



CITY OF BELMONT

PLANNING & ZONING

Application number: TA-2022.05 Apartment Building Form

Request: Reconsider the text amendment and forward a recommendation to the City Council.

Background: The planning and zoning board heard this request at its November public meeting. After a lengthy discussion, the board tabled the conversation:

- Requesting information on potentially impacted properties; and
- Would prefer to see this topic addressed concurrently with the “missing middle” housing discussion to not eliminate a type of housing without alternatives.

A review of the section 20.2 (4) of the Land Development Code (LDC) states the following:

4. Planning Board Review and Consistency Statement

“Once the petition is complete, the Planning Director shall refer the petition to the Planning Board for review and recommendation to the City Council. The Planning Board shall have a maximum of forty (40) days from the date of the first meeting to make such recommendation. If a recommendation is not made during said time period, the application shall be forwarded to the City Council without a recommendation from the Planning Board.”

The 40-day timeline would set a December 27th recommendation date to the council. The council’s next public meeting is January 2, 2023. Based on the planning board recommendation, staff offers the following information:

- Number of potentially effected properties:
 - There are at least 15 properties that would be impacted by their existing buildings becoming non-conforming within their existing zoning classification.
 - The removal of the apartment building form will also affect approximately 30 parcels as a building form choice. This does not include potential rezone requests within small area plans, such as the Center City plan, that have been visioned in the future as having the potential for the apartment building form.
- Concurrent discussion with other building forms for multi-family: This should be a larger community discussion to consider the appropriate location for these other building types, and the actual building type form.

- Current regulations would require all projects with a proposed multi-family building form to process a conditional zoning request, except within the IC-D and H-C zones.

We have attached the November PB report as attachment A for your review and consideration.

Planning Board Action: Receive information and provide a recommendation to city council.

Attachment A – November Staff Report



CITY OF BELMONT

PLANNING & ZONING

Application number: TA-2022.05 Apartment Building Form

Request: a request to amend various chapters of the Land Development Code (LDC) to limit the apartment building form within various areas of the city.

Background: The city council requested that the ordinance be changed to limit apartment use everywhere in the city except within the:

- Highway Commercial zoning district (H-C) which is located adjacent to the Wilkinson & Park St. corridors; and
- Institutional Campus zoning district (IC-D) which is located primarily within the Belmont Abbey Campus and Sisters of Mercy Campus.

The city council also indicated that it would be open to considering an alternative ordinance that would allow multi-family use in another form such as “missing middle” housing form. Staff is coordinating a consultant to present information about this housing form in the near future. This amendment is focused on the initial direction from council to limit the apartment building form within the city. If approved, these regulations would be in place until such time a second text amendment could be prepared incorporating the missing middle housing building form as authorized by council.

Analysis: Staff has prepared the draft amendment for the prohibition of the apartment building form. The following sections are proposed to be amended:

- Section 5.5 Neighborhood Center Residential – This district is coded to provide for areas of higher density residential/mixed use development near planned commercial centers.
 - Proposed to remove apartment form as an option.
 - This would still allow multi-family use within the building form of a townhome community by conditional zoning approval.
- Section 5.6 Neighborhood Center Commercial – This district is coded to provide pedestrian-scaled higher density residential home and opportunities for limited scale commercial activities along existing mixed-use corridors, and at the functional center of new neighborhoods.
 - Proposed to remove apartment form as an option.
 - This would still allow multi-family use within the building form of a townhome community, or a shopfront building form by conditional zoning approval. The

shopfront building form would only allow multi-family in the second or third floor of the structure.

- Section 5.7 Downtown District – This district is coded to encourage the redevelopment and expansion of the traditional city center.
 - Proposed to remove apartment form as an option.
 - This would still allow multi-family use within the building form of a townhome community, or a shopfront building form by conditional zoning approval. The shopfront building form would only allow multi-family in the second or third floor of the structure.
- Section 5.9 Infill Development – The intent of this district is to allow infill development in built-up environments that adhere to certain neighborhood design principles, which includes flexibility in housing types.
 - Proposed to remove the apartment building form.
 - This would still allow multi-family use within the building form of a townhome community, or a shopfront building form by conditional zoning approval. The shopfront building form would only allow multi-family in the second or third floor of the structure.
- Section 5.10 Traditional Neighborhood Development – The intent of this district is to allow for the development of fully integrated, mixed-use pedestrian-oriented neighborhoods that minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation. There are guiding principles for this district that include uses and housing types that are mixed and near one another.
 - Proposed to remove the apartment building form.
 - This would still allow multi-family use within the building form of a townhome community, or a shopfront building form by conditional zoning approval. The shopfront building form would only allow multi-family in the second or third floor of the structure.
 - Multi-family use is restricted to a maximum of 40% of gross land area.
- Section 5.11 Business Campus Development – this district is coded to allow corporate office campus, light industrial uses, and heavy industrial uses. This district is interesting because it provides opportunities for mixed use. Historically, this zoning district was associated with the mill villages, however, when the mill home areas were subdivided the city assigned a residential zoning classification.
 - We recommend that this zoning classification be studied and updated to remove the options of residential use within the district.
- Section 5.12 Institutional Campus Development – no proposal to modify this section.

Implications of change: The prohibition of the apartment building form within specified zoning districts will deem the structure non-conforming and therefore be restricted, in some cases, of not being rebuilt if damaged extensively.

Comprehensive land use plan: All requests for zoning text amendments are required to evaluate consistency with the goals of the adopted comprehensive land use plan and other adopted plans.

Staff is of the opinion the text amendment could be consistent with the goals of the comprehensive land use plan and other adopted plans if multi-family use is still permitted within other building forms.

Planning Board Action: Receive report, public comment, and provide a recommendation to city council.

Attachment A – Draft sections of the LDC

Attachment B – Zoning map

Attachment C - Statement of Consistency

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> <p><i>*Multi-family use may only be approved by the conditional zoning process.</i></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: 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> <p><i>*Multi-family use may only be approved by the conditional zoning process.</i></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: 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> <p><i>*Multi-family use may only be approved by the conditional zoning process.</i></p>
Lodging	<p>Open Lodging: Food service may be provided at all times.</p> <p>Permitted Uses: 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

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> 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}, Blood Plasma Facility¹, 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
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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> <p><i>*Multi-family use may only be approved by the conditional zoning process.</i></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: 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

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</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>	<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
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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><i>*Multi-family use may only be approved by the conditional zoning process.</i></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: 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) 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</p> <p>The percentages are allocated on the gross land area.</p>	<table border="0"> <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, Accessory structures¹, Duplexes, and Multi-Family. *</p> <p><i>*Multi-family use may only be approved by the conditional zoning process.</i></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: 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
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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, 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: 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>

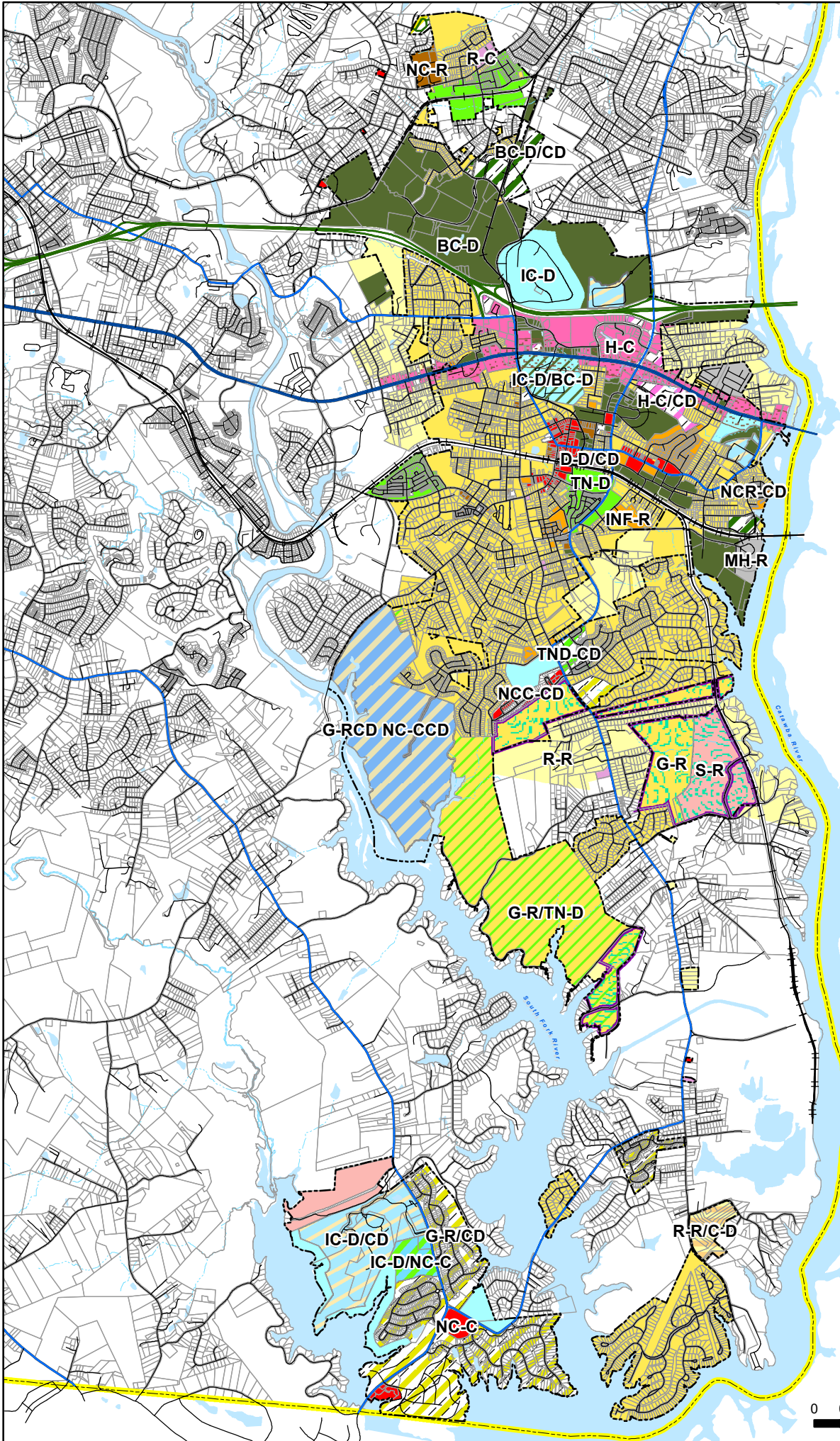
¹See Performance Standards in Chapter 3

²See Performance Standards in Chapter 6

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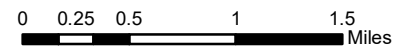
Map of the City of Belmont North Carolina



- Legend**
- Belmont Overlays**
- SPPOD
 - HC-D
- Belmont Zoning**
- BC-D: Business Campus Development
 - BC-D/CD: Business Campus Development Cond. District
 - D-D/CD
 - DD
 - G-R: General Residential
 - G-R/CD: General Residential Conditional District
 - G-R/TN-D: General Residential Traditional Neighborhood Development
 - G-RCD NC-CCD
 - H-C: Highway Commercial
 - H-C/CD: Highway Commercial Conditional District
 - IC-D: Institutional Campus Development
 - IC-D/BC-D: Institutional Campus Dev. Business Campus Dev.
 - IC-D/CD
 - IC-D/NC-C
 - INF-R: Infill Residential
 - INF-R: Manufactured Housing Residential
 - NC-C: Neighborhood Center Commercial
 - NC-R: Neighborhood Center Residential
 - NCC-CD: Neighborhood Center Commercial Cond. District
 - NCR-CD: Neighborhood Center Residential Cond. District
 - R-C: Rural Commercial
 - R-R: Rural Residential
 - R-R/CD
 - S-R: Suburban Residential
 - TN-D: Traditional Neighborhood Development
 - TN-CD: Traditional Neighborhood Dev. Cond. District



1 in = 1 miles





CITY OF BELMONT

PLANNING & ZONING

Statement of consistency

In considering the text amendment of the Land Development Code request associated with petition TA 2022.05 Apartment Building Form, the Planning and Zoning Board finds:

- The proposed text amendment is reasonable, and in the best interest of the public, because it still allows for a choice in housing type within the city; and
- The proposed text amendment is consistent with the following goals of the comprehensive land use plan:
 - Land Use because it encourages a healthy tax base and choice of housing; and
 - Community Character because it still provides for multi-family use within the community.

These findings are supported by a ___ - ___ vote by the Belmont planning and zoning during its November 17, 2022, meeting.

Matt Hart, Chairman

Date