



CITY OF KING CITY COUNCIL

MEETING DATE:

SEPTEMBER 8, 2026

PART A

Subject:	PUBLIC HEARING - CONDITIONAL REZONING REQUEST CZ-H-I-050 BY LMC AUTOMOTIVE & RECYCLING OF LEWISVILLE, NC.
Action Requested:	Review the applicants request to rezone 26.58-acres from L-I (Light-Industrial) to CZ-H-I (Conditional Zoning-Heavy-Industrial) and make a decision on proposed rezoning per the ordinance requirements.
Attachments:	• Zoning action request form. • Recommended conditions. • Public notice. • Owner/abutting property owner's notices. • Site plans and other documents. • Ordinance requirements.

This abstract requires review by:

City Manager

City Attorney

Todd Cox, Int. Planning & Zoning Official
Emerson Wright, Planning & Zoning intern

PART B

Introduction and Background:

This tract is located in the 100 Blk of Industrial Drive on the SW side and is currently zoned L-I and contains 26.58-acres of vacant land. The tract has access to city water and sewer and is outside of the corporate limits. The Owner is wanting to rezone the tract to CZ-H-I to accommodate a vehicle salvage & recycling business. The tract falls within our G-3 industrial area which would allow for this type of use as defined in Sec. 32-202. - Industrial.

Discussion and Analysis:

This tract initially was zoned L-I back when the city adopted zoning in 1985. We updated our comp plan in 2015 and identified this tract as being reserved for industrial growth, see diagram. This tract has been on the market for over 7 years with little interest due to access and topography. The current applicant, Justin & Marty Myers, own a vehicle salvage/recycling facilities in Lewisville and East Bend. They would like to expand their business and also provide a service to our area. The access and topography of this tract on Industrial Drive does not have the same impact on surrounding properties as it would a traditional industrial type building with parking. So, it could make a suitable site for this type of business.

When rezoning a property to H-I, the council must weigh the effects of this type of use on the surrounding properties. H-I is our most intensive use of land and carries with it certain items that must be considered. Staff has drafted some preliminary conditions and shared them with the applicant. Hopefully they will agree with them or be willing to negotiate any that they disagree with.

Things to consider in this rezoning case –

- Potential environmental impacts (run-off, noise, dust/air contaminants, etc.). Will there be ground pollution, air pollution, and/or battery storage. Pest control.
- Proper setbacks and buffering. Our ordinance requires perimeter fencing which the plan has.
- Visibility – who has to see the salvage yard.
- Proximity to – schools, parks, or residential districts. We have a residential district to the north of the site; can we buffer this area enough to lessen the effects of this type of use.

Sec. 32-163. Statement of intent of districts.

The intents of the various use districts are as follows:

(14) ***L-I light industrial district.*** The intent of the L-I light industrial district is to provide sites for manufacturing, warehousing, processing and related uses whose operating characteristics limit their effects on adjacent uses. This district may have some outdoor fenced storage areas for materials, vehicles, and equipment.

(15) ***H-I heavy industrial district.*** The intent of the H-I heavy industrial district is to provide sites for industrial, processing and related operations whose external effects could be detrimental to certain classes of use. This H-I district shall normally be located so that traffic to and from the use has direct access to an arterial street and should be located away from highly developed residential areas.

Budgetary Impact:

Additional tax base, additional permit fees, additional utility fees.

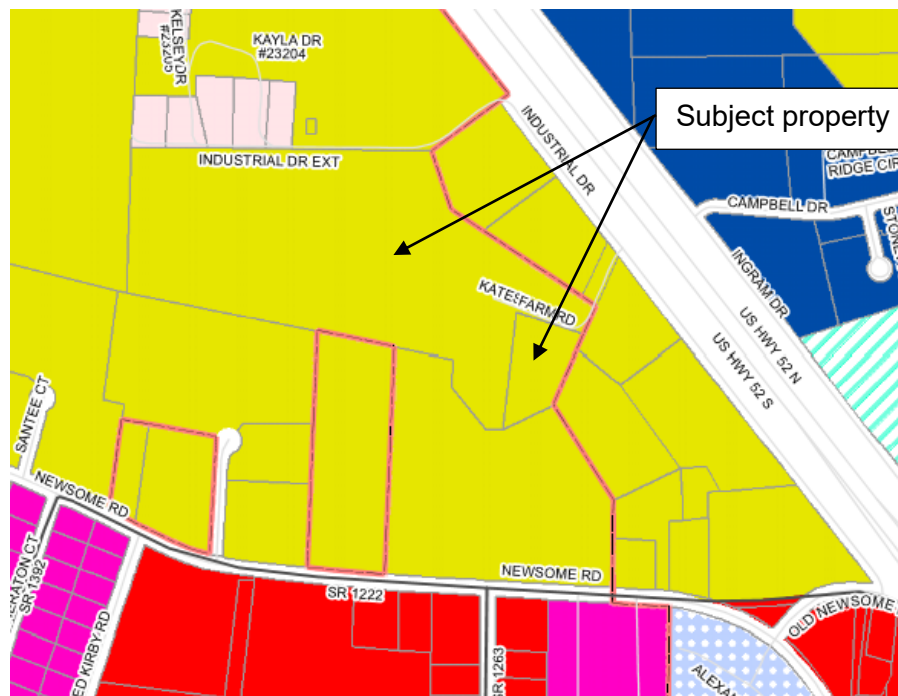
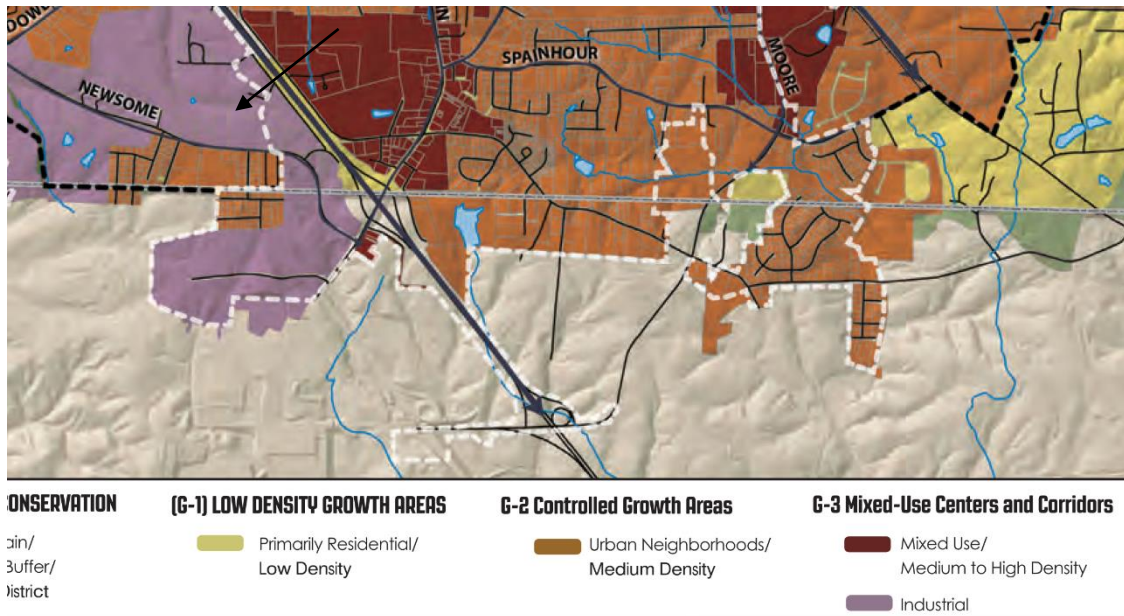
Recommendations:

Planning board recommends: 5 – 0 unanimous vote to recommend the rezoning and adding a condition that the area where the drainage of vehicles is done is tested for contaminants every 5-years. This will need to be agreed upon with the applicant.

Staff Recommends: Staff recommend approval of this request –

CZ-H-I-050/Ordinance 2026-16 with proposed agreed upon conditions and that this rezoning would be in keeping with the city's comprehensive plan for this area.

Location Map on Comp Plan



Zoning map

Applicable zoning sections –

Sec. 32-164. - Conditional districts.

(a) Conditional districts (CZ) run parallel to each of the conventional zoning districts and are subject to the same standards applicable to the parallel district including overlay district regulations, as modified by the approved district-specific plans and conditions. Conditional zoning is established to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning allows for a degree of certainty in land use decisions not possible in conventional districts. The following provision shall apply when using conditional zoning:

(1) The petition is proposed or agreed to by all the owner(s) of the subject land. Specific conditions may be proposed by the petitioner or the local government or its agencies, but only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing, in the exercise of the authority granted by this section, a local government may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land.

(2) The petition shall incorporate any proposed modifications to use, intensity, or development standards applicable in the parallel conventional use district. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, plans adopted pursuant to G.S. 160D-5-1, or the impacts reasonably expected to be generated by the development or use of the site. The zoning regulation may provide that defined minor modifications in conditional district standards that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification of the conditions and standards in a conditional district shall follow the same process for approval as are applicable to zoning map amendments. If multiple parcels of land are subject to a conditional zoning, the owners of individual parcels may apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Any modifications approved apply only to those properties whose owners petition for the modification.

a. *Limitations.* For parcels where multifamily structures are an allowable use, a local government may not impose a harmony requirement for permit approval if the development contains affordable housing units for families or individuals with incomes below 80 percent of the area median income.

(3) Proposed development plans shall be prepared by a licensed design professional and shall be prepared in accordance with ordinance, comprehensive or land-use plan, city design policies and state laws.

(4) When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with and an adopted comprehensive or land-use plan and any such agreed upon conditions and that by approval they will or will not be in promoting the public health, safety, and general welfare of its citizens. Any violations of a provisions of a conditional zoning ordinance amendment shall be treated the same as any other violation of this chapter and be subject to any penalties as set forth in [section 32-47](#).

Sec. 32-202. - Industrial.

Industrial uses shall be permitted in the zoning use districts as indicated:

	R-R-20	R-15	R-MF-A	R-MF-C	R-MF-T	R-MH-1	R-MH-2	O-B-1	B-B-2	PD-RC	L-I	H-I
Building contractors' offices and storage yards, provided all open storage is screened by a									x		x	x

[illegible]