

ORDINANCE NO. 2021-08

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF BREVARD AMENDING
MOUNTAIN INDUSTRIAL DRIVE PLANNED DEVELOPMENT DISTRICT**

WHEREAS, the City of Brevard has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, the City of Brevard Planning Board considered REZ-20-004 on February 15, 2021 and unanimously recommended approval by City Council; and

WHEREAS, the Brevard Planning Board has determined that this Ordinance is consistent with the City's 2002 Land Use Plan and elements of the 2015 Comprehensive Plan; and

WHEREAS, in accordance with North Carolina General Statute 160A-382(b), Brevard City Council finds that REZ-20-004 is consistent with the following polices and goals of the City of Brevard:

1. *2015 Comprehensive Plan:*

- a. OBJECTIVE 2.1: As the City of Brevard's primary source of financial capital, the City will take proactive measures to stabilize and grow the tax base.
 - i. POLICY 2.1.A: Modify zoning regulations to encourage and allow greater density and intensities of land use within its jurisdiction.
 - ii. POLICY 2.1.B: Collaborate with partner organizations and developers to financially support the City's goals for infill development and redevelopment.
- b. OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City's tax base.
 - i. POLICY 4.1.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.

2. *2002 Land Use Plan:*

- a. The Future Land Use Map recommends use of the subject property as "Industrial."

3. *2012 Vision Statement:*

Foster economic diversity while enhancing the quality of life in an environmentally friendly way by creating an environment that promotes and encourages businesses, and business owners, attracted to and utilizing our natural assets of woods and water and our cultural/historic assets of music, arts, and outdoor recreation.

WHEREAS, Council finds that the size of the tract and the proposed uses are reasonable and appropriate within the context of the existing zoning districts and the prevalence of uses in the vicinity of the Subject Parcel; and

WHEREAS, a public hearing was conducted February 15, 2021 in consideration of a major modification to the existing Mountain Industrial Drive PDD; and

WHEREAS, the City of Brevard, after hearing all persons wishing to comment on this request desires to approve said request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The existing Mountain Industrial Drive Planned Development District is hereby amended, as set forth herein.

Section 2. The District is a conditional zoning district established pursuant to the Unified Development Ordinance of the City of Brevard by means of authority granted by the North Carolina General Statutes.

Section 3. Development and use of lands within the District shall occur in accordance with the approved Signage Master Plan (Exhibits B – D) and Preliminary Master Plan (Exhibit E), which are attached to this ordinance and incorporated herein, as well as the List of Conditions outlined below. This Ordinance and its exhibits shall run with the land and shall be binding on Lamb Creek Land Company LLC, its heirs and assigns.

Section 4. List of Conditions.

- a. Except as set forth in Section 4.b, below, development within the District shall comply with all applicable provisions of Brevard City Code, including but not limited to,
 1. City of Brevard Unified Development Ordinance, general provisions and provisions specifically applicable to properties within General Industrial Zoning Districts
 2. Chapter 62. Streets, Sidewalks, and Other Public Ways
 3. Chapter 70. Utilities
- b. The following signage may be permitted within the District:
 1. Primary Ground Sign:
 - i. One, Primary Ground Sign may be installed at the intersection of Old US Highway 64 and Mountain Industrial Drive.
 - ii. The Primary Ground Sign may be installed with the permission of the property owner; such permission to be conveyed by means of a stand-alone parcel of land, which shall be conveyed to an association of all property owners within the District, or by means of a lease agreement between such property owner and all other property owners within the District.
 - iii. The Primary Ground Sign shall contain one panel for each property owner or tenant within the industrial park, and the maximum allowable surface area of the sign face shall be equally distributed among the individual sign panels.
 - iv. Maximum square footage of sign face: The Primary Ground Sign face, including all individual panels, shall not exceed 140 square feet in size. Individual panels shall not exceed 8' in width nor 3 feet in height.
 - v. Maximum height: The Primary Ground Sign shall not exceed 20 feet in height above adjacent grade as determined by the Administrator.
 - vi. Setbacks: The Primary Ground Sign shall be set back a minimum of 10 feet from all property lines and rights-of-way lines.
 2. Secondary Ground Signs:

i. One Secondary Ground Sign may be permitted upon each parcel of land within the District.

ii. Maximum square footage of sign face: Secondary Ground Sign faces, including all individual panels, shall not exceed 40 square feet in size, except for property owned by Red Clay LLC (aka Oskar Blues), 8596-37-7910-000, Deed Book 00621 Page 0694, which is permitted up to 240 square feet

iii. Maximum height: Secondary Ground Signs shall not exceed 8 feet in height above adjacent grade as determined by the Administrator, except for property owned by Red Clay LLC (aka Oskar Blues), 8596-37-7910-000, Deed Book 00621 Page 0694, which is permitted up to 46 feet in height above adjacent grade

iv. Setbacks: Secondary Ground Sign shall be set back a minimum of 10 feet from all property lines and rights-of-way lines.

3. Public Wayfinding Signs:

i. Wayfinding Ground Signs shall be owned and maintained by the City of Brevard, and may be installed upon private property by permission of the property owner, or within the public right-of-way of Mountain Industrial Drive, subject to the standards and practices of the *Manual of Uniform Traffic Control Devices*.

ii. Wayfinding Ground Signs shall be designed in such a way as to be generally consistent with the design of the City's "Wayfinding and Graphic Communications System."

iii. Maximum square footage of sign face: Wayfinding Ground Sign faces, including all individual panels, shall not exceed 16 square feet in size.

iv. Maximum height: Wayfinding Ground Signs shall not exceed 8 feet in height above adjacent grade as determined by the Administrator.

4. Wall Signage:

i. One Wall Sign may be permitted for each business within the District. In such cases where the structure containing a business fronts upon both Old US Highway 64 and Mountain Industrial Drive, such business is permitted a second wall sign.

ii. A business within the District may place wall signs upon any exterior wall of the structure containing the business. However, in no case shall a wall contain more than one sign per business.

iii. Maximum square footage of sign face: Wall Sign faces shall not 50 square feet in size.

- c. Chapter 16 of the UDO shall dictate what constitutes a minor, intermediate, or major modification within the District, and their approval processes.
- d. Any development shall secure zoning site plan approval from the Administrator prior to commencing development activity within the District.
- e. All applicable fees shall be rendered to the Administrator prior to receiving final zoning approval from the City of Brevard for any structure, and prior to receiving a Certificate of Occupancy from Transylvania County for any structure.
- f. A Final Master Plan shall be submitted for the area of the District subject to the Preliminary Master Plan adopted with this ordinance within five years of the adoption of this ordinance.

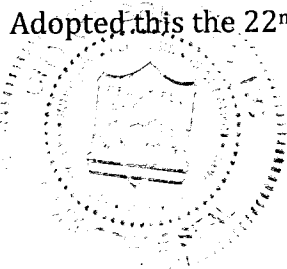
Section 5. The Planning Director is hereby authorized and directed to modify the City's Official Zoning Map consistent with this Ordinance.

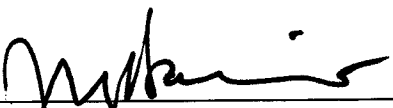
Section 6. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

Section 7. All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This ordinance shall be in full force and effect from and after the date of adoption.


Adopted this the 22nd day of February, 2021.





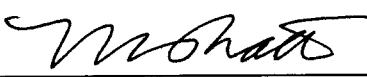
Jimmie Harris,
Mayor

ATTEST:



Jill Murray
City Clerk

APPROVED AS TO FORM:

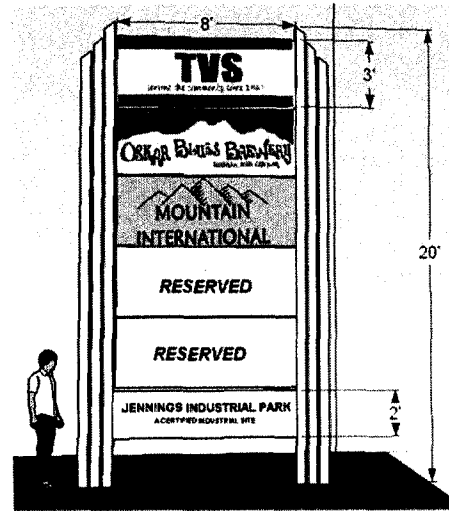


Michael K. Pratt
City Attorney

EXHIBIT B

(Ordinance No. 2020-10)

MOUNTAIN INDUSTRIAL PARK SIGNAGE MASTER PLAN



PRIMARY GROUND SIGN

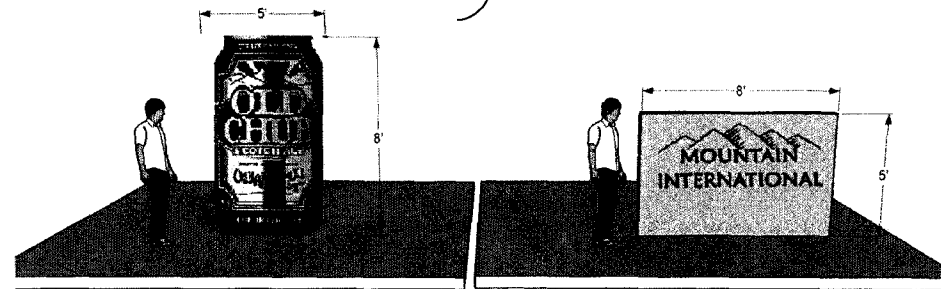
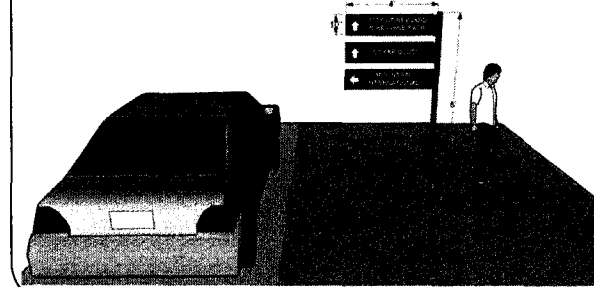
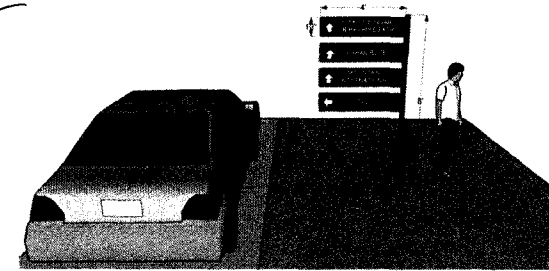
A concept design for Primary Ground Sign PGS-A is shown, left. The Primary Ground Sign shall meet the following dimensional standards:

- Height: 20' or less
- Size: 140 square feet or less

WAYFINDING SIGNS

Concept designs for Wayfinding signs WS-A and WS-B are shown, right. Wayfinding signs meet the following dimensional standards:

- Height: 8' or less
- Size: 16 square feet or less
- Maximum Number of Panels: 4
- Panel Dimensions:

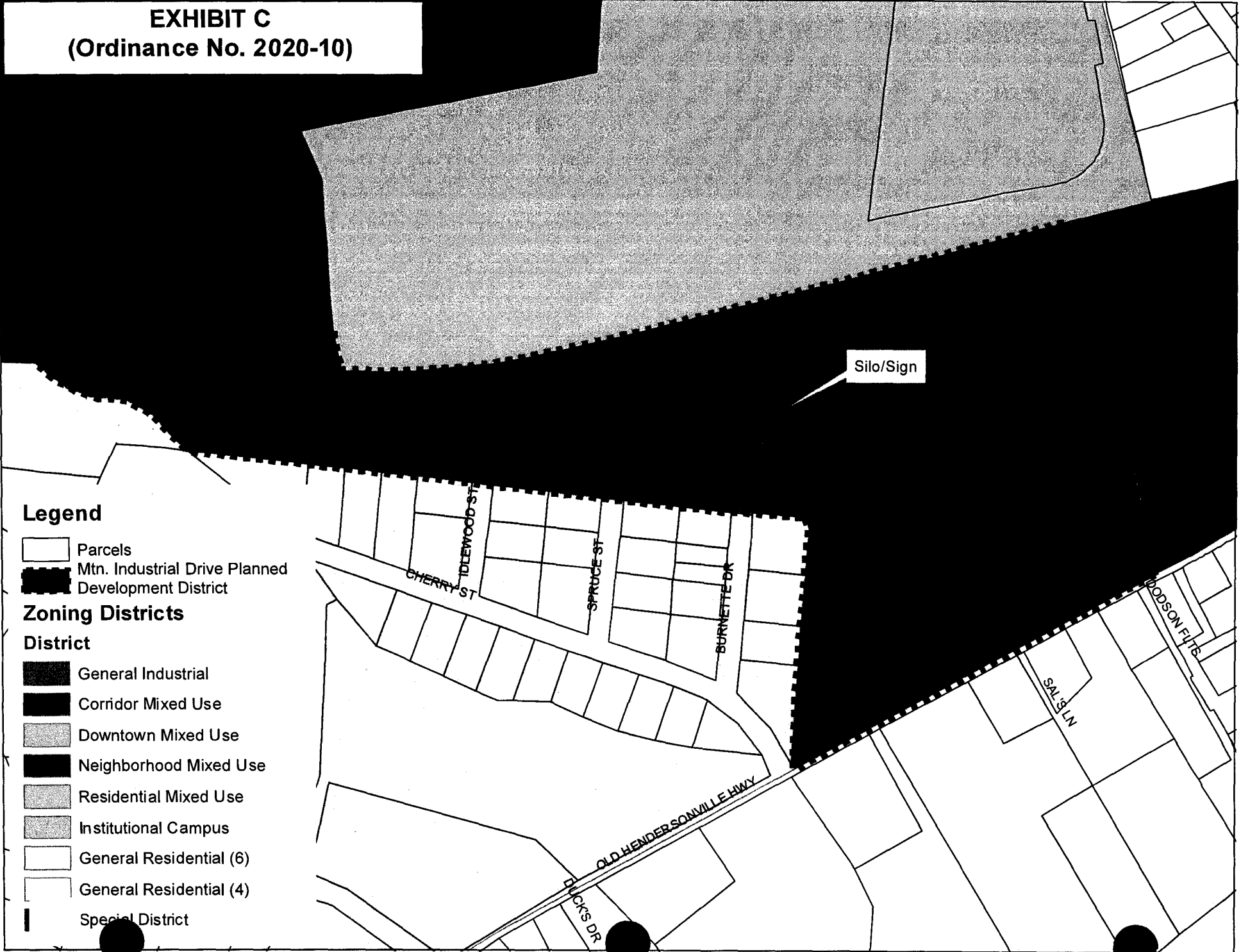


SECONDARY GROUND SIGNS

Concept designs for signs SGS-A, B and D are shown, left. Secondary ground signs meet the following dimensional standards:

- Height: 8' or less

EXHIBIT C
(Ordinance No. 2020-10)



Legend












-  Parcels
-  Mtn. Industrial Drive Planned Development District
- Zoning Districts**
- District**
-  General Industrial
-  Corridor Mixed Use
-  Downtown Mixed Use
-  Neighborhood Mixed Use
-  Residential Mixed Use
-  Institutional Campus
-  General Residential (6)
-  General Residential (4)
-  Special District

EXHIBIT D
(Ordinance No. 2020-10)

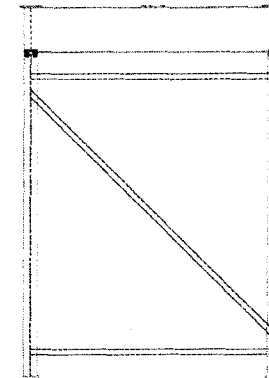
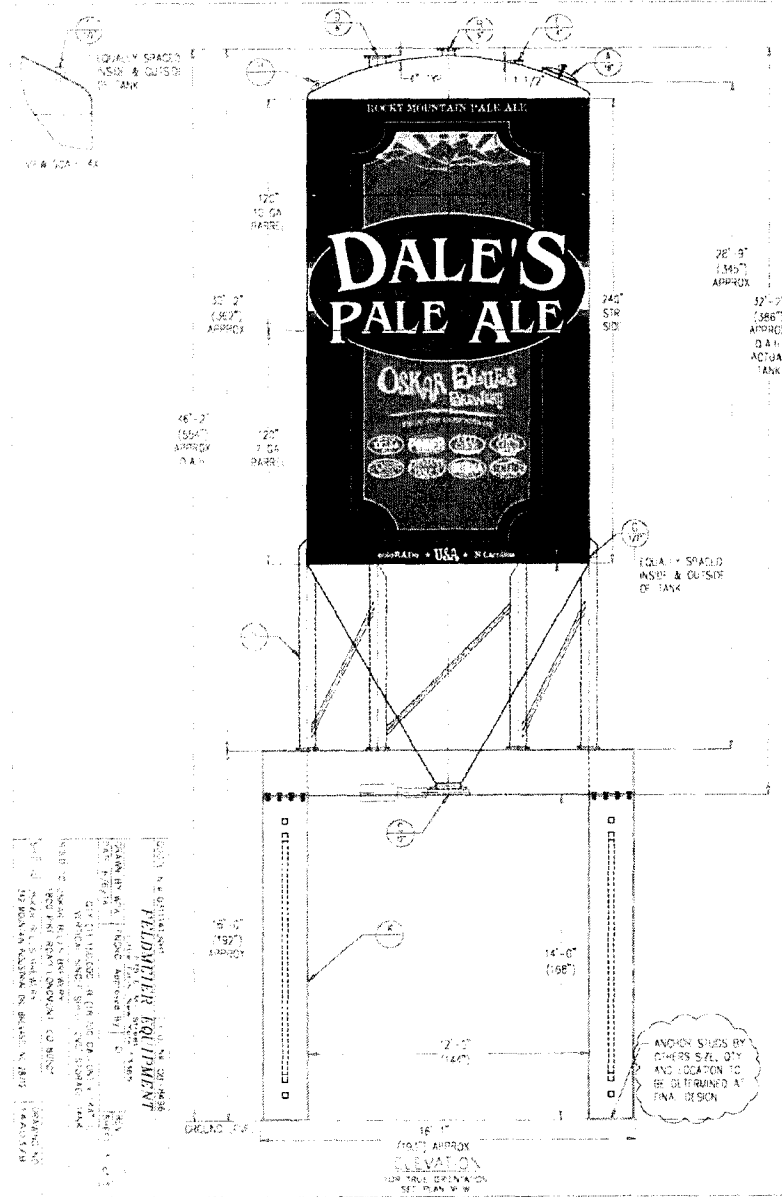


EXHIBIT D
(Ordinance No. 2020-10)

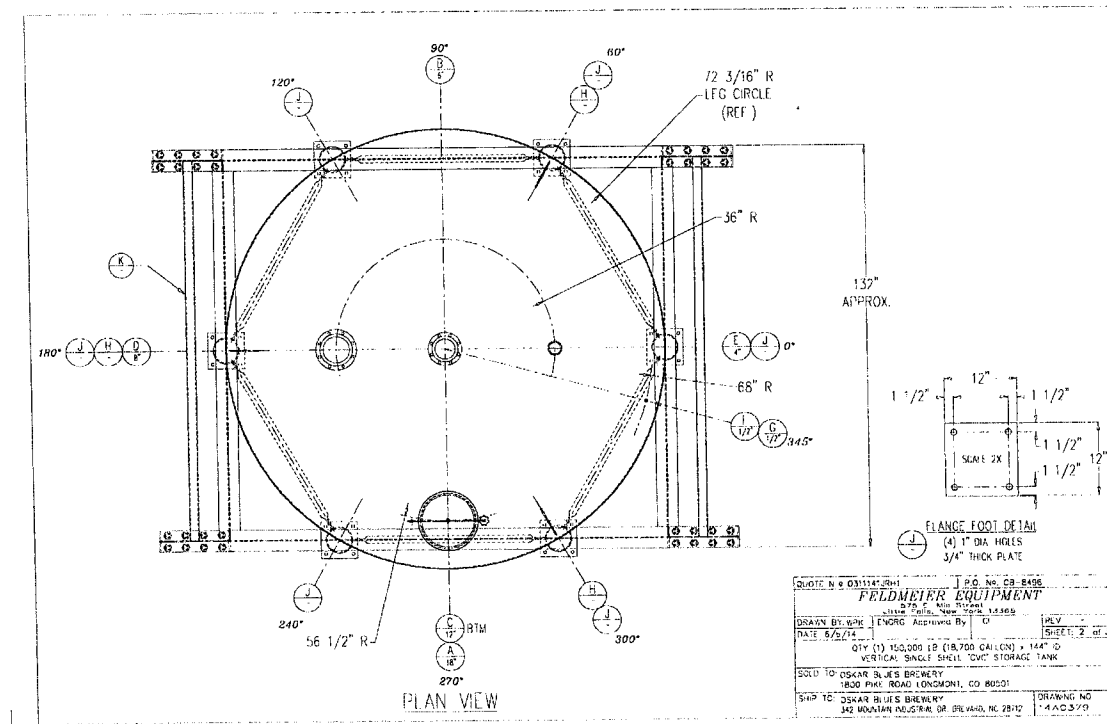


EXHIBIT D
(Ordinance No. 2020-10)

REV	SIZE	QTY	DESCRIPTION	SERVICE
A	1/4"	1	STANDARD VAPORLINE W/WAY WITH HAZZED COVER, HOLD DOWN AND CASSETT	WALKWAY
B	8"	1	150# RISD FLANGE	INLET
C	12"	1	150# RISD FLANGE FOR ORINOX SERIES 20 PNEUMATIC ACTUATE KVFV VALVE (VALVE BY OTHERS)	OUTLET
D	8"	1	150# RISD FLANGE (LESS VENT)	VENT
E	4"	1	SANITARY CLAMP CONNECTION WITH CASSETT, CAP AND CLAMP (LESS RISID)	OP
F	1/2"	1	ROOF FILL COUPLING WITH FILL (LESS RISID)	HIGH LEVEL
G	1/2"	1	ROOF FILL COUPLING WITH FILL (LESS RISID)	LOW LEVEL
H	-	3	SEAMLESS STEEL UP/END LEGS	UP/END
I	-	6	CARBON STEEL WFL LEGS WITH NON-ADJUSTABLE FLANGE (LEFT INCLUDES DIAGONAL BRACING)	LEGS
J	-	1	CARBON STEEL BASE SIGNATURE, SHIPPED LOOSE AND ERRECTED ON SITE (ANCHORAGE BY OTHERS)	BASE FRAME
K	-	1	CARBON STEEL BASE SIGNATURE, SHIPPED LOOSE AND ERRECTED ON SITE (ANCHORAGE BY OTHERS)	BASE FRAME

GENERAL NOTES:	
1.	ALL PRODUCT CONTACT MATERIAL TO BE 304 STN STN UNLESS NOTED OTHERWISE
2.	ALL EXTERNAL PIPING TO BE SUPPORTED INDEPENDENT OF VESSEL
3.	ALL CARBON STEEL TO BE PAINTED WITH RUST INHIBIT PRIMER AND PAINTED WITH CUSTOMER SPECIFIED COLOR

INTERNAL FINISH SPECIFICATION:	
MATERIAL	20# FINISH (NOT SCRATCH FREE)
EXCEPT DWS	W/32 / 32 RA
PLATE, WFL, BAR	
WELDS	W/32 / CLEANED ONLY TO REMOVE DISCOORINATION (WELD APPLY VISIBLE)

EXTERNAL FINISH SPECIFICATION:	
MATERIAL	20# FINISH (NOT SCRATCH FREE)
EXCEPT DWS	W/32 (NOT SCRATCH FREE)
PLATE, WFL, BAR	
CARBON STEEL	W/32, SEE GENERAL NOTE 3
WELDS	W/32 / CLEANED ONLY TO REMOVE DISCOORINATION (WELD APPLY VISIBLE)

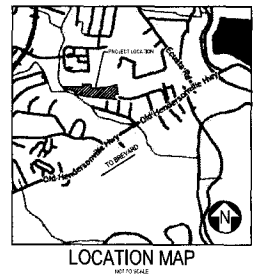
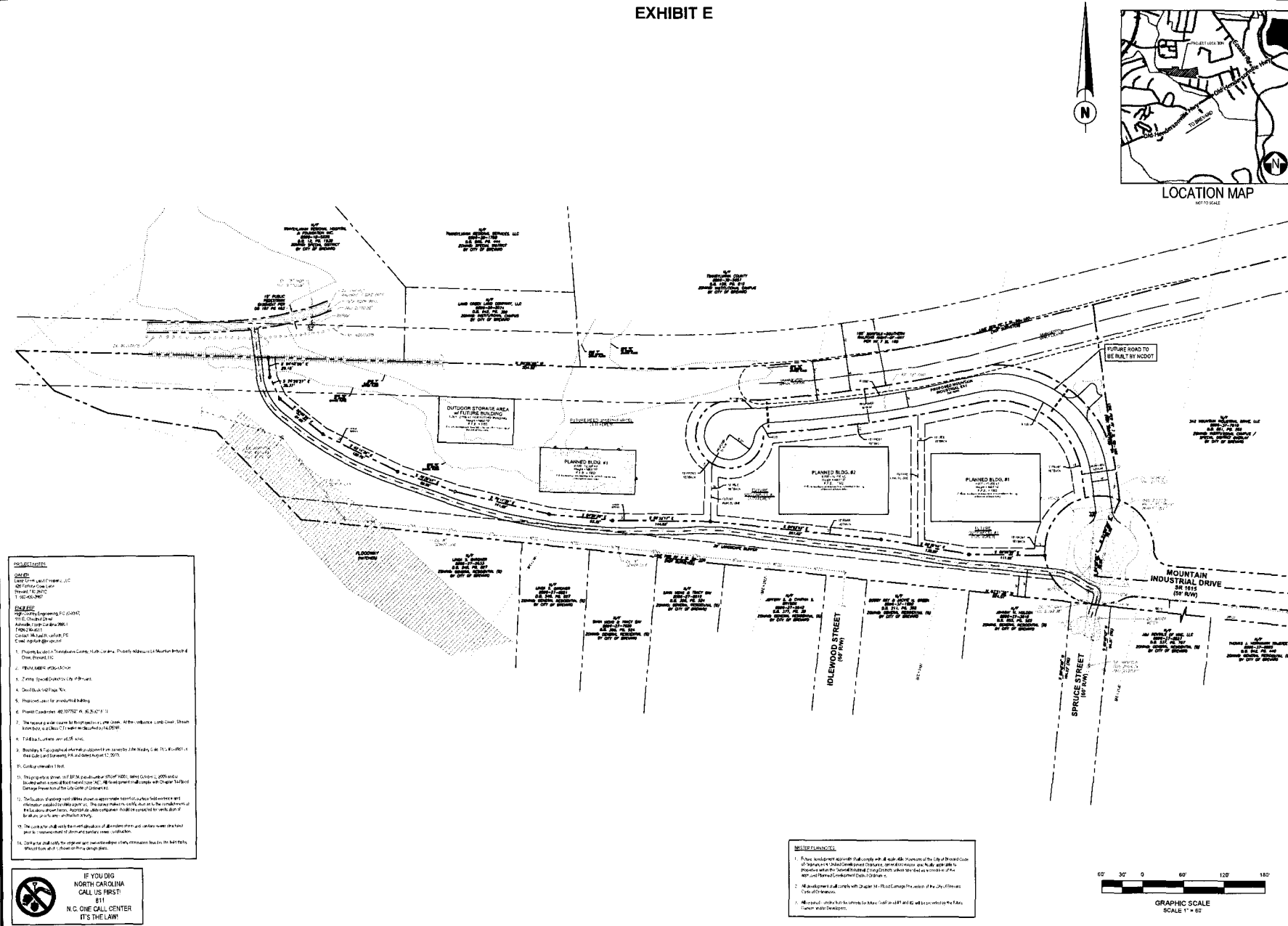
WEIGHTS:	
EMPTY VESSEL	11,800 LBS (PPL. W/NOV. CAPACITY: 107,600 LBS)
(LESS DWS, FRAME)	(LBS. SPECIFIC GRAVITY = 15)

DESIGN DATA				
VESSEL OPERATING CAPACITY: 100,000 LB (45,000 GALLON)				
VESSEL DESIGN: ATMOSPHERIC OPERATION @ AMBIENT FOR STORAGE OF SPENT OILS				
VESSEL DESIGN: ASME SECTION VIII DIVISION 1 CLASS 1D				
VESSEL MATERIAL:	SPEC.	GRADE	THICKNESS/CLASS	NOTES
LOWER SHELL	SA-240	304	10 GA (0.1875)	164" ID
LOWER SHELL	SA-240	304	7 GA (0.1875)	164" ID
BOTTOM HEAD (TORISPHICAL)	SA-240	304	7 GA (0.1875)	164" ID, 164" ID, 164" ID, 164" ID
TOP HEAD (FLANGED & DISHED)	SA-240	304	10 GA (0.1875)	164" ID
RISID FLANGES	SA-180	304		
NOZZLE EXTENSIONS	SA-180	304	SC1 40	
COUPLINGS	SA-180	304		
OTHER MATERIAL:	SPEC.	GRADE	THICKNESS/CLASS	NOTES
LEGS	SA-51	CARBON STEEL	6" SCH 40	PAINTED CUSTOMER SPECIFIED COLOR
FLANGE FEET	SA-56	CARBON STEEL		PAINTED CUSTOMER SPECIFIED COLOR
LEG BRACINGS	SA-55	CARBON STEEL	2" SCH 40	PAINTED CUSTOMER SPECIFIED COLOR
RACKING BAND	SA-240	304	7 GA (0.1875)	164" ID
UP/END LEGS	SA-240	304		PAINTED CUSTOMER SPECIFIED COLOR
BASE FRAME		CARBON STEEL		PAINTED CUSTOMER SPECIFIED COLOR
WALKWAY CASSETT				PAINTED CUSTOMER SPECIFIED COLOR
SHOULDER TOLERANCES:				
DEVIA FROM HORIZONTAL ± 1/2" (MAX. DEVIATION FROM HORIZONTAL) (MAX. DEVIATION FROM HORIZONTAL) (MAX. DEVIATION FROM HORIZONTAL)				
DEVIA FROM VERTICAL ± 1/2" (MAX. DEVIATION FROM VERTICAL) (MAX. DEVIATION FROM VERTICAL) (MAX. DEVIATION FROM VERTICAL)				
WALKWAY LOCATION TO BE FLANGE ± 1/2" (MAX. DEVIATION FROM WALKWAY LOCATION) (MAX. DEVIATION FROM WALKWAY LOCATION) (MAX. DEVIATION FROM WALKWAY LOCATION)				
WALKWAY DEVIATION FROM ANGULAR LOCATION ± 1/2" (MAX. DEVIATION FROM ANGULAR LOCATION) (MAX. DEVIATION FROM ANGULAR LOCATION) (MAX. DEVIATION FROM ANGULAR LOCATION)				

PROJECT INFORMATION	
PROJECT NO. & DESCRIPTION	P.O. NO. 09-8495
FELDMER EQUIPMENT	
DESIGNED BY: WPK	ENGRG. APPROVED BY: CI
DRAWN BY: WPK	DATE: 6/8/14
SHEET NO. 1 OF 3	
TITLE: (1) 100,000 LB (45,000 GALLON) x 164" ID VERTICAL SINGLE SHELL 'CVC' STORAGE TANK	
SOLD TO: OSKAR BLUES BREWERY	
1800 PIKE ROAD LONGMONT, CO 80501	
SHEP TO: OSKAR BLUES BREWERY	DRAWING NO. 14-00379
342 VOLUNTAIR INDUSTRIAL DR. BREWING, NC 28112	



EXHIBIT E






 HIGH COUNTRY ENGINEERING P.C.
 111 E CHESTNUT STREET
 ASHEVILLE, NORTH CAROLINA 28801
 T. 828.250.4511
 F. 828.348.5040
 NCTERMING: C3847



PRELIMINARY MASTER PLAN FOR THE
REED-JOSEPH BUSINESS PARK
 @ JENNINGS INDUSTRIAL PARK
 14 MOUNTAIN INDUSTRIAL DRIVE
 CITY OF BREWSTER
 TRANSYLVANIA COUNTY, NORTH CAROLINA
 PREPARED FOR:
 LAMAR CRELLING COMPANY, LLC
 401 DUNN CREEK DRIVE, BREWSTER, NC 28714

- DESIGN NOTES:**
1. Plans, Sections & Specifications comply with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 2. All work shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 3. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
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 8. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 9. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
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 12. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 13. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 14. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.


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 NORTH CAROLINA
 CALL US FIRST!
 811
 N.C. ONE CALL CENTER
 IT'S THE LAW!

- REVISIONS:**
1. Final design plan approved by the City of Brewster.
 2. All work shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 3. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 4. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.
 5. The proposed site plan shall be in accordance with the City of Brewster Code of Ordinances, Chapter 14, Article 1, Section 14.01.01.

NO.	DATE	DESCRIPTION
1	11/15/2011	PRELIMINARY MASTER PLAN FOR THE REED-JOSEPH BUSINESS PARK
2	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
3	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
4	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
5	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
6	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
7	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
8	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
9	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK
10	11/15/2011	REVISIONS TO THE REED-JOSEPH BUSINESS PARK

PROJECT NAME:
REED-JOSEPH BUSINESS PARK
 City of Brewster
 Transylvania County, NC

SHEET TITLE:
PRELIMINARY MASTER PLAN

PROJECT NO.: RJ001
 SHEET NO.: C-1
 DATE: 11/22/2011
 DRAWN BY: [Name]