

5.1 GENERAL PROVISIONS

This Code establishes the following Districts for use as Zoning categories:

Rural Residential (RR)
 Suburban Residential (SR)
 General Residential (GR)
 Neighborhood Center Residential (NC-R)
 Neighborhood Center Commercial (NC-C)
 Downtown District (DD)
 Highway Commercial (HC)
 Infill Development (INF-D)
 Traditional Neighborhood Development (TN-D)
 Business Campus Development (BC-D)
 Institutional Campus District (IC-D)
 Historic Preservation Overlay (HP-O)
 Watershed Protection Overlay (WP-O)
 Highway Corridor Overlay (HC-O)

In addition, each District has a corresponding Conditional District (CD) as outlined in Section 5.18. The overlay zoning districts are not eligible for conditional district, although the underlying zoning district(s) are.

These Districts are a cross-matrix of both the Building Types listed in Chapter 4 as well as the **Permitted Uses, Uses Permitted with Additional Requirements, and Uses Permitted subject to the issuance of a Conditional Use Permit** in accordance with Section 15.10.

All uses permitted in this Code have been divided into seven (7) general categories and are defined as follows:

- Residential:** Premises available for long-term human habitation by means of ownership and rental, but excluding short-term letting of less than a month's duration
- Lodging:** Premises available for short-term human habitation, including daily and weekly letting
- Office:** Premises available for the transaction of general business, but excluding retail sales and manufacturing
- Retail:** Premises available for the commercial sale of merchandise and prepared foods, but excluding manufacturing
- Manufacturing:** Premises available for the creation, assemblage, and repair of items including their retail sale except when such activity creates adverse impacts
- Civic:** Premises available for not-for-profit organizations dedicated to religion, arts and culture, education, government, social service, transit, and other similar functions

Other: Uses not otherwise classified but permitted with Additional Conditions in Chapter 6 and/or subject to the issuance of a Conditional Use Permit in accordance with Section 15.10.

Within these categories, the uses are defined as Open, Limited, and Restricted indicating the general permissiveness within each use category.

5.2 RURAL RESIDENTIAL (RR)

Rural Residential districts are coded to accommodate very low density residential development and agricultural uses, protect natural vistas, and landscape features that define our rural heritage.

The intent of this district is to maintain a rural boundary, preserving agricultural and forested areas on the perimeter of Belmont until utility infrastructure can be installed to allow for planned growth.

<p>1. Permitted Building Types</p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p>Detached House – Street Lot Only Civic Building</p>
<p>2. Specific District Provisions</p>	<p>1. Minimum Lot Size (Subject to increase by the Gaston County Health Dept) Lots platted prior to June 6, 2002: 20,000 sq ft. Lots platted after June 6, 2002: 2 acres</p> <p>2. Lot Width Minimum Lot Width at Right-of-Way: 40 ft</p>

3. Permitted Uses (Rural Residential RR)	
Residential	Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, Manufactured Housing and Bona Fide Farms
Lodging	Limited Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) ¹ and Bed and Breakfast Inns ¹
Office	Restricted Office: Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations ¹
Retail	Restricted Retail: Drive-in Theatres shall be permitted with a minimum lot size of 3 acres, and with the establishment of a Type A buffer/screening around the perimeter of the property. (See Chapter 11.2) All other retail is forbidden.
Manufacturing	Restricted Manufacturing: Manufacturing uses are not permitted.
Civic	Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
Other	Cemetery ¹ , Essential Services-Class 1 & 2 ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.3 SUBURBAN RESIDENTIAL (SR)

The Suburban Residential District is coded to allow low to moderate density development in areas farther from central Belmont, but to ensure that these areas develop along the same traditional lines as central Belmont. This District is intended to be the predominate residential district for areas identified on the Comprehensive Land Use Map as Suburban Neighborhood and Semi-Rural Neighborhood.

<p>1. Permitted Building Types</p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Detached House – Alley and Street Lot Townhouse Civic Building</p>
<p>2. Specific District Provisions</p>	<p>1. Minimum Lot Size The minimum lot size for a duplex home shall be 21,780 square feet, except with approval of a Conditional Use permit.</p> <p>2. Maximum Development Density Maximum Density (on a project by project basis): 3 Units/Acre</p> <p>3. Permitted Building Type Ratio The maximum number of Detached House-Alley Lot and Townhouse buildings in an SR development shall not exceed 30% of the total number of units.</p> <p>4. Lot Width On infill lots, the minimum lot width shall be equal to the average lot width of lots within 300 feet or 1 block length (whichever is greater), except with approval of a Conditional Use permit.</p>

3. Permitted Uses (Suburban Residential SR)	
Residential	Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Townhouses (in new developments only, no townhouses are permitted on infill lots in the SR District)
Lodging	Limited Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) ¹ and Bed and Breakfast Inns ¹
Office	Restricted Office: Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations ¹
Retail	Limited Retail: The area permitted for retail is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis. <i>Permitted Uses:</i> Day Care Centers
Manufacturing	Restricted Manufacturing: Manufacturing uses are not permitted.
Civic	Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
Other	Cemetery ¹ , Essential Services-Class 1 & 2 ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.4 GENERAL RESIDENTIAL (GR)

The General Residential District is coded to permit the health of the City’s historical neighborhoods as well as providing for the City’s expansion with new development along the same traditional lines under which they were established. This District is intended to be the predominate residential district for the City and represents the largest land area on the Zoning Map.

<p>2. Permitted Building Types</p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p>Detached House – Alley and Street Lot Townhouse Civic Building</p>
<p>2. Specific District Provisions</p>	<p>1. Minimum Lot Size For Lots platted prior to June 6, 2002, the minimum lot size is 4,000 square feet. The minimum lot size for a duplex home shall be 10,000 square feet, except with approval of a Conditional Use permit.</p> <p>2. Maximum Development Density Maximum Density (on a project by project basis): 6 Units/Acre</p> <p>3. Permitted Building Type Ratio The maximum number of Detached House-Alley Lot and Townhouse buildings in a GR development shall not exceed 30% of the total number of units.</p> <p>4. Lot Width On infill lots, the minimum lot width shall be equal to the average lot width of lots within 300 feet or 1 block length (whichever is greater), except with approval of a Conditional Use permit.</p>

3. Permitted Uses (General Residential GR)	
Residential	Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family (in new developments only, no multi-family is permitted on infill lots in the GR District)
Lodging	Limited Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) ¹ and Bed and Breakfast Inns ¹
Office	Restricted Office: Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations ¹
Retail	Limited Retail: The area permitted for retail is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis. <i>Permitted Uses:</i> Day Care Centers
Manufacturing	Restricted Manufacturing: Manufacturing uses are not permitted.
Civic	Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
Other	Cemetery ² , Essential Services-Class 1 & 2 ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6

²Subject to the issuance of a Conditional Use Permit

5.5 NEIGHBORHOOD CENTER RESIDENTIAL (NC-R)

The Neighborhood Center Residential District is coded to provide for areas for residential and mixed-use development in close proximity to existing and planned commercial centers. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian interaction. Different housing types and lot styles are encouraged as well as office and limited retail uses.

<p>1. Permitted Building Types</p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Detached House – Alley and Street Lot Townhouse Apartment Building Civic Building</p>
<p>2. Specific District Provisions</p>	<p>1. Minimum Lot Size: 2,700 square feet (May be computed as an average lot size for developments that utilize condominium ownership or are otherwise held in common ownership by a single entity). This may be reduced subject to the approval of a Conditional District rezoning.</p>

3. Permitted Uses (Neighborhood Center Residential NC-R)	
Residential	Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
Lodging	Limited Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) ¹ and Bed and Breakfast Inns ¹
Office	Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations ¹ , Live-Work Units, Professional Offices
Retail	Limited Retail: The area permitted for retail is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis. <i>Permitted Uses:</i> Day Care Centers
Manufacturing	Restricted Manufacturing: Manufacturing uses are not permitted.
Civic	Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
Other	Cemetery ¹ , Essential Services-Class 1 & 2 ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6

²Subject to the issuance of a Conditional Use Permit

5.6 NEIGHBORHOOD CENTER COMMERCIAL (NC-C)

This District is coded to provide pedestrian-scaled higher density residential homes and opportunities for limited scale commercial activities along existing mixed use corridors and at the functional center of new neighborhoods. Developments in the NC-C Districts are to emulate the Main Street characteristics of Downtown and East Belmont, and encourage pedestrian use through connections to adjacent neighborhoods and the construction of mixed use buildings.

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"> Detached House Townhouse Apartment Building Shopfront Civic Building </p>
<p>2. Specific District Provisions</p>	<ol style="list-style-type: none"> 1. Maximum Building Footprint: 6,000 square feet 2. To maintain pedestrian scale, accessibility, and integration with the surrounding neighborhoods, Neighborhood Center Commercial Districts should not exceed 30 acres or extend 1/8 of a mile from the central focus of the area. 3. New Neighborhood Center Commercial Districts shall be located a minimum of 1/4 mile from each other.

3. Permitted Uses (Neighborhood Center Commercial NC-C)	
Residential	Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
Lodging	Open Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, and Hotels
Office	Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses
Retail	Open Retail: The area available for retail use is limited to the requirement of one assigned parking space for each 400 square feet of gross retail space. <i>Permitted Uses:</i> Retail Uses, Restaurants, Night Clubs and Bars with Live Music ¹ , Entertainment Uses, Neighborhood Stores ¹ , and Gas Stations ^{1&2} <i>Excluded Uses:</i> Drive-through Retail, Automotive, Boat & Heavy Equipment Sales and Service, Adult Establishments, Adult Video Stores, Pool Halls, Billiard Parlors, Game Rooms, and Arcades.
Manufacturing	Restricted Manufacturing: Neighborhood Manufacturing. ¹
Civic	Open Civic: Civic uses shall be permitted.
Other	Cemetery ¹ , Essential Services-Class 1 & 2 ¹ , Parking Structures ¹ , Recreational Facilities ¹ Outdoor Storage of Landscaping/Garden Supplies ¹

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5.7 DOWNTOWN DISTRICT (DD)

The Downtown District is coded to encourage the redevelopment and expansion of the traditional City center. This center is intended to serve as the civic, cultural, and governmental hub of activity for the entire Belmont community.

Commercial components of the Downtown may exceed 18,000 square feet within a single building. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level residential. Higher densities of residential development are encouraged.

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"> Detached House Townhouse Apartment Building Shopfront Building Civic Building </p>
<p>2. Specific District Provisions</p>	<p>1. Loading areas are permitted in the rear yard only.</p>

3. Permitted Uses (Downtown District DD)	
Residential	Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
Lodging	Open Lodging: Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, and Hotels
Office	Open Office: <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses
Retail	Open Retail: Permitted Uses: Retail Uses, Restaurants, Night Clubs and Bars with Live Music ¹ , Entertainment Uses Excluded Uses: Drive-through Retail, Automotive, Boat & Heavy Equipment Sales and Service, Adult Establishments, Adult Video Stores, Pool Halls, Billiard Parlors, Game Rooms, and Arcades.
Manufacturing	Restricted Manufacturing: Neighborhood Manufacturing. ¹
Civic	Open Civic: Civic uses shall be permitted.
Other	Cemetery ¹ , Essential Services-Class 1 & 2 ¹ , Parking Structures ¹ , Recreational Facilities ¹ , Temporary Uses ¹ Outdoor Storage of Landscaping/Garden Supplies ¹

¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.8 HIGHWAY COMMERCIAL (HC)

The intensity of commercial development in the Highway Commercial district is established by the traffic of the fronting thoroughfare. Though coded primarily for auto dependent development along the frontage, buildings that do not front along Wilkinson Boulevard shall be scaled to the pedestrian.

The intent of these regulations is to facilitate convenient access, minimize traffic congestion, and reduce the visual impact of excessive signage and parking lots. In addition to Wilkinson Boulevard, North Main Street, McAdenville Road, and Park Street in the proximity of Wilkinson Boulevard and the south side of I-85 may be designated for Highway Commercial development.

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Townhouse Apartment Building Shopfront Building Flex Commercial Building Civic Building</p>
<p>2. Specific District Provisions</p>	<ol style="list-style-type: none"> 1. Parking shall be in the side or rear yard only. Parking may be permitted in the front yard subject to the issuance of a Conditional Use Permit provided: <ol style="list-style-type: none"> a. There exists no practical alternative for the location of such parking because of the unique needs generated by a specific use b. The parking in the front yard, if provided, shall be set back a minimum of 10 feet from the right-of-way and shall be screened using a Type B-Semi Opaque Screen (11.2.B) 2. Loading areas in the rear yard only. 3. Uses greater than 50,000 square feet shall be subject to the issuance of a Conditional Use Permit.

3. Permitted Uses (Highway Commercial HC)	
Residential	Open Residential: The number of dwellings is limited by the required lot dimensions and the minimum parking requirements of 1 ½ assigned spaces per unit. <i>Permitted Uses:</i> Multi-Family
Lodging	Open Lodging: The number of bedrooms available for lodging is limited by the parking requirements of Chapter 9. Food service may be provided at all times. Permitted Uses: Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, Motels, and Hotels
Office	Open Office: The area available for office use is limited by the parking requirements of Chapter 9. Permitted Uses: Home Occupations, Live-Work Units, and Office Uses
Retail	Open Retail: The area available for retail use is limited to the parking requirements of Chapter 9. Permitted Uses: Retail Uses, Restaurants, Night Clubs and Bars with Live Music ¹ , Entertainment Uses, Adult Establishments ^{1&2} , and Adult Video Stores ^{1&2} , Automotive/Boat/Heavy Equipment/Manufactured Home Sales and/or Service ^{1&2} , Temporary Amusements ¹ Excluded Uses: Pool Halls, Billiard Parlors, Game Rooms, and Arcades.
Manufacturing	Restricted Manufacturing: No manufacturing activity is permitted.
Civic	Open Civic: Civic uses shall be permitted.
Other	Essential Services-Class 1 & 2 ¹ , Parking Structures ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6

²Subject to the issuance of a Conditional Use Permit

5.9 INFILL DEVELOPMENT (INF-D)

The intent of this District is to design infill developments in built-up environments that adhere to the following neighborhood design principles:

- Integration of existing street systems
- Flexibility of housing types
- Small-scale commercial uses that serve the immediate neighborhood
- Creation of a useable and coherent public realm
- Reservation of prominent sites for civic uses, where practical

Though it is similar to the Traditional Neighborhood Development, Infill Development has a more limited range of permitted building types and uses.

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Detached House – Alley and Street Lot Townhouse Apartment Building Shopfront Building Civic Building</p>												
<p>2. Specific District Provisions</p>	<ol style="list-style-type: none"> 1. Minimum project size: 3 acres 2. Maximum project size: 40 acres (Projects in excess of 40 acres shall be developed as a TN-D) 3. Shopfront Buildings shall not exceed a maximum footprint are of 6,000 square feet. 4. The total number of multi-family units shall not exceed 35% of the total residential units or 25 acres, whichever is less, except with a Conditional Use Permit. 												
<p>3. Gross Land Allocation by Use The percentages are allocated on a gross area basis inclusive of the street rights-of-way.</p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>Use</u></th> <th style="text-align: center;"><u>Minimum - Maximum</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Single-Family Uses</td> <td style="text-align: center;">15% - 75%</td> </tr> <tr> <td style="text-align: center;">Duplex and Multi-Family Uses</td> <td style="text-align: center;">10% - 40%</td> </tr> <tr> <td style="text-align: center;">Lodging/Office/Retail Uses</td> <td style="text-align: center;">2% - 10%</td> </tr> <tr> <td style="text-align: center;">Civic Uses</td> <td style="text-align: center;">2% - no maximum</td> </tr> <tr> <td style="text-align: center;">Open Space</td> <td style="text-align: center;">Per Chapter 7</td> </tr> </tbody> </table>	<u>Use</u>	<u>Minimum - Maximum</u>	Single-Family Uses	15% - 75%	Duplex and Multi-Family Uses	10% - 40%	Lodging/Office/Retail Uses	2% - 10%	Civic Uses	2% - no maximum	Open Space	Per Chapter 7
<u>Use</u>	<u>Minimum - Maximum</u>												
Single-Family Uses	15% - 75%												
Duplex and Multi-Family Uses	10% - 40%												
Lodging/Office/Retail Uses	2% - 10%												
Civic Uses	2% - no maximum												
Open Space	Per Chapter 7												

2.8 Permitted Uses (Infill Development INF-D)	
Residential	Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
Lodging	Limited Lodging: The number of bedrooms available for lodging is limited by the parking requirements of Chapter 9. Food service may only be provided in the morning. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) and Bed and Breakfast Inns ¹
Office	Limited Office: Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations ¹ and Live-Work Units <i>Exceptions:</i> Offices (in existing Workplace buildings only)
Retail	Limited Retail: Retail use is forbidden with the following exceptions: One Neighborhood Store shall be permitted for each 300 units in a neighborhood. <i>Permitted Uses:</i> Day Care Centers ¹ and Neighborhood Store ¹
Manufacturing	Restricted Manufacturing: Manufacturing uses are forbidden.
Civic	Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
Other	Essential Services, Class 1 & 2 ¹ , Recreational Facilities ¹

¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.10 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TN-D)

The intent of this District is to allow for the development of fully integrated, mixed-use pedestrian-oriented neighborhoods that minimize traffic congestions, suburban sprawl, infrastructure costs, and environmental degradation. Traditional Neighborhoods adhere to the following design principles:

- All neighborhoods have identifiable centers and edges
- Edge lots are readily accessible to retail and/or recreation by non-vehicular means (a distance not greater than ¼ mile)
- Uses and housing types are mixed and in close proximity to one another
- Street networks are interconnected and blocks are small
- Civic buildings are given prominent sites throughout the neighborhood

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Detached House – Alley and Street Lot Townhouse Apartment Building Shopfront Building Workplace Building Civic Building</p>
<p>2. Specific District Provisions</p>	<ol style="list-style-type: none"> 1. Minimum project size: 40 acres 2. Maximum project size: 200 acres (Projects in excess of 200 acres should be developed as multiple Traditional Neighborhoods, each individually subject to all such provisions) 3. The entire land area of the TND shall be divided into blocks, streets, and lots and optional natural or greenbelt areas. 4. Similar land categories shall generally front across streets. Dissimilar categories shall abut at rear lot lines. Corner lots which front on streets of dissimilar use shall be set back the same as the adjacent use with the lesser setback. 5. Large-scale, single use (conference spaces, theaters, athletic facilities, etc.) shall occur behind or above occupiable street front space. 6. The long axis of streets exceeding 500 feet in length shall have appropriate termination with either a public monument, specifically designed building facade, or a gateway to the ensuing space. 7. No portion of the TND is further than 660 feet (1/8 mile) from an open space as defined in Chapter 7.

<p>3. Gross Land Allocation by Use</p> <p>The percentages are allocated on the gross land area including street rights-of-way.</p>	Use	Minimum - Maximum
	Single-Family Uses	15% - 75%
	Duplex and Multi-Family Uses	10% - 40%
	Lodging/Office/Retail Uses	2% - 40%
	Civic Uses	2% - no maximum
	Open Space	Per Chapter 7

4. Permitted Uses (Traditional Neighborhood Development TN-D)	
Residential	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family</p>
Lodging	<p>Open Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns¹, and Hotels</p>
Office	<p>Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses</p>
Retail	<p>Open Retail: The area available for retail use is limited to the requirement of one assigned parking space for each 400 square feet of gross retail space. <i>Permitted Uses:</i> Retail Uses, Restaurants, Night Clubs and Bars with Live Music¹, Entertainment Uses, Convenience Stores¹, and Gas Stations^{1& 2} <i>Excluded Uses:</i> Drive-through Retail, Automotive, Boat & Heavy Equipment Sales and Service, Adult Establishments, and Adult Video Stores</p>
Manufacturing	<p>Limited Manufacturing: The area available for manufacturing use is limited to the building. <i>Permitted Uses:</i> Light Manufacturing Uses (no outdoor storage permitted)</p>
Civic	<p>Open Civic: Civic uses shall be permitted.</p>
Other	<p>Cemetery¹, Essential Services-Class 1 & 2¹, Parking Structures¹, Recreational Facilities¹</p>

¹See Additional Conditions in Chapter 6

²Subject to the issuance of a Conditional Use Permit

5.11 BUSINESS CAMPUS DEVELOPMENT (BC-D)

In order to maintain an attractive and viable environment in which to locate workplaces, the City of Belmont has created this district to promote the existing academic campus setting in the City and the southern piedmont region.







Business Campus Developments are coded to permit the development of corporate office campus, light industrial uses and heavy industrial uses. Such developments are typically too large in scale to fit within a neighborhood environment and must be designed in a manner that is more appropriate to their technology, production methods, and/or operations.

Business Campus Developments are coded to achieve the high quality site design and use flexibility inherent in campus design. This is accomplished through attention to a building's architectural compatibility with other buildings and the relationship of buildings to the public realm.

This district may not be used to circumvent other Sections in this Code.

All map amendments involving Business Campus Developments are permitted as a Conditional Use District only. Site plans shall be submitted with all map amendment petitions.

<p>1. Permitted Building Types</p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"> Detached House – Alley and Street Lot Townhouse Apartment Building Shopfront Building Workplace Building Civic Building </p>
<p>2. Specific District Provisions</p>	<p>1. Minimum District Size: 40 Acres</p> <p>2. Minimum District Setbacks (as measured from exterior District boundary)</p> <p style="padding-left: 40px;">Parking: 80 ft Light Manufacturing Uses: 200 ft Heavy Manufacturing Uses: 400 ft</p> <p>3. Maximum Building Height (within District only): 5 Stories or 60 ft</p> <p>4. For infill lots, parking shall be allowed only in the side and rear yards, except as approved by a conditional use permit.</p> <p>5. Individual parcel(s) may be zoned BC-D contingent upon:</p> <ul style="list-style-type: none"> • The parcel(s) is (are) adjacent to an existing BC-D district; and, • Workplace and civic/institutional building types shall be the only building types permitted, except upon approval of a conditional district rezoning; and • Only office and professional uses shall be allowed.

<p>3. General Provisions</p>	<ol style="list-style-type: none"> 1. Internal setbacks and the location of parking areas shall be set during the review process. Consideration shall be given to the placement of buildings in a manner that encourages pedestrian activity and facilitates the provision of public transit. 2. A coherent, interconnecting network of internal streets shall be designed to accommodate the various uses found within the District. 3. The street network shall be designed in a manner to facilitate bus transit. Front doors shall be located to provide easy access to the interior of buildings from transit stops. 4. The interior of new Business Campus Developments shall maintain a well-defined open space network to give prominence to important structures and allow for assembly and pedestrian circulation. 5. Where practical, buildings are encouraged to integrate into the urban fabric. 6. All buildings shall front upon a street, square, green, park, or quadrangle. Buildings not fronting on a street shall provide for vehicular access from a rear alley or street. Such streets shall be constructed to the public street standards detailed in Section 6.0 but may be privately maintained. 7. Public streets, parking areas and private driveways may encroach into setbacks that do not abut public external streets or residential uses up to 40 feet. 8. All buildings shall be designed in a manner that is pedestrian in scale and massing unless a technological requirement demands a different trajectory. 												
<p>4. Permitted Building Type Mix</p> <p>The percentages are allocated on the gross land area.</p>	<table style="margin-left: auto; margin-right: auto;"> <tr> <td>Detached House – Alley and Street Lot</td> <td>0% - 30%</td> </tr> <tr> <td>Townhouse</td> <td>0% - 30%</td> </tr> <tr> <td>Apartment Building</td> <td>0% - 30%</td> </tr> <tr> <td>Shopfront Building</td> <td>0% - 20%</td> </tr> <tr> <td>Workplace Building</td> <td>55% - 100%</td> </tr> <tr> <td>Civic Building</td> <td>unlimited</td> </tr> </table>	Detached House – Alley and Street Lot	0% - 30%	Townhouse	0% - 30%	Apartment Building	0% - 30%	Shopfront Building	0% - 20%	Workplace Building	55% - 100%	Civic Building	unlimited
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 <p><i>Workplace buildings aligned on streets</i></p>	 <p><i>Typical public street cross-section in a BC-D</i></p>												

5. Permitted Uses (Business Campus Development BC-D)	
Residential	<p>Open Residential: The number of dwellings is limited by the requirement of 1.5 assigned parking spaces for each dwelling, a ratio that may be reduced according to the shared parking standard.</p> <p>Permitted Uses: Single Family Homes, Duplexes, and Multi-Family</p>
Lodging	<p>Open Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns¹, and Hotels</p>
Office	<p>Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 250 sq ft, a ratio that may be reduced according to the shared parking standards.</p> <p>Permitted Uses: Office Uses, Live-Work Units</p>
Retail	<p>Restricted Retail: Free-standing retail uses are forbidden. Retail uses are permitted as an auxiliary use within buildings containing primarily office uses such as cafeterias and restaurants, and specialty stores.</p> <p>Permitted Uses: Retail Uses, Restaurants, and Day Care Centers</p> <p>Excluded Uses: Drive-through Retail, Automotive, Boat, & Heavy Equipment Sales & Service, Adult Establishments and Adult Video Stores</p>
Manufacturing	<p>Open Manufacturing: The area available for manufacturing use is limited to the building and a contiguous yard to its rear screened from view. The parking requirement shall be negotiated according to the specific manufacturing activity.</p> <p>Permitted Uses: Light & Heavy Manufacturing Uses</p>
Civic	<p>Open Civic: Civic Uses, . Hospitals²</p>
Other	<p>Cemetery¹, Essential Services-Class 1 and 2¹, Essential Services-Class 3², Parking Structures¹, and Recreational Facilities¹</p>


¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.12 INSTITUTIONAL CAMPUS DEVELOPMENT (IC-D)

The intent of this District is to allow for the continued and future use, expansion, and new development of academic and religious campuses, as well as government and health-care facilities with a total development size larger than 15 acres.

This district is coded to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the traditional campus setting.

<p>1. Permitted Building Types Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;">Detached House – Alley and Street Lot Townhouse Apartment Building Shopfront Building Workplace Building Civic Building</p>
<p>2. Specific District Provisions</p>	<p>1. Minimum District Size: 15 Acres</p> <p>2. Minimum District Setbacks (as measured from exterior District boundary) Front (as defined by the Main Entrances): 80 ft All other sides: 25 feet</p> <p>3. Maximum Building Height (within District only): 5 Stories or 60 ft</p> <p>4. Buildings within an IC-D development are exempt from the building type requirement listed in Section 4.1 but shall be aligned in a manner that creates formal space such as squares and quadrangles to give prominence to important structures and to allow for gathering and pedestrian circulation</p> <p>5. Parking areas shall not encroach into any required front setback and must be set back at least ten feet from all side and rear yards. Parking areas in the side and rear yards must be screened with a solid wall or fence that is at least four feet in height. Parking areas shall be interconnected within the property.</p>

<p>3. General Provisions</p>	<ol style="list-style-type: none"> 1. Internal setbacks and the location of parking areas shall be set during the review process. Consideration shall be given to the placement of buildings in a manner that encourages pedestrian activity and facilitates the provision of public transit. 2. A coherent, interconnecting network of internal streets shall be designed to accommodate the various uses found within the District. 3. The street network shall be designed in a manner to facilitate bus transit. Front doors shall be located to provide easy access to the interior of buildings from transit stops. 4. The interior of new Institutional Campus Developments shall maintain a well-defined open space network to give prominence to important structures and allow for assembly and pedestrian circulation. 5. All buildings shall front upon a street, square, green, park, or quadrangle. Buildings not fronting on a street shall provide for vehicular access from a rear alley or street. Such streets shall be constructed to the public street standards detailed in Section 6.0 but may be privately maintained. 6. Public streets, parking areas and private driveways may encroach into setbacks that do not abut public external streets or residential uses up to 40 feet. 7. All buildings shall be designed in a manner that is pedestrian in scale and massing unless a technological requirement demands a different trajectory. 													
<p>4. Permitted Building Type Mix</p> <p>The percentages are allocated on the gross land area.</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Detached House – Alley and Street Lot</td> <td style="text-align: right;">0% - 30%</td> </tr> <tr> <td style="text-align: right;">Townhouse</td> <td style="text-align: right;">0% - 30%</td> </tr> <tr> <td style="text-align: right;">Apartment Building</td> <td style="text-align: right;">0% - 30%</td> </tr> <tr> <td style="text-align: right;">Shopfront Building</td> <td style="text-align: right;">0% - 20%</td> </tr> <tr> <td style="text-align: right;">Workplace Building</td> <td style="text-align: right;">55% - 100%</td> </tr> <tr> <td style="text-align: right;">Civic Building</td> <td style="text-align: right;">unlimited</td> </tr> </table>		Detached House – Alley and Street Lot	0% - 30%	Townhouse	0% - 30%	Apartment Building	0% - 30%	Shopfront Building	0% - 20%	Workplace Building	55% - 100%	Civic Building	unlimited
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5. Permitted Uses	
Residential	<p>Open Residential: The number of dwellings is limited by the requirement of 1.5 assigned parking spaces for each dwelling, a ratio that may be reduced according to the shared parking standard.</p> <p>Permitted Uses: Single Family Homes, Duplexes, and Multi-Family</p>
Lodging	<p>Open Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹, Bed and Breakfast Inns¹, Hospice and Assisted Living Facilities, Short-Term Stay Facilities</p>
Office	<p>Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 250 sq ft, a ratio that may be reduced according to the shared parking standards.</p> <p>Permitted Uses: Office Uses, Live-Work Units</p>
Retail	<p>Restricted Retail: Free-standing retail uses are not permitted.</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted. Uses</p>
Civic	<p>Open Civic: Civic Uses, Hospitals².</p>
Other	<p>Cemetery¹, Essential Services-Class 1 and 2¹, Essential Services-Class 3², Parking Structures¹, and Recreational Facilities¹</p>

¹See Additional Conditions in Chapter 6
²Subject to the issuance of a Conditional Use Permit

5.13 HISTORIC PRESERVATION OVERLAY (HP-O)

1. INTENT

The historical heritage of Belmont is one of our most valued and important assets. The Historic Preservation Overlay (HP-O) district is created to encourage the restoration, preservation, rehabilitation, and conservation of districts, buildings, sites, and objects with historical and/or architectural significance and to prevent the decline, decay, and/or demolition of such districts, buildings, sites, and objects.

It is the intent of this district to create a process for the local designation of historic districts. It is strongly recommended that this process be completed after the designation of such districts on the National Register of Historic Places.

It is further intended that such an overlay be designated with the support of the affected property owners.

2. USES PERMITTED

All uses permitted in the underlying zoning district shall be permitted in the HP-O. Regulations promulgated under the authority of this Section shall not be construed to further regulate the use of the structures in the underlying zoning districts.

3. REGULATION OF EXTERIOR FEATURES

No exterior feature of any building or other structure, landscape or natural feature, above-ground utility structure or any type of on-premise sign shall be erected, altered, restored, moved or demolished within a Historic Preservation Overlay District until an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission. Exterior features include the architectural style, general design, color and general arrangement of the exterior of the building or other structure, including the kind and texture of the building materials, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, exterior features refers to the style, material, size, color, and location of all such signs.

4. FEATURES NOT CONSIDERED

The Historic Preservation Commission shall not consider interior arrangement nor take any action to restrict interior changes except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, or outdoor advertising signs in the Historic Preservation Overlay District which would be incongruous with the historic aspects.

5. STANDARDS AND DESIGN GUIDELINES

1. All buildings, structures, features, sites, objects, or surroundings in a Historic Preservation Overlay District shall be subject to the design guidelines adopted by the Historic Preservation Commission. These guidelines shall be based upon the United States Secretary of the Interior's Standards for Rehabilitation which are as follows:
2. A property shall be used for its historical purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
3. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
4. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
5. Most properties change over time; those changes that have acquired historical significance in their own right shall be retained and preserved.
6. Distinctive features, finishes, and constructive techniques or examples of craftsmanship that characterize a property shall be preserved.
7. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new one shall match the old in design, color, texture, and other visual qualities and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
8. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
9. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
10. New additions, exterior alterations, or related new construction shall not destroy historical materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the *massing*, size, and architectural features to protect the historic integrity of the property and its environment.
11. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

5.14 WATERSHED PROTECTION OVERLAY DISTRICTS (WP-O)

1. INTENT

The purpose and intent of this Section is to regulate the intensity of development in designated watershed areas in order to limit water supply watershed exposure to non-point source discharge and pollution. The non-point source discharge can contribute biological contamination, turbidity from soil erosion and sedimentation, nutrient enhancement, and heavy metal pollution; all of which endanger the water supplies that provide drinking water to the area residents.

As required by the Water Supply Watershed Protection Act of 1989 (G.S. 143-214.5), the State of North Carolina has classified each of North Carolina’s drinking water supply watersheds to an appropriate classification. The Catawba River watershed, a portion of which is within the Belmont planning and zoning jurisdiction, is classified as “WS IV” and is a protected water supply that is moderately to highly developed. A portion of the Catawba River watershed within the Belmont planning and zoning jurisdiction is classified as a critical area, while a portion is classified as a protected area.

2. CATAWBA RIVER WS-IV-CA (CRITICAL AREA) DISTRICT DESIGNATION AND DEVELOPMENT REGULATIONS (CR-CA)

Only new development activities that require an erosion/sedimentation control plan under State law or an approved local program are required to meet the provisions of this ordinance when located in a WS-IV watershed. In order to address a moderate to high land use intensity pattern, single family residential uses are allowed at a maximum of two (2) dwelling units per acre provided that:

A natural vegetative buffer of 100 feet shall be provided on all lands contiguous with the Catawba River, the South Fork branch of the Catawba River, and on each side of all perennial streams and watercourses in the Catawba River WS-IV-CA (Critical Area) Watershed; and

One or more of the following options are selected to achieve an efficiency of 85% Total Suspended Solids (TSS) Removal:

Practice	Assumed TSS Removal Efficiencies
Wet detention ponds	85%
Extended detention wetlands	85%
Pocket wetlands	35%
Bioretention/biofiltration areas	85%
Sand filters	85%
Grassed swales	35%
Filter strips	35%
Extended dry detention	50%
Infiltration practices	85%

All other residential and non-residential development shall be allowed at a maximum of twenty-four percent (24%) built-upon area. New sludge application sites and landfills are specifically prohibited.

A. Allowed Uses:

- (1) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animals shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.
- (2) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
- (3) Residential development, as permitted in the underlying zoning classification.
- (4) Non-residential development, excluding:
 - a) landfills
 - b) sites for land application of sludge/residuals or petroleum contaminated soils
 - c) the storage of toxic and hazardous materials unless a spill containment plan is implemented and filed with the Gaston County Fire Marshall's Office

B. Density and Built-upon Limits:

- (1) Single Family Residential – Low Impervious Cover Option
Development shall not exceed two dwelling units per acre on a project by project basis. No residential lot shall be less than one-half (1/2) acre, except in accordance with 5.
- (2) All Other Residential and Non-Residential – Low Impervious Cover Option
Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis, provided that engineered stormwater control devices shall be used to control runoff from the first one inch of rainfall. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.
- (3) High Impervious Cover Option: Not Permitted

3. CATAWBA RIVER WS-IV-PA (PROTECTED AREA) DISTRICT DESIGNATION AND DEVELOPMENT REGULATIONS (CR-PA)

Only new development activities that require an erosion/sedimentation control plan under State law or an approved local program are required to meet the provisions of this ordinance when located in a WS-IV watershed. In order to address a moderate to high land use intensity pattern, single family residential uses are allowed at a maximum of two (2) dwelling units per acre, or alternatively at a maximum of 24% built-upon area provided that:

A natural vegetative buffer of 50 feet shall be provided on each side of all streams in the Catawba River WS-IV-PA (Protected Area) Watershed; and

One or more of the following options are selected to achieve an efficiency of 85% Total Suspended Solids (TSS) Removal:

Practice	Assumed TSS Removal Efficiencies
Wet detention ponds	85%
Extended detention wetlands	85%
Pocket wetlands	35%
Bioretention/biofiltration areas	85%
Sand filters	85%
Grassed swales	35%
Filter strips	35%
Extended dry detention	50%
Infiltration practices	85%

All other residential and non-residential development shall be allowed at a maximum of twenty-four percent (24%) built-upon area. New sludge application sites and landfills are specifically prohibited.

A. Allowed Uses:

- (1) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.
- (2) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
- (3) Residential development, as permitted in the underlying zoning classification.
- (4) Non-residential development, excluding the storage of toxic and hazardous materials unless a spill containment plan is implemented and filed with the Gaston County Fire Marshall's Office

B. Density and Built-upon Limits:

- (1) Single Family Residential – Low Impervious Cover Option
Development shall not exceed two dwelling units per acre on a project by project basis. No residential lot shall be less than one-half (1/2) acre, except in accordance with 5.
- (2) All Other Residential and Non-Residential – Low Impervious Cover Option
Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis.
- (3) High Impervious Cover Option
Where new development is proposed to exceed either 2 units per acre or 24% built-upon area, engineered stormwater controls shall be used to control runoff from the first inch of rainfall and development may not exceed seventy percent (70%) built-upon area.

4. BUFFER AREA REQUIREMENTS

The following buffer requirements for all new development activities required by this Chapter shall apply:

- A. No trees larger than two (2) inches in caliper are to be removed except for diseased trees. Trees less than two (2) inches in caliper and undergrowth may be removed and replaced by an effective stabilization and filtering ground cover utilizing as approved by the City of Belmont Planning Department. The City of Belmont may require enhancement of the existing vegetation through the use of supplemental plantings in the buffer area, if necessary, to ensure that the buffer area can properly and effectively perform its filtering and absorption functions, based upon City guidelines.
- B. No permanent structures, impervious covers, septic tank systems or any other disturbance of existing vegetation is allowed in the buffer except:
 1. Water dependent structures and other structures such as flag poles, signs and security lights which result in only diminutive increases in impervious area
 2. Desirable artificial streambank or shoreline stabilization approved by the City of Belmont
 3. Public projects such as road crossings and greenways where no practical alternative exists (These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater Best Management Practices)

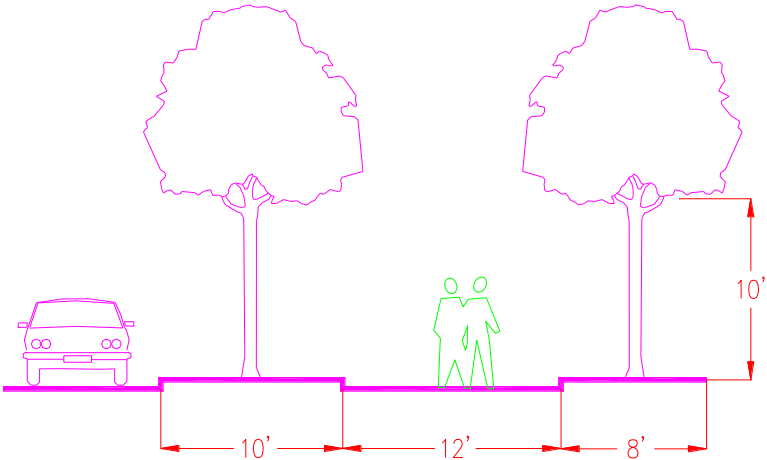
5. CLUSTER DEVELOPMENT

Cluster development is allowed in both Watershed Areas under the following conditions:

- A. Minimum lot sizes are not applicable to single family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single family detached developments in the underlying zoning districts. Density or built-upon area for the project shall not exceed that allowed for the critical area or protected area, whichever applies.
- B. All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow.
- C. The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowners association for management; to a local government for preservation as a park or open space; to a conservation organization for preservation in a permanent easement; or it may be privately held, as long as a permanent conservation easement is placed on the land. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.

5.15 HIGHWAY CORRIDOR OVERLAY (HC-O)

This District is coded to preserve and improve the transportation efficiency, non-motorized mobility, and aesthetics of the Wilkinson Boulevard corridor. All provisions of the underlying district shall be effective except those specifically stated in this chapter.

<p>1. Streetscape Requirements</p>	<p>All development shall provide the following improvements across the frontage:</p> <ul style="list-style-type: none"> • 10 foot landscape strip between the curb and multi-use path • 12 foot wide multi-use path • 8 foot (minimum) landscape strip behind the sidewalk • Canopy Trees planted 40 feet on-center on both sides of the multi-use path staggered every 20 feet (Where aerial utility lines prohibit the installation of Canopy Trees, Small Maturing Trees may be substituted with permission of the Planning Director) 
<p>2. General Provisions</p>	<p>1. Minimum lot frontage: 200 feet 2. Minimum Lot Area: 2 acres (applicable for Automotive/Boat/Heavy Equipment/Mobile Home Sales and/or Services, Mini-Storage Facilities, and Hotels/Motels only)</p>

<p>2. Access Management</p>	<p>1. Driveways shall be limited in accordance with the following standards. Where the NC DOT Driveway Manual conflicts, the stricter of the two standards shall prevail.</p>													
	<table border="0"> <tr> <td style="text-align: center;"><u>Frontage (feet)</u></td> <td style="text-align: center;"><u>Number of Driveways Allowed</u></td> </tr> <tr> <td style="text-align: center;">≤ 500</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">501-999</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">>1000</td> <td style="text-align: center;">3</td> </tr> <tr> <td style="text-align: center;"><u>Development Type</u></td> <td style="text-align: center;"><u>Minimum Spacing (feet)</u></td> </tr> <tr> <td style="text-align: center;"><u>Residential</u></td> <td style="text-align: center;">100</td> </tr> <tr> <td style="text-align: center;"><u>Commercial</u></td> <td style="text-align: center;">400</td> </tr> </table>	<u>Frontage (feet)</u>	<u>Number of Driveways Allowed</u>	≤ 500	1	501-999	2	>1000	3	<u>Development Type</u>	<u>Minimum Spacing (feet)</u>	<u>Residential</u>	100	<u>Commercial</u>
<u>Frontage (feet)</u>	<u>Number of Driveways Allowed</u>													
≤ 500	1													
501-999	2													
>1000	3													
<u>Development Type</u>	<u>Minimum Spacing (feet)</u>													
<u>Residential</u>	100													
<u>Commercial</u>	400													
<p>2. The minimum distance between a driveway and an intersection shall be as follows. Where the NC DOT Driveway Manual conflicts, the stricter of the two standards shall prevail.</p>														
<table border="0"> <tr> <td style="text-align: center;"><u>Street Type</u></td> <td style="text-align: center;"><u>Minimum Distance (feet)</u></td> </tr> <tr> <td style="text-align: center;"><u>Major/Minor Thoroughfare</u></td> <td style="text-align: center;">500</td> </tr> <tr> <td style="text-align: center;"><u>Local/Collector Street</u></td> <td style="text-align: center;">200</td> </tr> </table>	<u>Street Type</u>	<u>Minimum Distance (feet)</u>	<u>Major/Minor Thoroughfare</u>	500	<u>Local/Collector Street</u>	200								
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<u>Local/Collector Street</u>	200													
<p>3. The Minimum Spacing between median openings shall be 1000 feet. Where the NC DOT Median Crossover Guidelines conflict, the stricter of the two standards shall prevail.</p>														

5.16 RURAL COMMERCIAL (RC)**1. INTENT**

Rural Commercial is coded for commercial clusters along primary rural corridors within the extraterritorial jurisdiction of the city and for existing commercial clusters within the City which are less pedestrian oriented in design than NC-C development.

Carrying capacity of the road or intersection is the factor which limits the size of R-C development.

Uses located in R-C districts shall draw from a local area as opposed to a regional area characteristic of H-C development.

South Point Road, Perfection Avenue and South New Hope Rd. are the designated primary rural corridors along which R-C development can occur.

2. USES PERMITTED

Commercial Uses (Including Retail, Business, Service, Office, and Wholesaling) up to 20,000 square feet

Exclusions: Uses listed above which involve on-site manufacturing, outdoor storage of hazardous materials, warehousing and/or storage necessitating daily truck travel (not including servicing of establishments located within the district or mini-storage facilities), machine shops, auto parts and supply stores, mining, adult retail, pool halls and gaming rooms, and gambling facilities.

3. USES PERMITTED WITH CONDITIONS

Essential Services, Class 3

Commercial uses exceeding 20,000 square feet in area

Indoor storage of hazardous material (*Fireworks sales shall not be permitted except as a minor stock item)

Service Stations and Garages

Drive In Theaters

4. LOT PROVISIONS/ SETBACKS/ ENCROACHMENTS

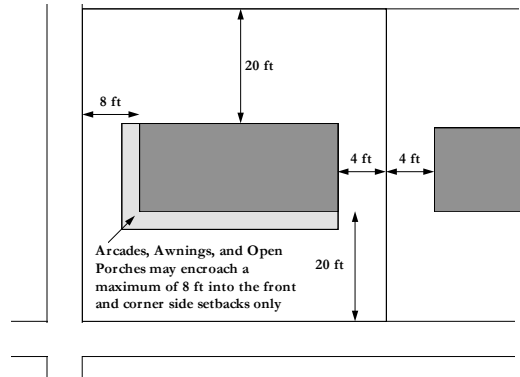
Lot Width (min): 40 feet

Front Setback (min): 20 feet

Side Setback (min): 4 feet (Corner Lot - 8 ft)

Rear Setback (min): 20 feet

Arcades, awnings, and open porches shall be permitted to encroach a maximum of 6 ft into front setbacks and *corner side* setbacks only.



5. BUILDING HEIGHT

The vertical distance from the mean elevation of the finished grade relative to the frontage street, to the roof line of the structure.

All uses - Maximum 35 ft.

Exceptions:

- Roof equipment not intended for human occupancy and which is necessary to the structure upon which it is placed.
- Principal buildings not intended for human occupancy such as solariums, atriums and greenhouses.
- Institutional Campus Development with conditions.

6. PARKING AND LOADING REQUIREMENTS

Parking requirements shall be as follows:

Offices: 1 per 300 sq ft
 Retail: 1 per 250 sq ft
 Restaurant/Night Clubs/Lounges/Bars: 1 per 75 sq ft
 Hotels/ Motels/Bed and Breakfast Inns: 1 per room or suite
 Drive-thru Business: 11 car lengths for first windows plus 7 for each additional window
 All other Uses: 1 per 250 sq ft

Off Street Loading Requirements shall be as follows:

Office/Restaurant/Hotel
 Less than 5,000 sq ft: None
 5,000-50,000 sq ft: 1
 Over 50,000: 2 plus 1 for each additional 100,000 sq ft of space

All Other Uses
 Less than 5,000 square feet: None
 5,000-20,000 square feet: 1
 Over 20,000 square feet: 2 plus 1 for each additional 30,000 sq ft

7. ARCHITECTURAL STANDARDS

All walls **visible** from a public right-of-way shall be clad with the same material

required for the front of the building (see A. Materials below).
 Approved metal paneling may not exceed 40% of any facade of a structure visible from a ROW.

All walls **not visible** from a public right-of-way may be constructed of cinder block blocks or approved metal paneling but shall be painted to match the overall color scheme of the rest of the building.

A. Materials

1. Building walls may be clad in brick, cast concrete, stucco, wood or wood clapboard, approved metal paneling, or material that is similar in appearance and durability.
2. Pitched roofs shall be clad in wood shingles, slate, sheet metal, corrugated metal, or diamond tab asphalt shingles.

B. Configurations

1. Two wall materials may be combined horizontally on one facade. The heavier material must be below.
2. Roof pitch may not vary within a development.

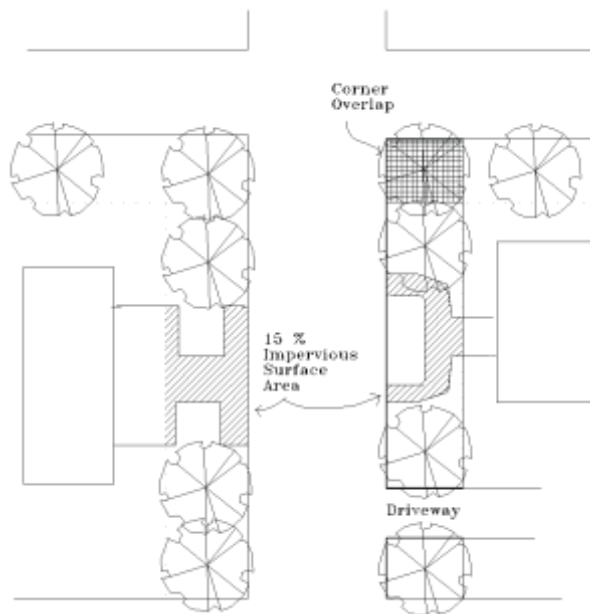
C. Techniques

1. Stucco shall be float finish.
2. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

8. LANDSCAPING

A. STREET YARDS

1. Required trees shall be planted parallel to the street *frontage* within 12 feet of the street.
2. All pervious surfaces in a required *street yard* must have vegetative cover.
3. On a corner lot, where two street yards overlap, only one is counted for the purpose of this section.
4. Maximum area of *impervious surface* within a street yard shall be 15% (walkways, fountains).
5. Tree spacing shall be no less than 50 ft and no more than 60 ft on center for *large maturing trees*; no less than 10 ft and no more than 40 ft for *small to medium maturing trees*.



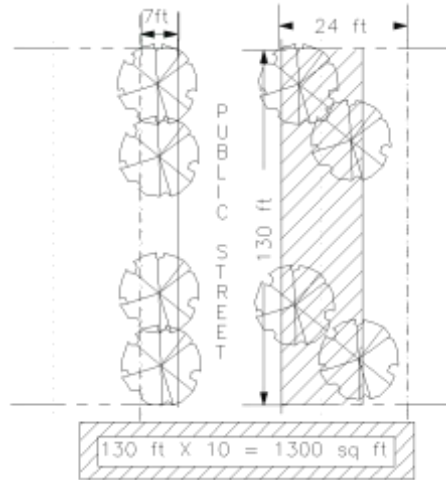
6. DIMENSIONS:

a) Existing undeveloped lots

Minimum street yard equals 10 times the length of the fronting right-of-way.

Minimum width: 7 feet

Maximum width: 14 feet

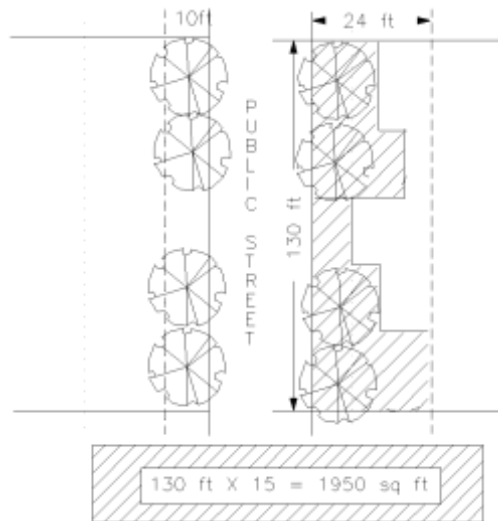


b) New Lots

Minimum street yard equals 15 times the length of the fronting right-of-way.

Minimum width: 10 feet

Maximum width: 24 feet



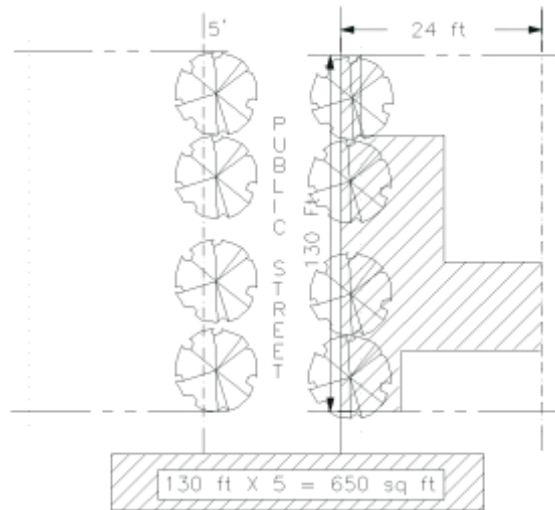
c) Expansions and Changes

Additions, expansions, or changes which increase a business by 40% of the gross floor area shall adhere to the following:

Minimum street yard equals 5 times the length of the fronting right-of-way.

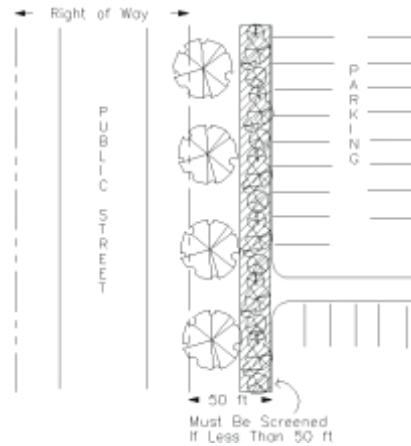
Minimum width: 5 feet

Maximum width: 24 feet



B. PARKING

1. Parking areas which also have *street yards* shall meet the provisions for each.
2. Parking areas within 50 feet of a right-of-way shall have a planted screen between the parking perimeter and the street yard.
3. Screening must be 3 feet high with no gaps greater than 4 feet (excludes car sales lots and driveways).
4. Walls may be used to substitute for vegetation. Walls may not exceed 4 feet in height.



5. Interior plantings

a) New Lots

1 *shade tree* per 2,400 sq ft of surface area

1 shrub per 500 sq ft of surface area

No parking space shall be further than 60 feet from the trunk of a shade tree or 75 ft from 2 shade trees (car sales lots shall have no stored or displayed vehicle further than 60 feet from the edge of a landscaped planting area)

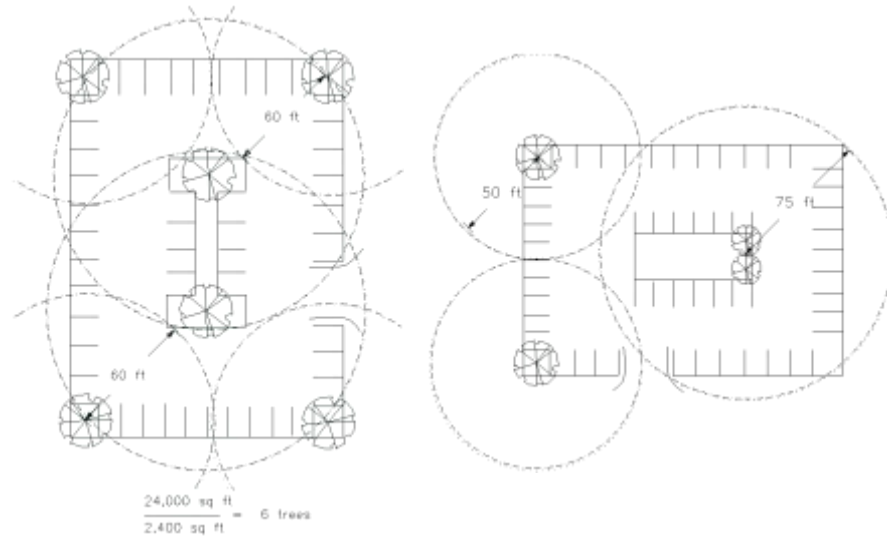
Parking decks are exempt

Shared parking shall be considered one lot when computing tree and shrub requirements.

Existing shade trees over 12" in caliper can be used to fulfill these requirements.

No landscaped area shall contain bare soil.

(See pictures on next page)



b) Expansion Lots

Expansions of existing surface area of less than 40% are exempt from these provisions.

Expansion between 40%-50% shall adhere to the following:

1 shade tree per 3,000 sq ft of surface area

1 shrub per 800 sq ft of surface area

60 foot minimum distance from a parking space to a shade tree trunk

Expansions by more than 50% of surface area shall conform to new lot provisions.

C. STORAGE, LOADING & UTILITY AREAS

1. Loading and Storage Areas:

Screening shall be by wall or fence, 6 feet to 8 feet in height.

One-third (1/3) of the surface area of the wall or fence must be screened from the right-of-way with plants within two years of the certificate of occupancy.

Screening must be evergreen and have a minimum height of 3 feet when planted and reach a minimum height of 6 feet within three years.

Maximum gap between material shall be 4 feet.

2. Utility Areas:

Screening shall be evergreen or deciduous.

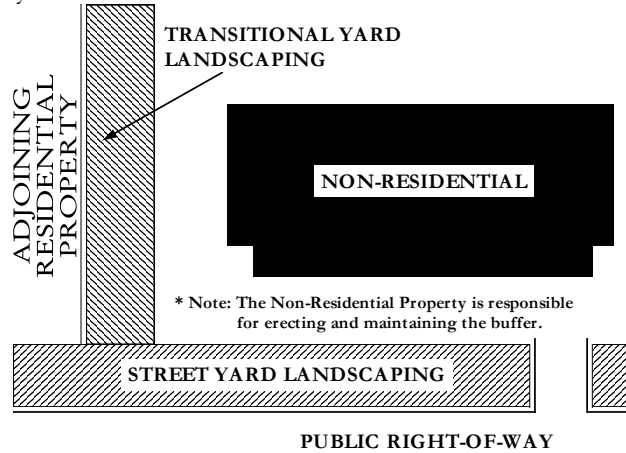
Minimum planted height: 1 1/2 feet

Screen must reach a height and width equal to the structure being screened within 4 years.

D. TRANSITIONAL YARDS **1. Application and Conditions**

Transitional yards shall apply to all non-residential properties which abut a residential or mixed use district.

Transitional yards shall be the responsibility of the non-residential property.



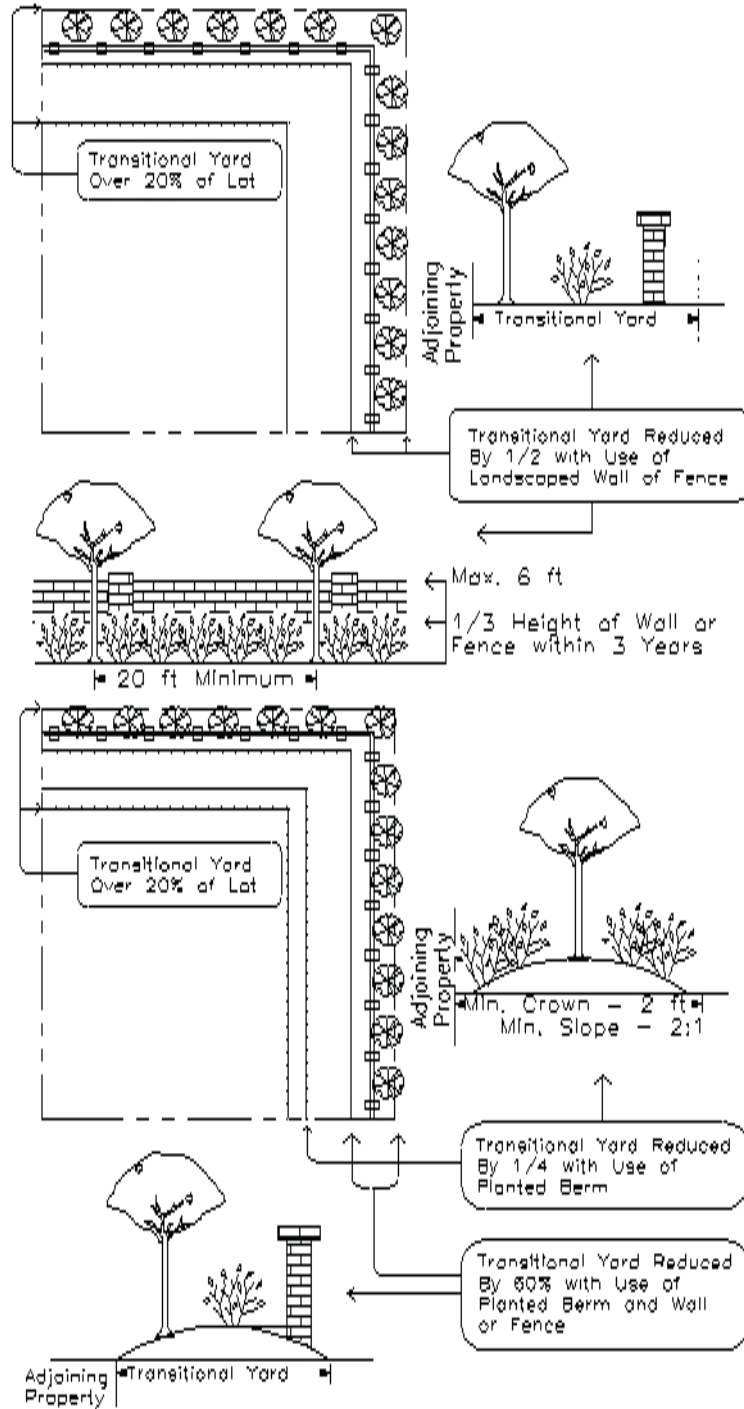
Developed lots or lots with unexpired permits at the time of adoption of this ordinance, are exempt from this section.

Undeveloped properties, expansions of more than forty (40%) percent of existing floor area, and rezoned property are subject to the provisions of this section.

Transitional yards that may also require other landscaping, according to the provisions of this ordinance shall follow the more intensive landscaping provisions.

Transitional yards shall not overlap into required street yards.

2. Alternatives: Fences, Walls, Earthen Berms



If required landscaping of a *transitional yard* makes up over twenty (20%) percent of a lot, the use of a solid wall or fence may reduce the yard requirement by one half (1/2).

A fence or solid wall shall be of material compatible with the principle building in composition and color.

Maximum height
Six (6) feet

One (1) tree per twenty (20) feet of linear fence or wall shall be planted.

Additional vegetation is required that will screen a minimum of one half (1/2) of a fence or wall within three (3) years.

Plantings must be located between the fence or wall and the adjoining property line.

If required landscaping of a *transitional yard* makes up over twenty (20%) percent of a lot, the use of an earth berm may reduce the yard requirement by one fourth (1/4).

Berms must be planted within the property line.

- Minimum height, two (2) feet
- Minimum crown width, two (2) feet
- Minimum slope, 2:1

Required transitional yards can be reduced by a maximum of sixty (60%) percent with the use of a solid wall or fence of material compatible in color and composition with the principle building, and a planted earth berm.

Steeper slopes can be used only in the following circumstances.

- Steeper slope is stabilized
- Screening objectives are better achieved
- Physical constraints of site prevent the use of 2:1 slope

5.17 MANUFACTURED HOUSING DEVELOPMENT (MH-D)**1. INTENT**

Manufactured housing is a recognized form of affordable housing.

The MH-R district is coded to allow for the development of neighborhoods which utilize manufactured housing as its principle building type. Manufactured housing neighborhoods can only occur in a MH-R district.

The intent is to treat manufactured housing with the same design considerations applied to homes built to the Standards set forth in the North Carolina Building Code and those codified in this Ordinance.

The minimum development size shall be 5 acres. Max size 40 acres

2. USES PERMITTED

Manufactured Housing
Modular Housing
Essential Utility Services, Class 1 & 2

3. USES PERMITTED WITH CONDITIONS

Customary Home Occupations

4. LOT AND BUILDING PROVISIONS

The following lot sizes are to be the minimum size requirements and may be increased due to requirements for placement of well and septic tank systems, such as soil conditions and separation distances, the topography of the land or other environment conditions. The applicant shall indicate on the application, the number of bedrooms per house for which the septic tank system should be evaluated.

Porches, patios, and bay windows may encroach into a front yard setback only.

CATEGORY	Water & Sewer Available	Water or Sewer Available	Well & Septic Tank
MINIMUM LOT SIZE	8000 sq ft	10,000 sq ft	20,000 sq ft
LOT WIDTH AT BUILDING LINE	60 ft	70 ft	90 ft
LOT WIDTH AT STREET RIGHT-OF-WAY	40 ft		
FRONT SETBACK	20 ft		
SIDE SETBACK	12 ft	15 ft	
REAR SETBACK	30 ft		
MAXIMUM HEIGHT	35 ft		
ENCROACHMENTS	8 ft		
(Rear yard setbacks)	(10ft)	(12ft)	(12ft)

5. ACCESSORY STRUCTURES

The following uses are permitted within outbuildings:

- Parking
- Gazebo
- Poolhouse
- Sauna
- Workshop
- Equipment Enclosure

Trash containers, mechanical equipment and outdoor storage shall be located only within the rear yard.

Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard. Doghouses may be placed in rear yards only.

Lots Over 10,000 sq ft

Accessory structures shall not exceed 40% of the total area of the principle structure. At no time shall the total area of an accessory use exceed 25% of the rear yard. Such uses shall only be permitted in the rear yard. Accessory structures with a total area exceeding 500 square feet shall be constructed using materials and features similar to the principle structure.

- Minimum side and rear setbacks: 5 ft
- Minimum setback from principle structure: 10 ft
- Maximum Height: 26 ft

Lots Under 10,000 sq ft

Accessory structures shall not exceed 500 sq ft.

- Minimum side and rear setback: 5 ft
- Minimum setback from home: 10 ft
- Maximum height: 26 ft

Accessory structures in rear yards that abut a publicly dedicated street shall be set in the portion of the rear yard opposite the street.

6. ACCESSORY USES

(A) POOLS

All pools, whether above-ground or in-ground, shall be built only in rear yards. The definition of a pool shall include all structures, and walks or patio areas of cement, stone, or wood *at or above grade*, built for, and used in conjunction with the pool.

A pool as defined above shall not exceed 45% of a required rear yard.

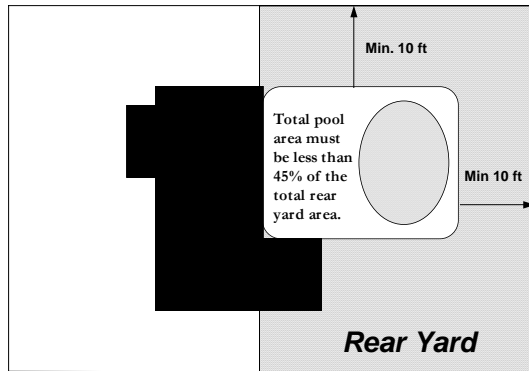
Pools, as defined above, shall be setback a minimum of 10 ft from all side and rear property lines. Patio areas *at grade* have no setback requirements from rear or side lot lines

Pools shall have the rear yard enclosed by a privacy fence with a minimum height of four (4) feet and a maximum height of eight (8) feet.

(B) SATELLITE DISHES

Satellite dishes less than 20 inches in diameter may be located anywhere on a lot. All other satellite dishes shall adhere to the following standards:

1. Satellite dishes shall be no larger than eight (8) feet in diameter
2. The maximum height shall be fifteen (15) feet unless the applicant can prove:
 - a) a less intrusive location is not possible and,
 - b) a higher location will improve reception
3. The dish must be installed and grounded properly.
4. Satellite dishes may not be located in front or side yards and shall meet all setbacks applicable to accessory structures.
5. Satellite dishes shall be screened from view with dense landscaping materials, fences, or other solid materials, to the extent that it does not impair reception.
6. Satellite dishes with a reflective surface shall be painted a subdued or natural color.
7. Satellite dishes shall not be located on a roof.



7. MANUFACTURED HOUSING STANDARDS

In no instance may a manufactured home be used for a nonresidential purpose. A manufactured home must bear a seal certifying that it was built to the standards adopted on July 1, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

Materials

1. The exterior siding consists of wood, hardboard, vinyl, brick or aluminum and shall be comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
2. The roof shall be finished with a type of shingle that is commonly used in standard residential construction.
3. A continuous, permanent brick foundation or curtain wall, unpierced except for required ventilation and access, shall be installed upon a poured concrete footer after placement on the lot, and before occupancy.

Configurations

1. The minimum width (the width being the narrower of the two overall dimensions) of the main body of the manufactured home as assembled on the site shall be at least twenty-two (22) feet for a distance extending along the length (the length being the longer of the two overall dimensions) of at least twenty (20) feet.
2. Stairs, porches, entrance platforms and other means of entrance and exit to the manufactured home shall be installed and constructed in accordance with the standards set by the by the NC Department of Insurance.
3. The pitch of the roof of the manufactured home shall have a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, or the standard of each individual manufacturer's equivalent to a 4' x 12' roof pitch. Not applicable to existing manufactured home parks.
4. The roof of the manufactured home shall have an overhang (eave) extending at least ten (10) inches from each vertical exterior wall. A site installed gutter may be counted in the width of the eave.

Techniques

1. The manufactured home is set up on the site in accordance with the standards set by the NC Department of Insurance.
2. The manufactured home shall face the fronting street
3. The tongue, axes, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

8. GENERAL PROVISIONS

- a) No manufactured home shall be located within a 100 year *flood plain* as established by the most recent Federal Emergency Management Agency map.
- b) All parking shall be on-site in side or rear yards and driveways only.
- c) Developments with twenty or more homes shall have at least four entrances/exits.
- d) Streets shall follow the provisions of Section 3.15 (b). Private streets do not require curb and gutter. Sidewalks shall be provided as per Section 3.15 (d). *Note: These references are for a previous Ordinance. For current reference, please see Chapter 8.*
- e) Open Space shall be provided for as per Section 3.15(h) and 3.16 *Note: These references are for a previous Ordinance. For current standards, please see Chapter 7.*
- f) Landscaping shall be provided for as per Section 3.15(I) and 3.15 (j). *Note: These references are for a previous Ordinance. For current reference, please see Chapter 11.*

5.18 CONDITIONAL DISTRICTS (CD)

Conditional Districts provide for orderly and flexible development under the general policies of the base district without the constraints of the general district standards. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

A. Applicability:

District	Minimum Area Required
Rural Residential (R-R)	40 Acres
Suburban Residential (S-R)	15 Acres
General Residential (G-R)	15 Acres
Neighborhood Center-Residential (NC-R)	None
Neighborhood Center-Commercial (NC-C)	None
Downtown District (D-D)	None
Highway Commercial (H-C)	2 Acres
Infill Development (INF-D)	3 Acres
Traditional Neighborhood Development (TND)	30 Acres
Business Campus Development (BC-D)	10 Acres
Institutional Campus Development (IC-D)	15 Acres
Rural Commercial	2 Acres
Manufactured Home Residential (MH-R)	5 Acres

B. Modification to General Provisions:

Within a Conditional District (CD), all permitted uses of the corresponding Base District must be met. 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 city ordinances and an officially adopted comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards shall apply. In addition to the modification of specific district provisions (except use), the following General Provisions as detailed in Chapters 4-11 may be varied if specifically requested by the petitioner as part of a Conditional District application:

CH	Title	Exception to modifications:
4	Building Type Requirements	
5	District Provisions	Uses permitted may not be varied unless the use proposed is not currently defined or contemplated by the Code
6	Additional Requirements for Certain Uses	
7	Open Space	May substitute required open space for payment in lieu in accordance with Section 7.2. Amount required may not be reduced.
8	Streets and Greenways	Variations already permitted by Section 8.1. No further modifications permitted.
9	Parking	
10	Signs	Only standards in Section 10.1, 10.2, and 10.3 may be varied. Signage may exceed the permitted amount by no more than 50%.
11	Tree Protection and Landscaping	No further modifications permitted. Alternate Methods of Compliance provided in Section 11.5.

C. Establishment of a Condition District (CD)

For the Development Plan Review Process for the establishment of a Conditional District (CD), please see Section 15.6.