Animal Supply Store					P			P	P	P	P	P		
Antique Store					P	P		P	P	P	P	P		
Appliance Repair Shop, Household					P			P	P	P	P	P		
Appliance Store					P			P	P	P	P	P		
Art Studios/Galleries					P	P		P	P	P	P	P		
Art Supply Store					P	P		P	P	P	P	P		
Astrology, Palm Reading, Tarot and Similar													C	
Sales and Services														
Auction Houses					C			C	PS	PS	PS	PS		6.5.05
Auction/Livestock													C	
Auditoriums, Stadiums, Assembly Halls Amphitheaters, etc..					CS			CS	PS	PS	PS	PS		6.5.06
Auto Body and Repair									CS		CS	PS		6.5.07
Automobile and Vehicle Storage													P	
Auto Towing/Wrecker Service													PS	6.5.09
Auto, Truck, Boat, and Motorcycle Sales									CS	CS				6.5.34
Auto, Truck, Boat, and Motorcycle Lease Including Taxi and Limousine									CS	CS				6.5.41
Automobile Parking Lot	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		6.5.08
Automobile Parking Garages (structured parking)				P	P	P	P	P	P	P	P	P		
Automobile Servicing and Installation (Oil change, Tires, Battery, Sound System)									CS		CS	PS		6.5.07
Automotive Supply Store									PS	PS	PS	PS		6.5.43
Bait and Tackle shop					P	P			P	P	P	P		
Bakery (Retail)					P	P		P	P	P	P	P		
Bakery (Bulk Manufacture)					C								P	
Banks, Savings and Loans, Credit Unions					P	P	P	P	P	P	P	P		
Bank Teller Machines (ATMs) Stand Alone								P	P	P	P	P		
Bank Teller Machines (ATMs) Attached					P	P	P	P	P	P	P	P		
Bar/Tavern/Night Club/ Lounge					PS				PS	PS	PS			6.5.38
Barber or Beauty Shop					P	P	P	P	P	P	P	P		
Baseball Batting Ranges					C	C			P	P	P	P		
Beauty Supply Store (Retail)					P	P		P	P	P	P	P		
Bed and Breakfast Inn					C	C								
Bicycle Sales/Service					P	P		P	P	P	P	P		
Billiard Parlor (see "Pool Hall")													P	
Boat and Trailer Repair														
Book Store					P	P		P	P	P	P			
Bottling Works													P	
Bowling Lanes					C				P	P	P			
Building Materials and Lumber Storage and Sales													C	
Buildings for Display of Sample Merchandise													C	
Bus Terminal, Passenger							C	C	C	C	C	C		
Business Support Services					P	P		P	P	P	P			
Cabinet and Woodworking Shop													C	
Camera and Photography Sales and Supply					P	P		P	P	P	P			
Campgrounds, Family													C	
Candy and Nut Store					P	P		P	P	P	P			
Car Wash, Automatic								C	P	P	P	P		
Car Wash, Self-Service (1-4 bays)										C	C	P		
Car Wash, Self-Service (5+bays)										C	C	P		
Carpet Store (see "Floor Covering Store")														
Catalogue Sales Store					P			P	P	P	P	P		
Catering (food services)					P	P	P	P	P	P	P	P		
Cemetery (accessory use)	CS	CS	CS										CS	6.5.10
Cemetery (principal use)	CS	CS	CS										CS	6.5.10
Check Cashing Establishment (see "Pawn Shop")														

2021

TABLE 6-1: USE CLASSIFICATIONS

P = Permitted Use by Right
 C= Conditionally Approved Only
 PS = Permitted with Special Regulations
 CS = Conditional with Special Regulations

ZONING DISTRICTS

Use Classification	R-44	R-12	R-7	R-MF	DC	RMX	O-I	O-C	B-3	B-4	B-P	G-I	Special Regulation
China and Tableware Shop					P	P			P	P	P	P	
Churches, Place of Worship	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	CS	PS
Civic Clubs (see "Fraternal")													
Cleaning and Maintenance Service					P	P			P	P	P	P	P
Clock/Watch Repair and Sales					P	P			P	P	P	P	
Clothing, Footwear, and Apparel Store					P	P			P	P	P	P	P
Coffee Shop					P	P			P	P	P	P	P
College and University (including satellite classrooms)					P		C	C	P	P	P		
Commercial Vehicle Storage and Operations Center												P	
Communication Facility/Tower						CS	CS	CS	CS	CS	CS	CS	PS
Communication Facility/Stealth						CS	CS	CS	CS	CS	CS	CS	PS
Community Centers	C	C	C	C	P	P	P	P	P	P	P		
Community Service Organization or Rehabilitation Center							C	C				C	
Computer Services and Data Processing					P	P			P	P	P	P	P
Computer Stores Retail and Repair					P	P			P	P	P	P	P
Consignment Shops					P	P			P	P	P	P	P
Continuing Care Facility (see "Rest Homes")													
Contractors Sales Offices Only					P	P			P	P	P	P	P
Contractors Offices, Sales, and Onsite Storage Yard of Materials or Equipment						C							P
Convenience Stores					P	C	C	C	P	P	P	P	PS
Correctional Facility													CS
Costume Rental (Formal Wear etc.)					P	P			P	P	P		
Country Club	C	C	C	C	C	C							
Crematorium							C	C					C
Customary Home Occupations	PS	PS	PS	PS	PS	PS							PS
Dairy Products Processing and Distribution Facilities													C
Dance School (see "School for the Arts")													PS
Day Care Home, Family	PS	PS	PS	PS		PS	CS	CS					PS
Day Care Center		CS	CS		CS	CS	CS	CS	PS	PS	PS	PS	PS
Day Care Center, Large					CS	CS	CS	CS	PS	PS	PS	PS	PS
Day Care Center in a Residence	CS	CS	CS	CS		CS							PS
Department Store					P				P	P	P		
Distribution Center, Product												C	P
Doctor's Office (excluding Animal Hospital)					P	C	P	P	P	P	P		
Drapery and Linen Shop (see "Fabrics")													
Drug Store (see "Pharmacy")													P
Dry Cleaning and/or Laundry Plant													P
Dry Cleaning Services Outlet/Retail					P	C	P	P	P	P	P	P	P
Dwelling, Apartments				C	C							C	6.5.21
Dwelling, Condominiums				C	C							C	6.5.21
Dwelling, Single Family	P	P	P	C	C	P							6.5.21
Dwelling, Townhomes				P	P	P						C	6.5.21
Dwelling, Two-Family (Duplex)			PS	CS	CS	CS							6.5.17
Dwelling, Secondary	PS	PS	PS	PS	CS	PS							6.5.35
Electric, Heating, Air Conditioning Ventilation, Plumbing Supplies and Sales (Indoor)					P				P	P	P	P	
Employment Agency					P	P	P	P	P	P	P	P	P
Engineering and Architectural Services					P	P	P	P	P	P	P	P	P
Essential Utility Services, Class 1 & 2	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential Utility Services, Class 3	C	C	C	C	C	C	C	C	C	C	C	C	C
Exterminators Office								P	P	P	P	P	
Fabric Sales, Tailor, Alterations, Sewing and Associated Goods Store					P	P		P	P	P	P	P	
Fairgrounds													C
Family Home Care	PS	PS	PS	PS		PS							6.5.18
Farm Equipment Sales and Service													P
Farm Supply Store (Feed and Seed)													P
Farmer's Market	P	P			P	P	P	P	P	P	P	P	P
Firing Range (Indoor only)													C
Fitness Center, Indoor Sports, Health Club, Spa and Gym 15,000 sqft. or under; over: see Recreation center					P				P	P	P		
Flea Market (indoor)					P				P	P	P	P	
Flea Market (outdoor)													C
Floor Covering Store					P	P		P	P	P	P	P	P
Floral and Christmas Items Store					P	P		P	P	P	P	P	

2021

TABLE 6-1: USE CLASSIFICATIONS

P = Permitted Use by Right
 C = Conditionally Approved Only
 PS = Permitted with Special Regulations
 CS = Conditional with Special Regulations

ZONING DISTRICTS

Use Classification	R-44	R-12	R-7	R-MF	DC	RMX	O-I	O-C	B-3	B-4	B-P	G-I	Special Regulation
Florist, retail					P	P		P	P	P	P		C
Flour and Feed Mills													C
Food Catering Facility					P		P	P	PS	P	P	P	6.5.19
Fraternal and Service Organizations (VFW, Freemasons, and misc. non-profits)					C		P	P	P	P	P	P	
Funeral Home, Mortuaries and Crematoria							C	C				C	
Furniture Repair Store					P	P		P	P	P	P	P	
Furniture Store					P	P		P	P	P	P	P	
Furniture Upholstery					P	P		P	P	P	P	P	
Furriers													C
Garden Supply and Seed Store					P			P	P	P	P	P	
Gas Station and Express Fuel										CS	CS		6.5.26
Gift Shop (see "Variety Store")													
Glass, Mirror, and Lighting Shop					P	P		P	P	P	P		
Golf Course, Public	CS					PS			PS	PS		PS	6.5.20
Golf Course, Private	CS					CS			CS	CS		CS	6.5.20
Golf Course (Miniature and Driving Range)					CS	CS			CS	CS		CS	6.5.20
Government Services					P	P	P	P	P	P	P	P	
Grocery Store					P	C			P	P	P		
Group Care Facility / Assisted Living							CS						6.5.37
Gun and Ammunition Sales					P				P	P	P	P	
Gunsmith					P				P	P	P	P	
Hardware Store					P				P	P	P	P	
Heating and Air Conditioning Supplies and Sales (see "Electric, Heating, Air Conditioning, Ventilation")													
Hobby, Toy, and Craft Shop					P	P		P	P	P	P		
Home Improvement Store (at or under 10,000 sq ft.)					P	P			P	P	P		
Home Improvement Store (Over 10,000 Sq ft.)					C				P	P	P		
Home Electronics, Radio, TV, CD Sales					P				P	P	P		
Home occupation, Customary (see "Customary Home Occupation")													
Hospitals							C	C					
Hotel (see "Motels")													
Ice Making Machines (outdoor), Cold Storage Plants and Freezer Lockers												P	
Industrial Equipment Sales, Supplies and Repair												P	
Insurance Agency					P	P		P	P	P	P		
Jewelry and Jewelry Repair Store					P	P		P	P	P	P		
Junkyards, Automobile Salvage Yards													C
Key Shop					P	P			P	P	P		
Laboratory Offices and general medical testing facilities					C			P	P	P	P		
Laboratory: Research							C	C				C	
Laundromat					P				P	P	P		
Lawn and Garden Care Service/Management (Indoor)					P	P			P	P	P	P	
Lawn and Garden Care Service/Management (outdoor)						C						P	
Lawnmower, Power Equipment Sales and Service										P	P	P	
Library, Public			P		P	P	P	P	P	P	P		
Liquor or "ABC Store"					P				P	P	P		
Live-Work Units				PS	PS	PS	PS	PS	PS	PS	PS		6.5.36
Locksmith					P	P	P	P	P	P	P	P	
Luggage and Leather Goods Shop					P	P			P	P	P		
Lumber Sales ("see Building Material and Lumber Sales")													
Lumber and Saw Mills													C
Machine Shop													P
Magazine, Newspaper Store					P	P	P	P	P	P	P		
Manufactured Goods, Class 1													P
Manufactured Goods, Class 2													C
Manufactured Home and Recreational Vehicle Sales													C
Manufactured Home Parks					CS								6.5.24
Manufactured Homes, Class A					C								
Martial Arts School (see "School for the Arts")													
Material Recovery Facility													C
Meat Packing Plants/Processing													C

2021

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ZONING DISTRICTS													
Use Classification	R-44	R-12	R-7	R-MF	DC	RMX	O-I	O-C	B-3	B-4	B-P	G-I	Special Regulation

Meeting Facilities					P	P		P	P	P	P		
Membership Warehouse Clubs					C				C	P	P	P	
Medical Supply Shop					P		P	P	P	P	P	P	
Medical Service - Urgent Care/Dental, Medical, Optical and Outpatient Clinics					P	P	P	P	P	P	P		
Microbrewery					C				PS	PS		PS	6.5.44
Mini-Warehouses and Outside Storage												C	
Mobile Homes (see "Manufactured Homes")													
Modular Homes (see "Dwelling, Single Family")													
Monument Sales												PS	6.5.27
Motels/Hotel					CS				CS	CS	CS		6.5.33
Museum					P	P	P	P	P	P	P		
Music Store Sales and Service					P	P			P	P	P		
Nail Salon (see "Tanning")													
Newspaper/Magazine/Video Store					P	P			P	P	P		
Newspaper/Magazine/Video Store (Adult) See Adult Establishments													
Nursery (Horticultural), Greenhouses												P	
Office, Shopping Center, Mixed Use Commercial Buildings				C	PS	PS	PS	PS	PS	PS	PS		6.5.28
Office, Shopping Center, Mixed Use Commercial and Residential Buildings				CS	CS	CS			CS	CS	CS		6.5.28
Office Equipment and Supply Stores					P	P		P	P	P	P	P	
Office Supply Warehouse													P
Paint and Wallpaper Store					P			P	P	P	P	P	
Parking Lot (see "Auto Parking Lot")													
Pawn Shop and Check Cashing													C
Pet Shop					P			P	P	P	P		
Petroleum Bulk Sales and Storage												PS/C	6.5.29
Pharmacy					P	C	P	P	P	P	P		
Philanthropic Institutions					P	P	P	P	P	P	P	P	
Photographic Studio					P	P		P	P	P	P		
Plumbing Supplies and Sales (see "Electric, Heating, Air Conditioning, Ventilation")													
Pool Hall					P				P	P	P		
Post Office					P	P	P	P	P	P	P	P	
Postal Stores, Contract Postal Stations, Mailing Establishments					P	P	P	P	P	P	P	P	
Printing Goods and Services					P	P		P	P	P	P	P	
Professional Services					P	P	P	P	P	P	P		
Produce Stand (in other than principal structures on the lot)	P	P			P	P							
Public Safety Station (Police, Fire, EMS)	C	C	C	C	P	P	P	P	P	P	P	P	
Quarry													C
Racetrack													C
Radio, TV, VCR Repair service					P			P	P	P	P	P	
Radio/TV Stations													C
Real Estate Agency					P	P		P	P	P	P		
Recreation Centers					C	C		C	P	P	P		
Recreation Complex					CS	C			C	C	C	C	6.5.40
Recreation Facilities, Public	P	P	P	P	P	P	P	P	P	P	P	P	
Recycling Collection Drop Off Point					P	C	C	P	P	P	P	P	
Recycling Processing Facility													C
Rental Centers (Indoor)					P			C	P	P	P	P	
Rental Centers (Outdoor)													P
Rest Home, Senior Living and Continuing Care Facility				C			C	C					
Restaurant					PS	PS	PS	PS	PS	PS	PS	PS	6.5.30
Restaurant/Cafeteria, within other Facilities (as Accessory)							PS	PS					6.5.31
Roof Repair and Installation and Sheet Metal													P
Rooming and Boarding Houses			C	C									
School, Vocational					P	P	C	P	P	P	P	P	
Schools, Elementary & Middle	CS	PS	PS	PS	CS	PS	PS	PS	PS	PS	PS		6.5.32
Schools, High School	CS	PS	PS	PS	CS	PS	PS	PS	PS	PS	PS		6.5.32
Schools for the Arts					P	P	C	P	P	P	P	P	
Shoe Store Sales and repair					P	P		P	P	P	P	P	
Sign Painting and Manufacture									C	C			P
Sign Sales					P	P	P	P	P	P	P	P	
Skating Rink (indoor)					C				C	P	P	P	

