

2.1 RULES OF CONSTRUCTION

For the purposes of these regulations, the following rules of construction apply.

1. These regulations will be construed to achieve the purposes for which they are adopted. Interpretations shall be guided by statements of intent.
2. The words "shall," "must," and "will" are mandatory in nature, implying an obligation or duty to comply with the particular provision.
3. The word "may" is permissive in nature except when used in the negative.
4. The word "should," whether used in the positive or the negative, is a suggested guideline.
5. References to "days" will always be construed to be business days, excluding weekends and holidays, unless the context of the language clearly indicates otherwise.
6. For purposes of interpreting this ordinance, certain words, concepts, and ideas are defined below. Except as defined herein, all other words used in this ordinance shall have their dictionary definition as contained in the *American Heritage Dictionary of the English Language*.

2.2 DEFINITIONS

AAA

Abandon: To cease the regular use or maintenance of a lot, building, or structure.

Abandonment: A property, use, or structure which has been physically, and objectively discontinued, relinquished, or vacated for a consecutive period of at least one-hundred eighty (180) calendar days.

Abutting: Having common property boundaries or lot lines that are not separated by a street, alley, or other vehicular right-of-way such as a railroad.

Accessory Building and Use: A structure subordinate or incidental in square footage and primary use to the principal structure. Accessory structures and uses include detached garages (~~with or without rental units~~), accessory dwelling units, storage buildings, pools and pool houses, material storage areas, piers, and other water related structures, etc. In no event shall "accessory use" or "accessory structure" be construed to authorize a use or structure not otherwise permitted in the district in which the principal use is located.

Accessory Dwelling Unit (ADU): An accessory structure or living unit subordinate to a single-family detached dwelling. An ADU may be attached to or separate from the principal dwelling unit and excludes motorized and non-motorized vehicles, cargo containers, and similar units.

Addition:

- (1) A structure added to the original structure after the completion of the original;
- (2) An extension or increase in floor area or height of a building or structure.

Adjacent, Adjoining Lot or Land

A lot or parcel of land that shares all or part of a common lot line or boundary with another lot or parcel of land or that is directly across a public street or right-of-way.

Adult Bookstore: Notwithstanding the definitions of "Adult Bookstore" contained in G.S. 14-202.10(1), "Adult Bookstore" means a business establishment that:

- a. has one of its principal business purposes the sale or rental of: or
- b. has a substantial or significant portion of its stock or trade for sale or rental of:
 - (i) "publications" that are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified anatomical areas," as defined in G.S. 14-202.10 (10), or "specified sexual activities", as defined in G.S. 14-202.10(11); and/or

- A. All containment areas shall be enclosed to contain windblown litter.
- B. The enclosure shall be at least as high as the highest point of the compactor or dumpster.
- C. The enclosure shall be made of a material that is opaque at the time of installation and compatible with and/or similar to the design and materials of the principal building.
- D. All compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support, allows for positive drainage, and conforms to the Gaston County Health Department regulations governing compactor pads.
- E. The enclosure shall contain gates to allow for access and security.
- F. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.

3.9 RESIDENTIAL ACCESSORY STRUCTURES

3.9.1 GENERAL REQUIREMENTS:

- A. Accessory structures shall require the issuance of a zoning permit if the structure is more than one story and/or has one or more sides that are greater than twelve (12) linear feet in length. Floor space in each permitted and non-permitted accessory structure shall be combined to tabulate the maximum allowed total floor area of all accessory structures, as stated in Section 3.9.4.
- B. No accessory structure shall be located over water/sewer lines, storm drains, or other public health/safety facilities, easements or prescriptive easements; nor shall they obstruct those facilities or city meters. Accessory structures which are in violation may be moved/destroyed at owner's expense.
- C. The following uses are permitted within outbuildings:

Accessory dwelling unit (see 3.10.1)	Pet shelter/enclosure
Artist studio space	Parking
Customary home occupation	Poolhouse
Equipment enclosure	Sauna
Temporary Family Health Care Structure (see Section 6.2.25)	
Workshop	
- D. Accessory structures should be clad in materials of a similar nature to that of the principal structure and/or its trim.
- E. The building footprint of all accessory structures on a lot shall never encompass more than 25% of a rear yard as defined in Chapter 2.

3.9.2 LOCATION REQUIREMENTS:

- A. Garages, carports, and accessory dwelling units (ADU) may be located in the side yard when meeting the principal structure buildable area, or in the rear yard- see section 3.9.3 for setback requirements. Placement in a front yard is only allowable upon issuance of a special use permit in the front yard of a waterfront lot or a lot over one acre in size when the proposed structure observes required principal structure setbacks.
- B. Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard.
- C. Mechanical equipment (other than HVAC units), outdoor storage, pet shelters, pools, sheds, workshops, and other similar accessory structures shall be located only within the rear yard.

**3.9.3 HEIGHT AND SETBACK REQUIREMENTS:
(See Figures 1 and 2)**

- A. Accessory structures may be two (2) stories in height, not to exceed 26 feet, when observing the setback requirements for the principal structure (within the buildable area). (See Section 4.2 for principal structure setback requirements)

Otherwise, accessory structures must be one (1) story in height.

- B. Accessory structures outside the primary structure building area must meet the following rear and side setback requirements unless otherwise specified in Chapter 4:
 - 3 ft. – lots 7,000 sq. ft. or less
 - 5 ft. – lots over 7,000 sq. ft.
 - 10 ft. – pools (see 3.10.1)
 - 15 ft. – from the street-side or rear property line of corner lots

ACCESSORY STRUCTURES LOCATED INSIDE PRINCIPAL STRUCTURE BUILDABLE AREA

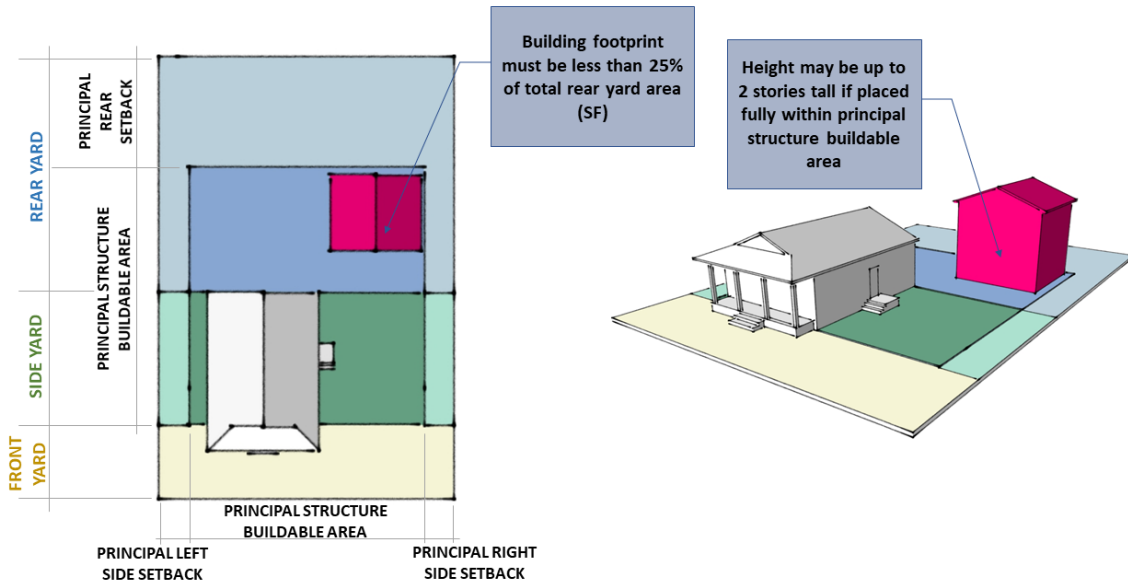


FIGURE 1

ACCESSORY STRUCTURES LOCATED OUTSIDE PRINCIPAL STRUCTURE BUILDABLE AREA

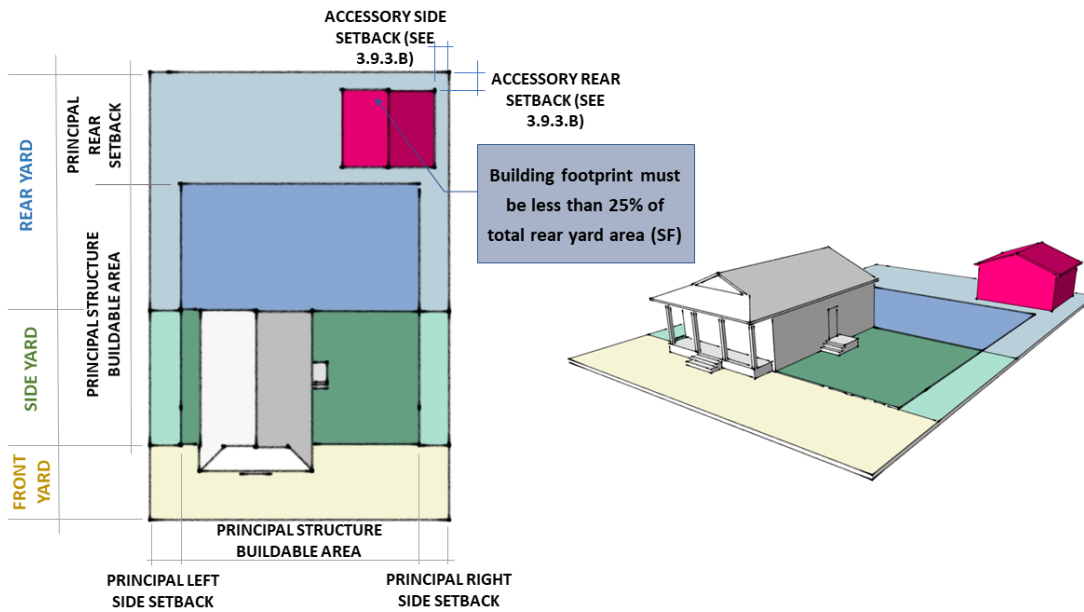


FIGURE 2

3.9.4 SIZE AND NUMBER ALLOWED BY LOT ACREAGE:

Lot Size	# allowed	Total SF (whichever is greater)
Under 7000 SF	2	500 SF or 50% heated SF of primary structure (+200 SF if detached ADU on property)
7000 SF- ½ acre	2	700 SF or 50% heated SF of primary structure (+300 SF if detached ADU on property)
½+ acre-1 acre	2	900 SF or 50% heated SF of primary structure (+400 SF if detached ADU on property)
1+ acre- 3 acres	3	1800 SF or 50% heated SF of primary structure (+500 SF if detached ADU on property)
3+ acres	3	2400 SF or 50% heated SF of primary structure (+600 SF if detached ADU on property)

3.10 ADDITIONAL REGULATIONS FOR SPECIFIC ACCESSORY STRUCTURES AND USES

3.10.1. ACCESSORY DWELLING UNITS (ADU)

- A. An accessory dwelling unit may only be located on a lot containing one single-family detached structure (excludes duplexes).
- B. Only one accessory dwelling unit shall be permitted per single-family detached dwelling; and it may be attached or detached.
- C. An accessory dwelling unit may be up to 900 sq. ft. in total square footage.
- D. Accessory dwelling units must comply with all applicable local, state, and federal housing codes.
- E. Parking for the principal dwelling unit must be maintained or replaced on site. One additional parking space for the accessory dwelling unit shall be provided on site. The planning director may consider an on-street parking space as satisfying this requirement when:
 - 1. The street width can accommodate on-street parking and it is not otherwise prohibited by the city or the neighborhood; and
 - 2. There exists no other practical alternative for the on-site parking space.

- F. **Attached ADU** (See Figure 3)
1. Setbacks for attached accessory dwelling units shall be the same as the principal structure.
 2. The front entrance of an attached accessory dwelling unit may not share the same façade frontage as the principal dwelling.

G. **Detached ADU:** (See Figure 4)

If a detached ADU is located closer to the property line than its primary dwelling, additional landscape and/or fence screening may be required by the Planning Director or designee in order to protect the privacy of its occupants and those of the adjacent property. Appropriate screening will be determined during site plan review based on the number/size of window openings planned, proximity to the neighboring dwelling, and any existing landscaping and/or fencing already present on the site.

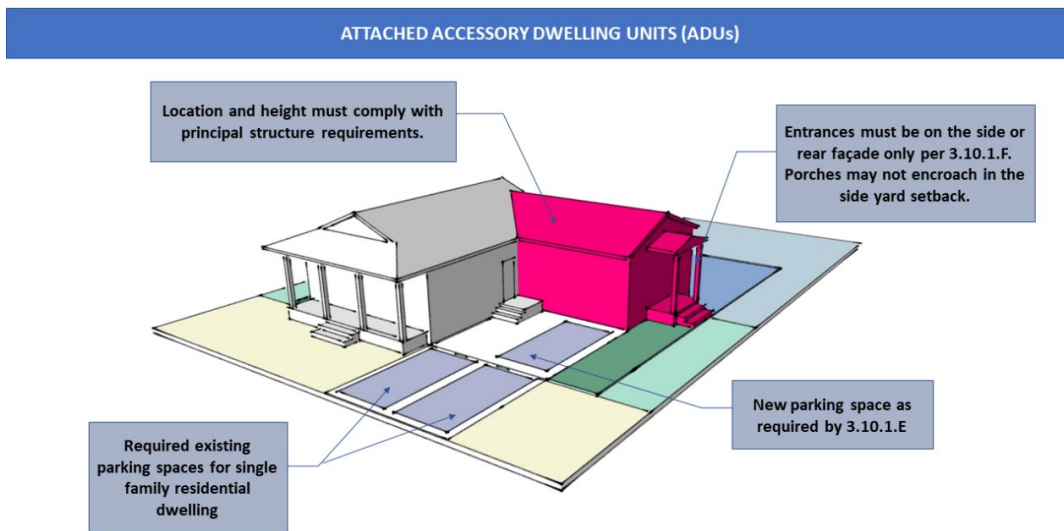


FIGURE 3

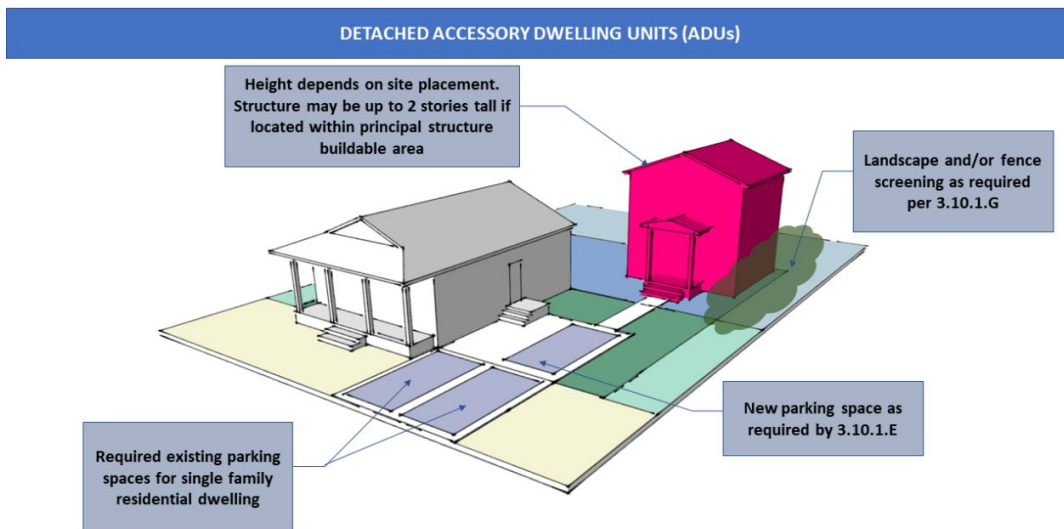


FIGURE 4

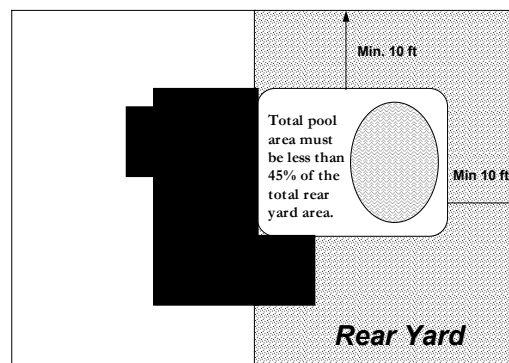
3.10.2 POOLS (for Single Family Homes)

All pools for single family homes, 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 and side lot lines

Pools shall have the pool area, including any pool-related structure(s) and areas as defined above, enclosed by a fence with a minimum height of four (4) feet and a maximum height of eight (8) feet.

**3.10.3 SATELLITE DISHES**

Satellite dishes less than 12 inches in diameter may be located anywhere on a lot. All other satellite dishes shall adhere to the following standards:

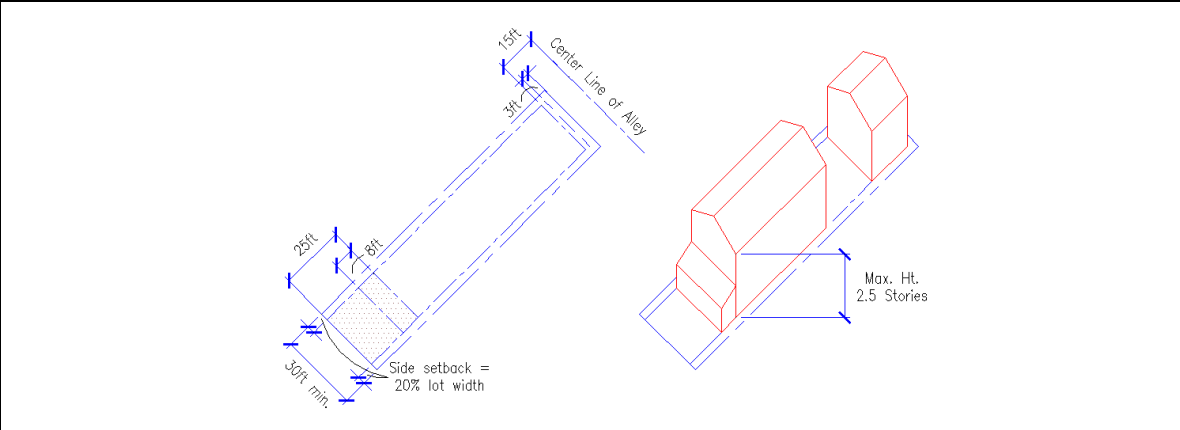
- A. Satellite dishes shall be no larger than four (4) feet in diameter
- B. The maximum height shall be fifteen (15) feet unless the applicant can prove:
 1. a less intrusive location is not possible and,
 2. a higher location will improve reception
- C. The dish must be installed and grounded properly.
- D. Satellite dishes may not be located in front or side yards, unless otherwise dictated by the existing natural or built environment, or mounted on any front façade of a principal structure and shall meet all setbacks applicable to accessory structures.
- E. Satellite dishes shall not be located on a roof.

4.2 DETACHED HOUSE

Description: The detached house is the predominant building type in the City of Belmont. It is flexible in use (where permitted), accommodating single family uses, multi-family uses up to four units, home occupations, professional offices, and limited retail uses. When other building types are integrated with Detached Houses, the scale of the Detached House shall control (exception: Civic Buildings). The use permitted within the building is determined by the District in which it is located.

1. LOT REQUIREMENTS

Type A: Alley Lot The alley lot is a lot with primary vehicular access is provided using a rear lane or alley only. This condition is required for lots less than 55 feet wide and permitted for all others. No curb cuts or driveways are permitted along the frontage except on previously platted lots.



Setbacks: Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within 300 ft. or one block length (whichever is greater). Where no frontage condition currently exists, the **minimum** setbacks shall be as follows:

Front (Maximum): 0-25 ft.
Side: 20% of the lot width (In new developments, the entire setback may be allocated to one side with a minimum of 6 feet of total building separation)
Rear: Three (3) ft. on lots with an area of less than or equal to 7,000 square feet; otherwise, 15 ft. from centerline of alley or lane
Accessory Structure Setback: See Chapter 3

Minimum Lot Width: 30 Ft
Maximum Height: 2 ½ Stories

Encroachments: Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the required front or rear setback a maximum of 8 ft.

Lot Coverage (Maximum Impervious): 75%

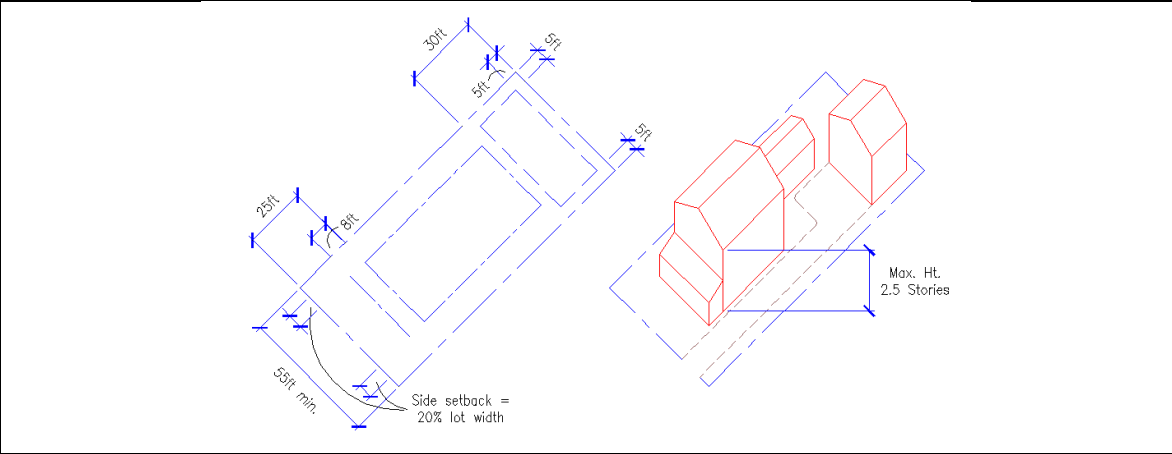
Vehicular Access to Lot: For lots less than 55 feet wide, alley access is required. For all others the use of an alley is permitted.
 *Excludes Temporary Family Health Care Structures

Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.



4.2 DETACHED HOUSE

Type B: Street Lot The street lot is a medium or large sized lot (55 feet or greater in width) that provides primary vehicular access from the street.



Setbacks: Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within 300 ft. or one block length (whichever is less). Where no frontage condition currently exists, the minimum setbacks shall be as follows:

Front: 20 ft. (Exception R-R – 40 ft.) If a house has a **front-loaded street-facing garage**, a minimum 30-foot parking pad in front of garage shall be required, and shall be measured from the property line/right-of-way to the garage door. This requirement shall apply to any new development which has not received schematic approval by the City of Belmont as of the adoption date of this amendment (June 4, 2012).

Sides: 20% of the lot width (The entire setback may be allocated to one side, unless prohibited by building code requirements).

Sides (Infill Lots): Lots $\geq 10,000 \text{ ft}^2 = 12 \text{ ft.}$
 Lots $< 10,000 \text{ ft}^2 = 8 \text{ ft.}$

Rear: 30 ft.

Accessory Structure Side/Rear Setback: For lots less than or equal to 7,000 square feet in area there shall be a minimum three (3) ft. setback on side and rear lot lines; otherwise there shall be a minimum side or rear year setback of five (5) ft. Excludes Temporary Family Health Care Structures. **See Chapter 3 for additional requirements.*

Minimum Lot Width: 55 ft.

Maximum Height: 2 ½ Stories

Encroachments: Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into any required front or rear setback a maximum of 8 ft.

Lot Coverage (Maximum Impervious): 50%

Minimum Lot Size (Duplex Only): 10,000 ft²

Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.



Single Family House



Single Family House



Limited Retail

5.2 RURAL RESIDENTIAL (RR)

Rural Residential districts are coded to accommodate very low density residential development and agricultural uses and, 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	<p>Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, Manufactured Housing, and Bona Fide Farms</p>
Lodging	<p>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.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹ and Bed and Breakfast Inns²</p>
Office	<p>Restricted Office: Customary home occupation uses are permitted 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.</p> <p>Permitted Uses: Home Occupations²</p>
Commercial	<p>Restricted Commercial: 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 Section 11.2) Day Care Centers and Day Care Homes². All other commercial uses are forbidden.</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted.</p>
Civic	<p>Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a special use permit or Conditional District Zoning.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Recreational Facilities², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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 predominant 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>District provisions may vary if lots are located within the South Point Peninsula Overlay District. See Chapter 5.19</p>	<p>1. Minimum Lot Size The minimum lot size for a duplex home shall be 21,780 square feet, except with approval of special 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</p> <p>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 special use permit.</p>

3. Permitted Uses (Suburban Residential SR)	
Residential	<p>Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Townhouses (in new developments only, no townhouses are permitted on infill lots in the SR District)</p>
Lodging	<p>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.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹ and Bed and Breakfast Inns²</p>
Office	<p>Restricted Office: Customary home occupation uses are permitted 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.</p> <p>Permitted Uses: Home Occupations²</p>
Commercial	<p>Limited Commercial: The area permitted for commercial uses is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis.</p> <p>Permitted Uses: Day Care Centers and Day Care Homes²</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted.</p>
Civic	<p>Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a special use permit or Conditional District Zoning.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Recreational Facilities², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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 predominant 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>District provisions may vary if lots are located within the South Point Peninsula Overlay District. See Chapter 5.19</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 special 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 special use permit.</p>

3. Permitted Uses (General Residential GR)	
Residential	<p>Limited Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Townhouses (in new developments only, no townhouses are permitted on infill lots in the GR District)</p>
Lodging	<p>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.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹ and Bed and Breakfast Inns²</p>
Office	<p>Restricted Office: Customary home occupation uses are permitted 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.</p> <p>Permitted Uses: Home Occupations²</p>
Commercial	<p>Limited Commercial: The area permitted for retail is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis.</p> <p>Permitted Uses: Day Care Centers and Day Care Homes²; Events Facility^{2,3}, Temporary Amusements^{2,3}</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted.</p>
Civic	<p>Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a special use permit or Conditional District Zoning.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Recreational Facilities², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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 civic 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: The minimum lot size shall be based upon the building types requirements found in Chapter 4.</p> <p>2. Maximum Development Density Maximum Density (on a project by project basis): 16 units/acre</p>

3. Permitted Uses (Neighborhood Center Residential NC-R)	
Residential	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Multi-Family</p>
Lodging	<p>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.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹ and Bed and Breakfast Inns²</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.</p> <p>Permitted Uses: Home Occupations², Live-Work Units, Professional Offices Uses</p>
Commercial	<p>Limited Retail: The area permitted for commercial uses is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis.</p> <p>Permitted Uses: Day Care Centers and Day Care Homes², Events Facility^{2,3}, Funeral Home^{2,3}</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted.</p>
Civic	<p>Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a special use permit or Conditional District Zoning.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Recreational Facilities², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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. NC-C may be used to apply initial zoning to existing commercial buildings outside of Downtown and East Belmont, and to allow for neighborhood-scaled commercial development outside the downtown commercial/civic area and village centers as shown on the Comprehensive Land Use Plan map.

<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 Workplace Building (by Special Use Permit or Conditional District Zoning) Flex commercial building (only in areas located outside Downtown and East Belmont) </p>
<p>2. Specific District Provisions</p>	<ol style="list-style-type: none"> 1. Maximum Building Footprint: 6,000 square feet for buildings located in the Downtown Commercial and Civic area and the Catawba Street Corridor area as shown on the Belmont Comprehensive Land Use Plan. No maximum outside of these areas. 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. 4. A special use permit or Conditional District Zoning, shall be required for any building with a gross floor area of greater than 50,000 square feet.

3. Permitted Uses (Neighborhood Center Commercial NC-C)	
Residential	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, 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)⁴; Bed and Breakfast Inns; and Hotels²</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.</p> <p>Permitted Uses: Home Occupations, Live-Work Units, and Office Uses</p>
Commercial	<p>Open Commercial: The area available for commercial use is limited to the requirement of one assigned parking space for each 400 square feet of gross space.</p> <p>Permitted Uses: Commercial Uses, Drive-through Commercial^{2&3}, Restaurants², Private Night Clubs³, Funeral Homes², Convenience Stores (in flex commercial buildings only)², Neighborhood Stores², and Day Care Centers and Day Care Homes²</p>
Manufacturing	<p>Restricted Manufacturing: Neighborhood Manufacturing.²</p>
Civic	<p>Open Civic: Civic uses shall be permitted.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Parking Structures², Recreational Facilities², Outdoor Storage of Landscaping/Garden Supplies/Live Plants², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special use permit

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 District 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>	<ol style="list-style-type: none"> 1. Loading areas are permitted in the rear yard only. 2. Street level commercial, office, and/or lodging is required within individual buildings when located adjacent to a collector street as identified in Section 8.2 (15) of the LDC. Any other permitted uses will be considered by Conditional District Zoning.

3. Permitted Uses (Downtown District DD)	
Residential	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Multi-Family</p>
Lodging	<p>Open Lodging: Food service may be provided at all times.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, and Hotels</p>
Office	<p>Open Office:</p> <p>Permitted Uses: Home Occupations, Live-Work Units, and Office Uses</p>
Commercial	<p>Open Commercial: Permitted Uses: Commercial Uses, Restaurants, Night Clubs and Bars with Live Music², Entertainment Uses</p> <p>Excluded Uses: Drive-through Commercial, Automotive, Boat & Heavy Equipment Sales and Service, Adult Establishments, Adult Video Stores, Pool Halls, Billiard Parlors, Game Rooms, and Arcades.</p>
Manufacturing	<p>Restricted Manufacturing: Neighborhood Manufacturing.²</p>
Civic	<p>Open Civic: Civic uses shall be permitted.</p>
Other	<p>Cemetery², Essential Services-Class 1 & 2², Parking Structures², Recreational Facilities², Temporary Uses², Temporary Family Health Care Structure² Outdoor Storage of Landscaping/Garden Supplies², Water-related Structures²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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 Workplace 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 special use permit or Conditional District Zoning 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 found in Section (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 special use permit or Conditional District Zoning.

3. Permitted Uses (Highway Commercial HC)	
Residential	<p>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</p>
Lodging	<p>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. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, Motels, and Hotels</p>
Office	<p>Open Office: The area available for office use is limited by the parking requirements of Chapter 9. <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses</p>
Commercial	<p>Open Commercial: The area available for commercial use is limited to the parking requirements of Chapter 9.</p> <p>Permitted Uses: Retail Commercial Uses, Restaurants, Private Nightclubs^{1,2}, Entertainment Uses, Adult Establishments^{1&2}, and Adult Video Stores ^{1&2}, Automotive/Boat/Heavy Equipment/Manufactured Home Sales and/or Service^{1&2}, Day Care Centers and Day Care Homes¹, Convenience Stores¹, Drive-through Commercial¹, Events Facility¹, Temporary Amusements¹, ABC package store/beer and wine (exclusive) discount store, Body/skin piercing establishment, Cash-advance/vehicle title loan service, Electronic gaming operation¹, Palm reading/fortune telling/psychic reading/tarot reading establishment, Pawn shop, Tattoo parlor and/or permanent cosmetic salon.</p>
Manufacturing	<p>Restricted Manufacturing: No manufacturing activity is permitted.</p>
Civic	<p>Open Civic: Civic uses shall be permitted.</p>
Other	<p>Essential Services-Class 1 & 2¹, Parking Structures, Recreational Facilities¹, Outdoor Storage¹, Water-related Structures¹</p>

¹See Performance Standards in Chapter 6

²Subject to the issuance of a special 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 area 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 special use permit or Conditional District Zoning. 												
<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: left;"><u>Use</u></th> <th style="text-align: left;"><u>Minimum - Maximum</u></th> </tr> </thead> <tbody> <tr> <td>Single-Family Uses</td> <td>15% - 75%</td> </tr> <tr> <td>Duplex and Multi-Family Uses</td> <td>10% - 40%</td> </tr> <tr> <td>Lodging/Office/Retail Uses</td> <td>2% - 10%</td> </tr> <tr> <td>Civic Uses</td> <td>2% - no maximum</td> </tr> <tr> <td>Open Space</td> <td>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	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p>Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Multi-Family</p>
Lodging	<p>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.</p> <p>Permitted Uses: Rental Cottages (in Ancillary Buildings)¹ and Bed and Breakfast Inns²</p>
Office	<p>Limited Office: Customary home occupation uses are permitted 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.</p> <p>Permitted Uses: Home Occupations² and Live-Work Units</p> <p>Exceptions: Offices (in existing Workplace buildings only)</p>
Commercial	<p>Limited Commercial: Commercial uses are forbidden with the following exceptions: One Neighborhood Store shall be permitted for each 300 units in a neighborhood.</p> <p>Permitted Uses: Day Care Centers and Day Care Homes² and Neighborhood Store²</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are forbidden.</p>
Civic	<p>Open Civic: Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a special use permit or Conditional District Zoning.</p>
Other	<p>Essential Services, Class 1 & 2², Recreational Facilities², Water-related Structures², Temporary Family Health Care Structure²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special 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 commercial 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. 8. See Section 5.19 for residential district performance standards if located within the South Point Peninsula Overlay District

<p>3. Gross Land Allocation by Use</p> <p>The percentages are allocated on the gross land area including street rights-of-way.</p>	<table border="0"> <thead> <tr> <th style="text-align: left;"><u>Use</u></th> <th style="text-align: left;"><u>Minimum - Maximum</u></th> </tr> </thead> <tbody> <tr> <td>Single-Family Uses</td> <td>15% - 75%</td> </tr> <tr> <td>Duplex and Multi-Family Uses</td> <td>10% - 40%</td> </tr> <tr> <td>Lodging/Office/Commercial/Manuf. Uses*</td> <td>2% - 40%</td> </tr> <tr> <td>Civic Uses</td> <td>2% - no maximum</td> </tr> <tr> <td>Open Space</td> <td>Per Chapter 7</td> </tr> </tbody> </table> <p>*The developer may request that the City Council waive the lodging/office/commercial/manufacturing uses after five years of the plat being recorded or after 50% build out of residential units in the development, whichever is sooner, if the development is located within one (1) street-mile of a Village Center or Downtown Commercial and Civic Center as shown on the Belmont Comprehensive Land Use Plan map.</p>	<u>Use</u>	<u>Minimum - Maximum</u>	Single-Family Uses	15% - 75%	Duplex and Multi-Family Uses	10% - 40%	Lodging/Office/Commercial/Manuf. Uses*	2% - 40%	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/Commercial/Manuf. Uses*	2% - 40%												
Civic Uses	2% - no maximum												
Open Space	Per Chapter 7												
<p>4. Permitted Uses (Traditional Neighborhood Development TN-D)</p>													
<p>Residential</p>	<p>Open Residential: The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. Permitted Uses: Single Family Homes, Accessory structures¹, Duplexes, and Multi-Family</p>												
<p>Lodging</p>	<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. Permitted Uses: Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns², and Hotels</p>												
<p>Office</p>	<p>Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 400 sq. ft. Permitted Uses: Home Occupations, Live-Work Units, and Office Uses</p>												
<p>Commercial</p>	<p>Open Commercial: The area available for commercial use is limited to the requirement of one assigned parking space for each 400 square feet of gross-commercial space. Permitted Uses: Commercial Uses, Restaurants, Drive-through Commercial^{2,3}, and Neighborhood Stores²</p>												
<p>Manufacturing</p>	<p>Limited Manufacturing: The area available for manufacturing use is limited to the building. Permitted Uses: Light Manufacturing Uses (no outdoor storage permitted)</p>												
<p>Civic</p>	<p>Open Civic: Civic uses shall be permitted.</p>												
<p>Other</p>	<p>Cemetery², Essential Services-Class 1 & 2², Parking Structures², Recreational Facilities², and Water-related Structures²</p>												

¹See Performance Standards in Chapter 3
²See Performance Standards in Chapter 6
³Subject to the issuance of a special 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.

<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 special use permit or Conditional District Zoning</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 Zoning; 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 Chapter 8 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 The percentages are allocated on the gross land area.</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">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
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												
 <p style="text-align: center;"><i>Workplace buildings aligned on streets</i></p>	 <p style="text-align: center;"><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, Accessory structures¹, 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 Inns²; 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>
Commercial	<p>Restricted Commercial: Free-standing commercial uses are forbidden. Commercial 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: Commercial Uses, Restaurants², and Day Care Centers and Day Care Homes². Drive-through Commercial²; Events Facility²; Temporary Amusements²</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 Manufacturing Uses, Heavy Manufacturing Uses³</p>
Civic	<p>Open Civic: Civic Uses, Hospitals²</p>
Other	<p>Cemetery², Essential Services-Class 1 and 2², Essential Services-Class 3³, Parking Structures², Recreational Facilities², Water-related Structures²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6


³Subject to the issuance of a special 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="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
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													
														

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, Accessory structures¹, 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 Inns², Hospice and Assisted Living Facilities, Hotels¹</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: Home Occupations², Office Uses, Live-Work Units</p>
Commercial	<p>Restricted Retail: Free-standing commercial uses are not permitted. Events facility², Day Care Centers and Day Care Homes², Restaurants²</p>
Manufacturing	<p>Restricted Manufacturing: Manufacturing uses are not permitted. Uses</p>
Civic	<p>Open Civic: Civic Uses, Hospitals³.</p>
Other	<p>Cemetery², Essential Services-Class 1 and 2², Essential Services-Class 3³, Parking Structures², and Recreational Facilities², Water-related Structures²</p>

¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

³Subject to the issuance of a special use permit

~~6.2.21 RENTAL COTTAGE (In Outbuildings) (RR, SR, GR, NC-R, NC-C, H-C, INF-D, TN-D, BC-D, IC-D)~~

- ~~a) Minimum floor area shall be 480 sq. ft.~~
- ~~b) The principal building shall be owner-occupied.~~
- ~~c) Rental cottages may only be constructed on the second story of a garage, studio, workshop or similar outbuilding use that is accessory to the principal structure.~~

6.2.21 RESTAURANTS (NC-C, DD, H-C, TN-D, BC-D, IC-D)

- a) Outdoor seating shall not obstruct sidewalks or streets, but may encroach upon sidewalks.

6.2.22 TEMPORARY AMUSEMENTS (GR, HC, BC-D)

- a) The applicant must comply with city fire department and county building inspection department safety recommendations. A certificate of occupancy must be obtained before the attraction may be opened to the public.
- b) The audience of any temporary attraction must be orderly at all times, and it shall be unlawful for any person attending such event to create a disturbance in the audience.
- c) Amplified sound equipment shall not be permitted outside of the structure used as a temporary attraction.
- d) Parking shall be provided in a ratio equivalent to one space per 25 sq. ft. of the total space used for the attraction, including auxiliary and administrative areas.
- e) Flashing, rotating, or intermittently illuminated lighting may not be visible from the area surrounding the building.
- f) If any part of the site abuts a residential neighborhood or parcel, the temporary attraction may not issue tickets or queue additional patrons after 10:00 p. m. local time.
- g) A temporary amusement facility may only be allowed in the GR zoning district by special use permit and shall be located within a civic building or a publicly-owned park.
- h) A temporary amusement attraction is limited to a maximum of 45-operational days.
- i) The applicant shall obtain a zoning permit from the Planning and Zoning Department prior to set-up and/or operation of proposed temporary amusement use.

6.2.23 WATER-RELATED STRUCTURES (All Districts)

- a) All water-related structures shall be approved by Duke Power Shoreline Management prior to any construction. Prior to the issuance of zoning compliance for a building permit, the applicant must obtain and submit the required authorization from the Duke Energy Shoreline Management or any other pertinent outside agency. All water-related structures shall be in conformance with all applicable Federal Energy Regulatory Commission (FERC) and Duke Energy Shoreline Management regulations.
- b) A marina is permitted by right subject to other provisions of this article. A public-use marina is allowed when accessed by means of any property zoned other than G-R, S-R, and R-R. A private-use marina is allowed when it is part of a residential subdivision or multi-family development provided it is managed by an organized homeowners' association or property management firm. A public-use marina may include boat sales, boat repair, and related merchandise sales. Free-standing restaurants and a marina store (new development with parking) are allowed on any property zoned BC-D or IC-D as an adaptive re-use of under-utilized properties. An existing structure in these zones may be used for the sales and service of boats. Boat repair services shall be conducted inside the building and the occupancy must be approved by building inspections and a fire inspector. Outdoor storage of watercraft not located in marina slips shall be screened using a Type A opaque buffer (see Ch. 11). This requirement may be waived only if the boat storage area is interior to a site and the boats are not visible from a residence, a right-of-way, or a waterway. Fuel pumps are allowed only at the marina dock.

6.2.24 TEMPORARY FAMILY HEALTH CARE STRUCTURE (RR, SR, GR, NC-R, NC-C, INF-D, TN-D, BC-D, IC-D)

- a) A temporary family health care structure is permissible in compliance with N.C.G.S 160D-915. Associated definitions:
 - i. Activities of daily living: Bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating.
 - ii. Caregiver: An individual 18 years of age or older who (i) provides care for a mentally or physically impaired person and (ii) is a first or second degree relative of the mentally or physically impaired person for whom the individual is caring.
 - iii. First or second degree relative: A spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew or niece and includes half, step and in-law relationships.
 - iv. Mentally or physically impaired person: A person who is a resident of this State and who requires assistance with two or more activities of daily living as certified in writing by a physician licensed to practice in this state.
- b) Only one temporary family health care structure shall be allowed on a lot or parcel.
- c) Structure shall comply with all setback requirements that apply to the primary structure, shall not be placed on a permanent foundation, and shall connect to municipal water, sewer, and electric utilities serving the property.
- d) Structure shall be removed within 60 days in which the mentally or physically impaired person is no longer receiving or is no longer in need of the assistance provided for in this section. If the temporary family health care structure is needed for another mentally or physically impaired person, the structure may continue to be used, or may be reinstated on the property within 60 days of its removal.
- e) The caregiver shall obtain a zoning permit from the city prior to installation of such structure and shall provide all necessary documentation of compliance with this section.