

Shining Hope Farm

APPROVED BY
CITY COUNCIL
OCT 17 2016

REZONING PLAN

Petition # 2016- 101

Filing Date: 4/26/16

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3. 9.22.16 SRH Per Staff Review
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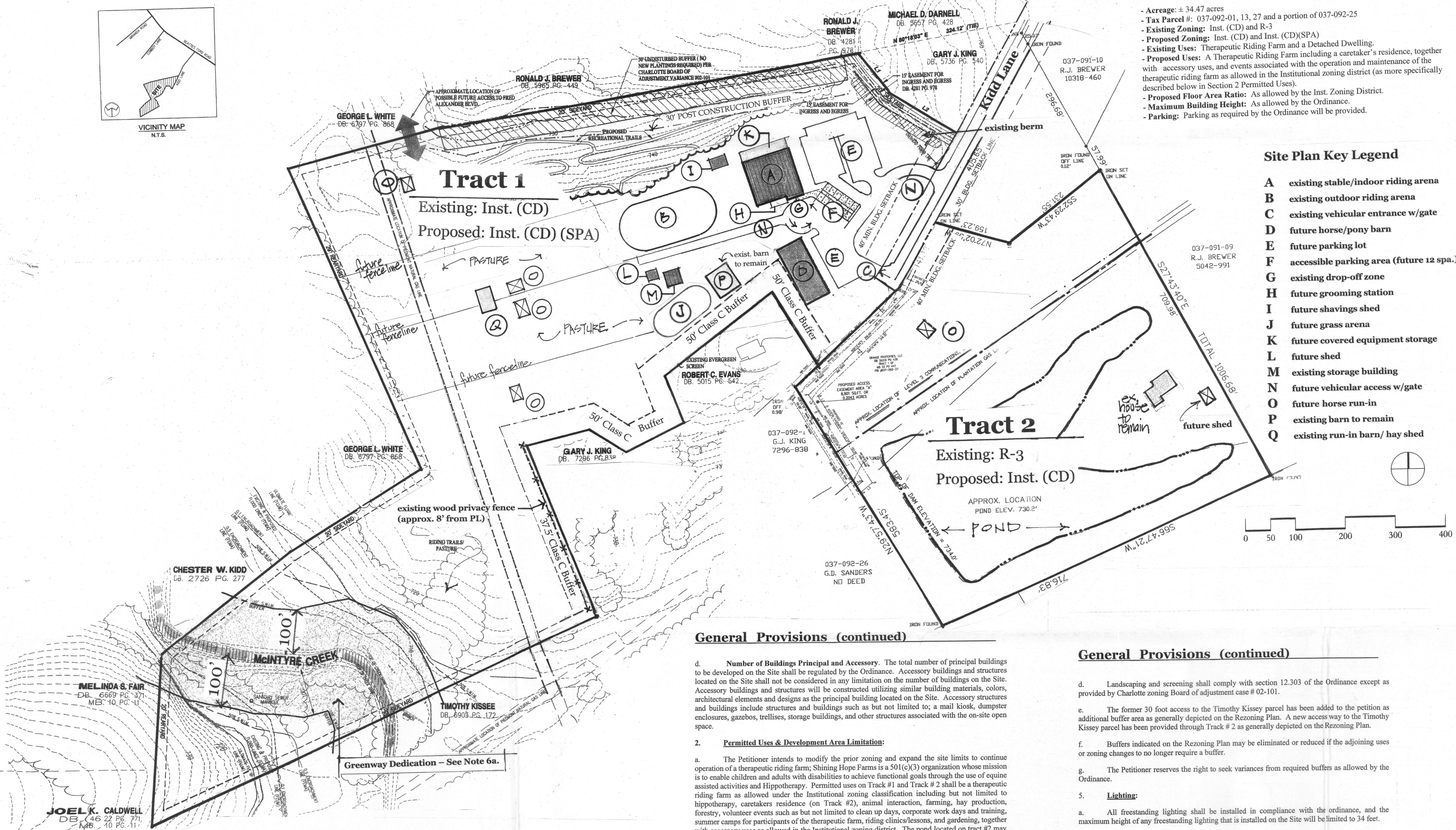
R2-1

Site Development Data:

- Acreage: ± 34.47 acres
- Tax Parcel #: 037-092-01, 13, 27 and a portion of 037-092-25
- Existing Zoning: Inst. (CD) and R-3
- Proposed Zoning: Inst. (CD) and Inst. (CD)(SPA)
- Existing Uses: Therapeutic Riding Farm and a Detached Dwelling.
- Proposed Uses: A Therapeutic Riding Farm including a caretaker's residence, together with accessory uses, and events associated with the operation and maintenance of the therapeutic riding farm as allowed in the Institutional zoning district (as more specifically described below in Section 2 Permitted Uses).
- Proposed Floor Area Ratio: As allowed by the Inst. Zoning District.
- Maximum Building Height: As allowed by the Ordinance.
- Parking: Parking as required by the Ordinance will be provided.

Site Plan Key Legend

- A existing stable/indoor riding arena
- B existing outdoor riding arena
- C existing vehicular entrance w/gate
- D future horse/pony barn
- E future parking lot
- F accessible parking area (future 12 spa.)
- G existing drop-off zone
- H future grooming station
- I future shavings shed
- J future grass arena
- K future covered equipment storage
- L future shed
- M existing storage building
- N future vehicular access w/gate
- O future horse run-in
- P existing barn to remain
- Q existing run-in barn/ hay shed



General Provisions (continued)

- Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall be regulated by the Ordinance. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site. Accessory structures and buildings include structures and buildings such as but not limited to; a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.
- Permitted Uses & Development Area Limitation:**
 - The Petitioner intends to modify the prior zoning and expand the site limits to continue operation of a therapeutic riding farm; Shining Hope Farms is a 501(c)(3) organization whose mission is to enable children and adults with disabilities to achieve functional goals through the use of equine assisted activities and Hippotherapy. Permitted uses on Track #1 and Track #2 shall be a therapeutic riding farm as allowed under the Institutional zoning classification including but not limited to hippotherapy, caretakers residence (on Track #2), animal interaction, farming, hay production, forestry, volunteer events such as but not limited to clean up days, corporate work days and training, summer camps for participants of the therapeutic farm, riding clinics/lessons, and gardening, together with accessory uses as allowed in the Institutional zoning district. The pond located on track #2 may be used by the participants of the therapeutic riding farm, and for activities associated with the therapeutic riding farm.

- The existing residential structure on track #2 may be used as a caretaker's residence or for any other use associated with the therapeutic riding farm and allowed on the Site.

Access and Transportation:

- Access to the Site will be from Kidd Lane in the manner generally depicted on the Rezoning Plan.
- The gates located at the entrance to the Site from Kidd Lane will be kept open during operating hours. The gate will be located a minimum of 50 feet from the edge of pavement of Kidd Lane.

Streetscape, Buffers, Yards, and Landscaping:

- New construction will adhere to the setbacks and side and rear yards as required by the Ordinance.
- Buffers as required by the Ordinance, and as generally depicted on the Rezoning Plan will be provided. Buffers may be reduced or eliminated based on the board of adjust case # 02-101, or any future board of adjust cases which may grant variances.
- Utilities may cross proposed buffers at angles no greater than 75 degrees. Storm drainage discharge aprons and swales with or without rip-rap may also cross the buffer at angles no greater than 75 degrees in order to allow for the natural flow storm water.

General Provisions (continued)

- Landscaping and screening shall comply with section 12.303 of the Ordinance except as provided by Charlotte zoning Board of adjustment case # 02-101.
- The former 30 foot access to the Timothy Kissey parcel has been added to the petition as additional buffer area as generally depicted on the Rezoning Plan. A new access way to the Timothy Kissey parcel has been provided through Track # 2 as generally depicted on the Rezoning Plan.
- Buffers indicated on the Rezoning Plan may be eliminated or reduced if the adjoining uses or zoning changes to no longer require a buffer.
- The Petitioner reserves the right to seek variances from required buffers as allowed by the Ordinance.
- Lighting:**
 - All freestanding lighting shall be installed in compliance with the ordinance, and the maximum height of any freestanding lighting that is installed on the Site will be limited to 34 feet.
 - All direct lighting within the site (except streetlights which may be erected along Kidd Lane), will be designed such that direct illumination does not extend past any property line.
 - Lighting associated with outdoor riding ring may be utilized during the hours of 6:00 am and 9:00 pm. The outdoor lighting may also be used beyond these hours when required to administer to livestock located on the Site (e.g. to attend to sick horses).

Greenway Dedication:

- The Petitioner will convey an easement, equal to the 100 foot SWIM buffer on each side of the portion of McIntyre Creek located on the Site, to County Parks and Recreation as generally depicted on the Rezoning Plan. The easement will be provided to County Parks and Recreation prior to the issuance of the next certificate of occupancy for the Site.

Amendments to the Rezoning Plan:

- Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Application:

- If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

1. General Provisions

- Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Shining Hope Farms ("Petitioner") to accommodate a therapeutic riding farm with allowed accessory uses on approximately 34.47 acre site located on Kidd Lane (the "Site").
- Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the Institutional zoning classification shall govern.
- Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since development of the Site will occur over time and locations for possible uses have not been determined and may change over time, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance.