

PART 5

[Amendments regarding double-frontage lots, nonconformities, definitions, and technical cross-references]

Sec. 6.9 Nonresidential and Group Living Development in Residential Districts

6.9.1 Dimensional Standards

Development Standard	RURAL		SUBURBAN		URBAN		COMPACT	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
Lot Area (square feet)	3 ac.	—	15,000	—	5,000	—	5,000	—
Lot Width (feet)	100	—	90	—	50	—	50	—
Open Space (% of gross area) ¹	—	—	10	—	3	—	—	—
Core Area	—	—	—	—	—	—	1.0	—
Support Area	—	—	—	—	—	—	3.0	—
Street Yard								
Feet from ROW	50	—	25	—		20 ¹		15 ¹
% of Frontage	—	—	—	—	60	—	80	—
Side Yard (feet)								
Min Each Side	12	—	10	—	6	—	0	—
Min Both Sides (total)	30	—	24	—	15	—	0	—
Rear Yard (feet)	25	—	25	—	25	—	25	—
Building Coverage (%) ²	—	9	—	60	—	70	—	70
Height (feet)	—	45	—	45	—	45	—	45

1 Street yard may be modified subject to paragraph ~~6.8.3A~~6.8.2A, Street Yards.

2 May be further restricted by watershed regulations in accordance with paragraph 8.7.2B, Impervious Surface Limits.

Sec. 6.10 Nonresidential District and Group Living Development Intensity

6.10.1 Nonresidential and Group Living Development Standards

E. Street Yard Alternatives

1. For districts with minimum street yard requirements (excluding Design Districts):

- c.** Where a block face of less than 500 feet is split into more than one zoning district, the zoning district with the most frontage shall determine the minimum street yard setback. However, this provision shall not apply if the street right-of-way is less than 50 feet wide and property on the opposite side of the street is residentially used or zoned, in which case the provisions of paragraph ~~6.8.3A~~6.8.2A, Street Yards, shall be applied.

Sec. 13.5 Lot Standards

[Paragraphs not listed remain unchanged]

13.5.3 Double Frontage

- A. For a Residential-residential lots that ~~have~~has frontage on two non-intersecting local or collector streets, the following shall apply:
1. For a lot with a single-family structure, the lot shall be accessed from one street only with treatment such as a berm, walls, or landscaping fronting on the second street to preclude access. This shall not apply for access to an accessory dwelling unit.
 2. For a lot with an accessory dwelling unit, two-family structure, or multifamily structure, the lot can be accessed from both streets as long as access points are off-set to inhibit cut-through traffic.¹
- B. Residential lots adjacent to a boulevard or major/minor thoroughfare shall have vehicular access from the local street only.
- C. Nonresidential lots with double frontage shall have off-set access points to inhibit cut-through traffic.

Sec. 14.3 Nonconforming Lots²

[Paragraphs not listed remain unchanged]

14.3.2 Single-Family and Two-Family Residential Lots

- A. Any legally established lot of record not located within a Special Flood Hazard Area that has a minimum width of ~~35~~30 feet created prior to the effective date of this Ordinance that is located on a street that is accepted and maintained by NCDOT or the City (or such other form of access as is permitted pursuant to paragraph 12.2.2, Other Forms of Access) may be developed with a single-family or two-family residence subject to all other applicable Ordinance requirements; and the availability of water and wastewater treatment systems, so long as such use is a permitted use in the district in which the property is located.
- C. Side yard requirements for single-family or two-family residential development on nonconforming lots that do not meet lot width requirements shall be reduced as follows:
1. In the Rural Tier, the sum of the width of the two side yards of a nonconforming lot of record shall be at least 25% of the lot width. The minimum single side yard of a nonconforming lot of record shall be 12% of the lot width. In addition to these requirements, the following minimums apply: if the nonconforming lot of record exceeds a width of 55 feet, then each side yard shall be a minimum of eight feet wide. If the nonconforming lot of record is 55 feet wide or less, each side yard shall be a minimum of six feet wide.
 2. In all other Tiers, as applicable, no total side yard is required and each individual side yard shall be at least 80% of the required side yard for the district in which the lot is located.

14.3.3 Lots Other Than Single-Family or Two-Family Lots

¹ This allows for more flexible design and dispersion of traffic.

² The proposed changes allow incorporate duplexes and allow for more legal lots of record to develop by-right instead of requiring a special use permit.

Where otherwise allowed by this Ordinance, a structure other than a single-family or two-family structure may be constructed on a legal nonconforming lot only upon the issuance of a minor special use permit by the Board of Adjustment in accordance with Sec. 3.9, Special Use Permit.

Sec. 17.3 Defined Terms

[Definitions not listed remain unchanged]

Building Separation: The required separation between primary buildings. ~~any two buildings located on the same lot or parcel of land.~~

Ribbon Driveway: Also called “strip driveway”, a driveway that consists of two parallel strips of concrete, pavers, or similar all-weather material with groundcover or similar pervious material in between.

Single-Family: A residential use consisting of one dwelling unit per lot of record. As described in Sec. 7.1, Housing Types, includes: single-family detached house; zero lot line house; traditional house; ~~patio house;~~ or ~~semi-~~attached house. Not to include manufactured housing.

Subordinate: Secondary in appearance so as not to diminish or visually overpower another element or structure. This shall be considered as a whole and shall not require each dimensional aspect to be subordinate, unless specifically required by another provision of this Ordinance.

Townhouse: A building made up of three or more attached dwellings units (except when otherwise allowed) ~~when where~~ each unit is on an individual lot and the units are lined up in a row and share side walls.