

## CHAPTER 2. DISTRICT PROVISIONS

### 2.1 GENERAL INTENT AND ESTABLISHMENT OF DISTRICTS

The Districts have been ordered and classified according to a Rural-Urban Transect. The Transect is a method of classifying the natural and built environments as a continuum of six conditions, ranging from rural to urban. The value of the Transect is that it serves to locate any given place within a context in which all of the parts fit together harmoniously.

For example, a rural street typically has no curbs or sidewalks and its buildings look like farmhouses or barns. An urban street, depending on the intensity of urbanism, may have curbs and gutters, regularly placed street trees, sidewalks, and building forms that include common walls, flat roofs, and cornices. Each Transect zoning category has detailed provisions for each neighborhood, for density, height, street design, the design of parks, the mix of uses, building design, parking, and other aspects of the human environment.

The Zoning Districts for the Town of Knightdale have thus been ordered along this Transect providing an appropriate detailing of development at each end (rather than homogenous standardization) as well as a simplified tool for users of this Code to use to facilitate appropriate development. Figure 2.1 shows the defining features of various types of developments at either end of the Rural-Urban spectrum.

**Figure 2.1: Rural-Urban Transect**





The Transect begins with two zones that are entirely rural in character: Natural Zone (or T-1), which is made up of lands protected in perpetuity; and Rural Zone (T-2), which includes areas of high environmental or scenic quality that are not currently preserved, but perhaps should be.

The transition zone between countryside and town is called the Suburban Zone (T-3), which encompasses the most rural part of the neighborhood, and the countryside just beyond. The Edge is primarily single family homes. Although the Edge is the most purely residential zone, it can have some mixed-use, such as civic buildings; schools are particularly appropriate for the Edge.

Next is the General Urban Zone (T-4), typically the largest zone. In general, it is primarily residential, but more urban in character, having somewhat higher density with a mix of housing types and a slightly greater mix of uses allowed.

At the more urban end of the spectrum are two zones which are primarily mixed use: Urban Center (T-5). This can be a small neighborhood center or a larger town center, the latter serving more than one neighborhood.

The Urban Core or Downtown (T-6) serves the region, not only adjacent neighborhoods, and is typically understood as the central business district.

Assigned Districts, in addition to the six (6) zones, make allowance for auto-dependent activities, such as big box retail, institutional campuses, and industrial zones.

**A. Base Districts**

In accordance with N.C.G.S. §160A-382 that sets forth the establishment of zoning regulation by district, the Town of Knightdale, as indicated on the Official Zoning Map (*Appendix D*), is hereby divided into various districts that set forth uniform regulations for the development of land within each district.

The purpose of these district regulations is to provide a comprehensive plan for the use of land and buildings in conditions of good health and safety and in conditions of orderly community development. These regulations shall apply to all land and structures within the respective zoning district. The base districts are listed as follows:

- Transect Districts
- Open Space Preserve (OSP)
- Rural Residential (RR1)
- General Residential (GR3 and GR8)
- Urban Residential (UR12)
- Residential Mixed-Use (RMX)
- Neighborhood Mixed-Use (NMX)
- Town Center (TC)

- Assigned Districts
- Highway Business (HB)
- Manufacturing and Industrial (MI)

**B. Planned Development Districts**

The following planned development districts function as floating overlay districts that may be applied if a developer so chooses as part of a re-zoning request (*Section 15.16*). These districts establish their own uses (*Section 2.3C*), but are otherwise subject to the requirements and regulations of the underlying district as well as any additional district standards enumerated in Sections 2.13A and 2.13B respectively.

Manufactured Home Development (MHD)  
Traditional Neighborhood Development (TND)

**C. Conditional Districts**

Each Base District is permitted a corresponding Conditional District subject to the submission of a Master Plan as a prerequisite to any development. These districts are described more fully in Section 2.14, and the process for establishing a Conditional District is detailed in Section 15.17.

**D. Overlay Districts**

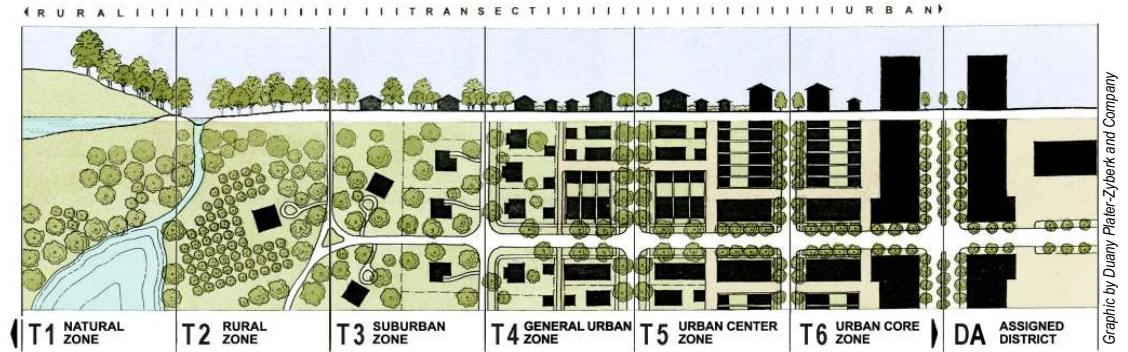
In accordance with N.C.G.S. §160A-382, the following overlay districts are established. These overlay districts impose additional requirements on properties within one or more underlying base or conditional districts.

Quarry Overlay (QOD)  
Special Highway Overlay (SHOD)

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2.2 FORM-BASED STANDARDS BY ZONING DISTRICT

The purpose of the form-based standards found throughout this UDO is to put a new focus on the physical form of the Town as opposed to solely on the separation of land uses. They also emphasize the elements of a town that make up the public realm and serve as a tool that provides the regulatory means to achieve development objectives with greater certainty.



<b>Base District</b>	<a href="#">OSP (§2.4)</a> <a href="#">CD (§2.18)</a>	<a href="#">RR1 (§2.5)</a>	<a href="#">GR3 (§2.6)</a> <a href="#">GR8 (§2.6)</a>	<a href="#">UR12 (§2.7)</a> <a href="#">RMX (§2.8)</a>	<a href="#">NMX (§2.9)</a>	<a href="#">TC (§2.10)</a>	<a href="#">HB (§2.11)</a> <a href="#">MI (§2.12)</a>
<b>Development District</b>		<a href="#">MHD (§2.13)</a>	<a href="#">TND (§2.14)</a>				
<b>Building Type</b> <i>(CH 2 &amp; 5)</i>	Civic	Institutional House	Townhouse	Apartment Mixed-Use	Commercial		
<b>Max. Density</b> <i>(Units/Acre)</i>	Not Applicable	RR - 1	GR3 – 3 GR8 – 8	UR12 – 12 RMX – 18	No Maximum	No Maximum	Not Applicable
<b>Open Space Dedication</b> <i>(CH 7)</i>	Not Applicable	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Not Applicable
<b>On-Street Parking</b> <i>(CH 10)</i>	Not Applicable	Occasional	Occasional	Marked	Marked	Marked	Marked
<b>Curb</b> <i>(CH 10 &amp; 17)</i>	Not Required	Not Required	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
<b>Drainage</b> <i>(CH 6 &amp; 17)</i>	Open Swale	Open Swale	Closed	Closed	Closed	Closed	Closed
<b>Street Trees</b> <i>(CH 8 &amp; 17)</i>	Not Required	Not Required	40 ft average spacing in planting strip	40 ft average spacing in planting strip	40 ft average spacing in planting strip or tree wells	40 ft average spacing in tree wells	40 ft average spacing in planting strip or tree wells
<b>Sidewalk</b> <i>(CH 9 &amp; 17)</i>	Not Required	Multi-Use Path (6 ft min)	5 feet both sides	5 feet both sides	5-16 feet both sides	8-16 feet both sides	5-16 feet both sides (HB), one side (MI)

<sup>1</sup> Except for residential structures.  
<sup>2</sup> Standard curb and gutter not required on “park” side of a parkway style street.

## 2.3 USE CATEGORIES AND TABLES OF PERMITTED USES

### A. Categories

All uses permitted in this Code have been divided into nine (9) general categories as detailed in Chapter 19, Definitions and are generally defined as follows:

1. **Residential:** Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than a month's duration.
2. **Lodging:** Premises available for short-term human habitation, including daily and weekly rental.
3. **Office/Service:** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
4. **Retail/Restaurants:** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
5. **Entertainment/Recreation:** Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.
6. **Manufacturing/Wholesale/Storage:** Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.
7. **Civic/Institutional:** Premises available for organizations dedicated to religion, education, government, social service, health care, and other similar functions.
8. **Infrastructure:** Uses and structures dedicated to transportation, communication, information, and utilities.

### B. Interpretation of Use Matrices

1. Any use not listed in the Use Matrix is prohibited unless the Administrator determines that it falls within the same class as a listed use as set forth below.
2. Uses not listed as permitted (P), permitted with additional standards (PS), or requiring a special use permit (SU) or conditional district (CD) are presumed to be prohibited from the applicable zoning district. In the event that a particular use is not listed in the Use Matrix, and such use is not listed as a prohibited use and is not otherwise prohibited by law, upon application filed with the Planning Department, the Administrator shall determine whether a materially similar use exists in this Chapter. Should the Administrator determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Administrator's decision shall be documented in writing as part of the "UDO Interpretation Log". Should the Administrator determine that a materially similar use does not exist, the proposed use shall be prohibited. This Chapter may be amended to establish a specific listing for the use in question. Written notice of any interpretation made by the Administrator pursuant to this Section 2.3B shall be mailed to the applicant and the owners of all adjacent property within 100 feet of the parcel that is the subject of the application. Such notice of interpretation shall reference the procedure for appealing Administrative decisions set forth in Section 15.11, including specifically the deadline for filing an appeal of the decision.

3. The Administrator may determine that a use is materially similar if both of the following are met:
  - a. According to the Land-Based Classification Standards (LBCS) coding system of the American Planning Association [*Reference: <http://www.planning.org/lbcs/>*], the proposed use falls under a higher Structure or Function classification that is already enumerated in the Use Matrix (Section 2.3C); and
  - b. The proposed use shall not generate average daily trips that exceed the average daily trips generated by other similar uses permitted in the zoning district by more than ten percent (10%), as determined by the most recent edition of the Institute of Transportation Engineers'; *Trip Generation* manual (the "ITE Manual"), which document is hereby incorporated by this reference.

*Note: If the trip generation for the proposed use is not listed in the ITE Manual, then the trip generation data associated with the use that most closely approximates the proposed use shall be utilized.*

4. In order to assist in interpretation of the Use Matrix, the LBCS code classifications are noted in Chapter 19: Definitions, where applicable. In interpreting the Use Matrix, the following rules shall apply:
  - a. When a general/higher level use (e.g. LBCS 'F1000') and one of its associated more specific/lower level uses ('F1010') are both listed separately in the Use Matrix, the more specific Use Matrix listing governs when applicable. The permissions listed by the Use Matrix for the general/higher use ('F1000') do not apply to the more specific/lower use ('F1010') simply because they share a similar LBCS code classification. In all cases, the most specific/lowest applicable LBCS code classification listed in the Use Matrix governs.
  - b. When two (2) uses (e.g. '2.3C9a' and '2.3C9b') are listed separately in the Use Matrix, but have the same LBCS code classification ('F1000'), the individual Use Matrix listings govern. The permissions listed by the Use Matrix for Use '2.3C9a' do not apply to Use '2.3C9b' simply because they share the same LBCS code classification ('F1000') and vice versa.

C. Use Matrix

	T1	T2	T3	T4	T5	T6	Assigned Districts			Planned Districts	
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MHD	TND
<b>(1) Residential</b>											
a. Dwelling-Single Family	—	PS	P	P	P	P	P	—	—	P	P
b. Dwelling-Duplex	—	—	P	P	P	P	P	—	—	P	P
c. Dwelling-Multifamily 4 units/bldg or less	—	—	—	P	P	P	P	—	—	P	P
d. Dwelling-Multifamily more than 4 units/bldg	—	—	—	P	P	P	P	—	—	—	P
e. Dwelling-Secondary	—	PS	PS	PS	PS	PS	PS	—	—	—	PS
f. Family Care Home (6 or Less residents)	—	PS	PS	PS	PS	PS	PS	—	—	PS	PS
g. Home Occupation	—	PS	PS	PS	PS	PS	PS	—	—	PS	PS
h. Housing Service for the Elderly	—	—	PS	PS	P	P	P	—	—	—	---
i. Live-Work Units	—	—	—	PS	PS	PS	PS	—	—	—	PS
j. Manufactured Housing	—	PS	PS	—	—	—	—	—	—	PS	—
<b>(2) Lodging</b>											
a. Bed and Breakfast Inns	—	PS	PS	PS	PS	PS	P	P	—	—	PS
b. Hotels/Motels/Inns	—	—	—	—	—	CD	CD	P	—	—	CD
c. Rooming or Boarding House	—	—	—	—	PS	PS	PS	—	—	—	PS
<b>(3) Office/Service</b>											
a. Animal Services	—	SU	—	—	—	PS	PS	PS	P	—	---
b. ATM	—	—	—	—	PS	P	P	P	P	—	PS
c. Banks, Credit Unions, Financial Services	—	—	—	—	—	PS	P	P	P	—	P
d. Business Support Services	—	—	—	—	—	PS	P	P	P	—	P
e. Child/Adult Day Care Home (Fewer than 6 people)	—	PS	PS	PS	PS	PS	PS	—	—	—	PS
f. Child/Adult Day Care Center (6 or more people)	—	PS	—	PS	PS	PS	P	—	—	—	P
g. Community Service Organization	—	P	—	P	P	P	P	P	—	—	P
h. Cremation Facilities	—	—	—	—	—	SU	P	P	—	—	—
i. Drive Thru Service	—	—	—	—	—	SU	—	PS	PS	—	—
j. Equipment Rental	—	—	—	—	—	—	PS	PS	P	—	—
k. Funeral Homes	—	—	—	—	—	P	P	P	—	—	—
l. Government Services	P	P	P	P	P	P	P	P	P	—	P
m. Group Care Facility (More than 6 residents)	—	SU	—	—	—	SU	SU	—	—	—	—
n. Medical Services	—	—	—	—	P	P	P	P	P	—	P
o. Outdoor Animal Boarding/Equestrian Facilities	—	SU	—	—	—	—	—	—	SU	—	—
p. Personal Services	—	—	—	—	PS	PS	PS	PS	PS	—	PS
q. Post Office	—	—	—	—	P	P	P	—	P	—	P
r. Professional Services	—	—	—	—	P	P	P	P	P	—	P
s. Studio – Art, dance, martial arts, music	—	—	—	—	P	P	P	P	P	—	P
t. Vehicle Services – Maintenance/Body Work/Repair	—	—	—	—	—	SU	PS	PS	PS	—	—

— Not Permitted      P Permitted      PS Permitted subject to Additional Standards in Chapter 3  
 SU Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (Section 15.13)  
 CD Conditional District (Section 2.14 and 15.17)

**CHAPTER 2: DISTRICT PROVISIONS**

	T1	T2	T3	T4	T5	T6	Assigned Districts			Planned Districts	
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MHD	TND
<b>(4) Retail/Restaurants</b>											
a. Auto Parts Sales	—	—	—	—	—	P	P	P	P	—	—
b. Bar/Tavern/Night Club	—	—	—	—	—	PS	PS	P	—	—	PS
c. Drive-Thru Retail/Restaurants	—	—	—	—	—	SU	—	PS	—	—	—
d. Gas Station with Convenience Store	—	—	—	—	—	PS	PS	PS	—	—	—
e. Neighborhood Retail/Restaurant – 2,000 sf or less	—	—	—	—	SU	P	P	P	—	—	P
f. General Retail – 10,000 sf or less	—	—	—	—	—	P	P	P	—	—	P
g. General Retail – 10,001 sf – 50,000 sf	—	—	—	—	—	—	P	P	—	—	P
h. General Retail – Greater than 50,000 sf	—	—	—	—	—	—	CD	CD	—	—	CD
i. Restaurant	—	—	—	—	—	P	P	P	—	—	P
j. Shopping Center – Community Center	—	—	—	—	—	—	CD	CD	CD	—	—
k. Shopping Center – Neighborhood Center	—	—	—	—	—	CD	CD	CD	—	—	CD
l. Sweepstakes Center	—	—	—	—	—	—	—	—	SU	—	—
m. Vehicle/Heavy Equipment Sales	—	—	—	—	—	—	PS	PS	PS	—	—
<b>(5) Entertainment/Recreation</b>											
a. Adult Establishment	—	—	—	—	—	—	—	—	SU	—	—
b. Amusements, Indoor – 5,000 sf or less	—	SU	SU	SU	SU	P	P	P	P	—	—
c. Amusements, Indoor – 5,001 sf – 20,000 sf	—	—	—	—	SU	SU	SU	P	P	—	—
d. Amusements, Indoor – Greater than 20,000 sf	—	—	—	—	—	—	—	P	P	—	—
e. Amusements, Outdoor	—	SU	—	—	PS	PS	PS	PS	PS	—	PS
f. Cultural or Community Facility	SU	SU	—	—	P	P	P	P	P	—	P
g. Meeting Facilities	SU	SU	—	—	P	P	P	—	—	—	—
h. Recreation Facilities, Indoor	—	PS	PS	PS	P	P	P	P	P	—	P
i. Recreation Facilities, Outdoor	P	P	P	P	P	P	P	P	P	P	P
j. Theater, Live Performance	—	—	—	—	—	CD	CD	CD	CD	—	CD
k. Theater, Movie	—	—	—	—	—	CD	CD	CD	CD	—	CD
<b>(6) Manufacturing/Wholesale/Storage</b>											
a. Agribusiness	P	PS	PS	—	—	—	—	—	PS	—	—
b. Laboratory - medical, analytical, research & development	—	—	—	—	—	—	—	P	P	—	—
c. Laundry, dry cleaning plant	—	—	—	—	—	—	—	P	P	—	—
d. Manufacturing, Light	—	—	—	—	—	—	—	PS	P	—	—
e. Manufacturing, Neighborhood	—	—	—	—	—	PS	PS	P	P	—	P
f. Manufacturing, Heavy	—	—	—	—	—	—	—	—	P	—	—
g. Media Production	—	—	—	—	—	—	P	P	P	—	—
h. Metal Products Fabrication, machine or welding shop	—	—	—	—	—	—	—	—	P	—	—
i. Mini-Warehouses	—	—	—	—	—	—	—	PS	PS	—	—

— Not Permitted      P Permitted      PS Permitted subject to Additional Standards in Chapter 3  
 SU Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (*Section 15.13*)  
 CD Conditional District (*Section 2.14 and 15.17*)

	T1	T2	T3	T4		T5	T6	Assigned Districts		Planned Districts	
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MHD	TND
<b>(6) Manufacturing/Wholesale/Storage (continued)</b>											
j. Quarrying and Stone Cutting	—	—	—	—	—	—	—	—	SU	—	—
k. Research and Development	—	—	—	—	—	—	—	PS	P	—	—
l. Storage - Outdoor storage yard as a primary use	—	—	—	—	—	—	—	---	PS	—	—
m. Storage - Warehouse, indoor storage	—	PS	—	—	—	—	PS	PS	PS	—	—
n. Wholesaling and Distribution	—	—	—	—	—	—	—	SU	PS	—	—
<b>(7) Civic/Institutional</b>											
a. Campground	SU	SU	SU	—	—	—	—	P	P	P	P
b. Cemeteries	PS	—	—	—	—	PS	PS	PS	—	—	—
c. Colleges/Universities	—	—	—	—	CD	CD	CD	—	—	—	—
d. Hospital	—	—	—	—	—	—	CD	CD	CD	—	—
e. Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P
f. Religious Institutions	—	P	P	P	P	P	P	P	—	P	P
g. Schools – Elementary & Secondary	—	SU	SU	CD	CD	CD	CD	—	—	—	P
h. Schools – Vocational/Technical	—	—	—	—	P	P	P	P	P	P	P
<b>(8) Infrastructure</b>											
a. Airport	—	SU	—	—	—	—	—	—	SU	—	—
b. Transit, Road & Ground Passenger Services	—	—	—	—	—	—	PS	PS	PS	—	PS
c. Wireless Telecommunication Facility-Stealth	—	—	PS	PS	PS	PS	PS	PS	PS	PS	PS
d. Wireless Telecommunication Facility-Tower	—	SU	—	—	—	—	---	---	PS	—	—
e. Utilities-Class 1 & 2	P	P	P	P	P	P	P	P	P	P	P
f. Utilities-Class 3	—	SU	—	—	—	—	—	SU	P	—	—

— Not Permitted      **P** Permitted      **PS** Permitted subject to Additional Standards in Chapter 3  
**SU** Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (*Section 15.13*)  
**CD** Conditional District (*Section 2.14 and 15.17*)

**2.4 OPEN SPACE PRESERVE (OSP)**

**A. Purpose and Intent:** The Open Space Preserve District is intended to protect areas that are permanently preserved as natural and/or environmentally significant lands. Such areas include rural parks, wetlands, and areas placed in a conservation easement.

**B. Specific District Provisions:**

Building Type (CH 5):	All Buildings
Lot Width ( <i>Min</i> )	100 ft
Front Setback ( <i>Min</i> )	30 ft
Side Setback ( <i>Min</i> )	10 ft
Rear Setback ( <i>Min</i> )	20 ft
Accessory Structure Side/Rear Setback ( <i>Min</i> )	5 ft
Maximum Height ( <i>a</i> )	35 ft

**Notes:**

(a) Refer to Section 4.5 for computation of height.

**2.5 RURAL RESIDENTIAL (RR1)**

**A. Purpose and Intent:** The Rural Residential District is intended to accommodate very low-density, rural residential and agricultural uses; and protect natural vistas and landscape features that define our rural heritage.

**B. Specific District Provisions:**

- Maximum Development Density:** 1 Unit/Acre (*Gross Acreage*)
- Lot and Building Dimensional Requirements:**

Building Type (CH 5):	House	Civic & Institutional
Lot Width ( <i>Min</i> )	90 ft	100 ft
Front Setback ( <i>Min</i> )	35 ft	40 ft
Front Yard Encroachments ( <i>a</i> )	8 ft	8 ft
Side Setback ( <i>Min</i> )	10 ft	10 ft
Rear Setback ( <i>Min</i> )	30 ft	30 ft
Accessory Structure Side/Rear Setback ( <i>Min</i> )	5 ft	5 ft
Maximum Height ( <i>b</i> )	35 ft	35 ft

**Notes:**

(a) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).

(b) Refer to Section 4.5 for computation of height.

2.6 GENERAL RESIDENTIAL (GR3 AND GR8)

**A. Purpose and Intent:** The General Residential District is intended for Town’s existing predominately-residential neighborhoods as well as provide for new primarily-residential development in accordance with a suburban pattern. These Districts are differentiated only by the density of the overall development relative to the planning goals of the Town as set forth in the *2027 Comprehensive Plan*.

**B. Specific District Provisions:**

1. **Maximum Development Density:**

GR3: 3 Units/Acre (*Gross Acreage*)

GR8: 8 Units/Acre (*Gross Acreage*)

2. **Permitted Building Type Ratio:** The maximum number of Townhouse buildings in a GR development shall not exceed 30% of the total number of units.

3. **Lot and Building Dimensional Requirements:** On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (whichever is greater). In situations where no block face exists (no houses facing the street) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type ( <i>CH 5</i> ):	House	Townhouse	Civic & Institutional
Lot Width ( <i>a</i> ) ( <i>Min</i> )	30 ft	n/a	100 ft
Front Setback ( <i>Min</i> )	10 ft	0 ft	10 ft
Front Setback ( <i>Max</i> )	n/a	25 ft	n/a
Front Yard Encroachment ( <i>b</i> )	8 ft	( <i>e</i> )	10 ft
Side Setback ( <i>Min</i> )	20% of lot width ( <i>d</i> )	10 ft between buildings	15 ft
Rear Setback ( <i>Min</i> )	25 ft	n/a	30 ft
Rear Setback from Rear Lane/Alley ( <i>c</i> ) ( <i>Min</i> )	15 ft from centerline	15 ft from centerline	n/a
Accessory Structure Side/Rear Setback ( <i>Min</i> )	5 ft	5 ft	5 ft
Maximum Height ( <i>f</i> )	3 stories	3 stories	3 stories

**Notes:**

- (a) For lots less than 60 feet wide, alley/rear lane access to all off-street parking areas is required, except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60’ in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;  
**For lots less than 60’ in width:** Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.

2.7 URBAN RESIDENTIAL (UR12)

**A. Purpose and Intent:** The Urban Residential District accommodates neighborhoods close to commercial centers such as the TC, NMX and HB districts and provides for a variety of compatible housing types and a limited mix of uses within a walkable 1/4 - 1/2 mile context.

**B. Specific District Provisions:**

1. **Maximum Development Density:** 12 Units/Acre (*Gross Acreage*)
2. **Mixed-Use Buildings:** Mixed-Use Buildings are permitted in new developments only (not infill lots).
3. **Lot and Building Dimensional Requirements:** On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (whichever is greater). In situations where no block face exists (no houses facing the street) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type ( <i>CH 5</i> ):	House	Townhouse	Apartment	Mixed-Use	Civic & Institutional
<b>Lot Width (a) (Min)</b>	30 ft	n/a	n/a	32 ft	50 ft
<b>Front Setback (Min)</b>	10 ft	0 ft	0 ft	0 ft	10 ft
<b>Front Setback (Max)</b>	n/a	25 ft	25 ft	10 ft	n/a
<b>Front Yard Encroachment (b)</b>	8 ft	(e)	(e)	(e)	10 ft
<b>Side Setback (Min)</b>	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 12 ft	10 ft between buildings
<b>Rear Setback (Min)</b>	25 ft	n/a	n/a	10 ft	30 ft
<b>Rear Setback from Rear Lane/Alley (c) (Min)</b>	15 ft from centerline	15 ft from centerline	15 ft from centerline	5 ft	n/a
<b>Accessory Structure Side/Rear Setback (Min)</b>	5 ft	5 ft	5 ft	0 ft	5 ft
<b>Maximum Height (f)</b>	3 stories	3 stories	3 stories	3 stories	3 stories

**Notes:**

- (a) For lots less than 60 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;  
**For lots less than 60' in width:** Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.

2.8 RESIDENTIAL MIXED-USE (RMX)

**A. Purpose and Intent:** The Residential Mixed-Use District is intended to provide for areas for higher density residential development in close proximity (within ¼ - ½ mile) to existing and planned commercial centers such as the TC, NMX and HB districts. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian connectivity. Different housing types and lot styles along with a limited mix of neighborhood-friendly uses are encouraged.

**B. Specific District Provisions:**

1. **Maximum Development Density:** 18 Units/Acre (*Gross Acreage*)
2. **Lot and Building Dimensional Requirements:** On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (whichever is greater). In situations where no block face exists (no houses facing the street) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type ( <i>CH 5</i> ):	House	Townhouse	Apartment	Mixed-Use	Civic & Institutional
<b>Lot Width (a) (Min)</b>	30 ft	n/a	n/a	32 ft	50 ft
<b>Front Setback (Min)</b>	10 ft	0 ft	0 ft	0 ft	10 ft
<b>Front Setback (Max)</b>	n/a	25 ft	25 ft	10 ft	n/a
<b>Front Yard Encroachment (b)</b>	8 ft	(e)	(e)	(e)	10 ft
<b>Side Setback (Min)</b>	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 12 ft	10 ft between buildings
<b>Rear Setback (Min)</b>	25 ft	n/a	n/a	10 ft	30 ft
<b>Rear Setback from Rear Lane/Alley (c) (Min)</b>	15 ft from centerline	15 ft from centerline	15 ft from centerline	5 ft	n/a
<b>Accessory Structure Side/Rear Setback (Min)</b>	5 ft	5 ft	5 ft	0 ft	5 ft
<b>Maximum Height (f)</b>	3 stories	3 stories	3 stories	3 stories	3 stories

**Notes:**

- (a) For lots less than 60 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;  
**For lots less than 60' in width:** Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.

2.9 NEIGHBORHOOD MIXED-USE (NMX)

**A. Purpose and Intent:** The Neighborhood Mixed-Use District is intended to provide pedestrian-scaled, higher density residential homes and opportunities for limited scale commercial activities along existing mixed-use corridors, in areas of transition, and at the functional center of new neighborhoods. Development in this district should encourage pedestrian activity through construction of mixed-use buildings and connections to adjacent neighborhoods. Buildings in this district are typically small and detached.

**B. Specific District Provisions:**

1. **Maximum Development Density:** No Maximum
2. **Lot and Building Dimensional Requirements:** On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (whichever is greater). In situations where no block face exists (no houses facing the street) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type (CH 5):	House	Townhouse	Apartment	Mixed-Use	Commercial	Civic & Institutional
Lot Width (a) (Min)	30 ft	n/a	n/a	n/a	32 ft	50 ft
Front Setback (Min)	10 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (Max)	n/a	25 ft	25 ft	10 ft	10 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	(e)	(e)	(e)	n/a
Side Setback (Min)	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 5 ft	0 ft within development, otherwise 5 ft	10 ft between buildings
Rear Setback (Min)	25 ft	n/a	n/a	0 ft	0 ft	30 ft
Rear Setback from Rear Lane/Alley (c) (Min)	15 ft from centerline	15 ft from centerline	15 ft from centerline	0 ft	0 ft	n/a
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft	5 ft	0 ft	0 ft	5 ft
Maximum Height (f)	4 stories	4 stories	4 stories	4 stories	4 stories	4 stories

**Notes:**

- (a) For lots less than 60 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;  
**For lots less than 60' in width:** Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.

2.10 TOWN CENTER (TC)

**A. Purpose and Intent:** The Town Center District is intended for the traditional downtown area and the identified new town centers at future commuter rail stations. Individual buildings are encouraged to be multi-story with uses mixed vertically, street level commercial and upper level office and residential. Higher densities of residential development are encouraged. It is the purpose of these regulations to encourage vitality by excluding certain activities which have a negative effect on the public realm through auto-dominated or non-pedestrian oriented design or uses.

**B. Specific District Provisions:**

1. **Maximum Development Density:** No Maximum
2. **Parking Requirements** (*per Chapter 10-Vehicle Accommodation Areas*): May achieve compliance with parking requirements by making payments to the Town’s Fund 70 Capital Reserve account as provided in Section 10.2B.
3. **Lot and Building Dimensional Requirements:**

Building Type (CH 5):	House	Townhouse	Apartment	Mixed-Use	Commercial	Civic & Institutional
Lot Width (a) (Min)	n/a	n/a	n/a	n/a	16 ft	50 ft
Front Setback (Min)	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (Max)	25 ft	25 ft	25 ft	10 ft	10 ft	25 ft
Front Yard Encroachment (b)	(e)	(e)	(e)	(e)	(e)	n/a
Side Setback (Min)	20% of lot width (d)	6 ft between buildings	If no partiwall then 10 ft	If no partiwall then 10 ft	If no partiwall then 10 ft	0 ft
Rear Setback (Min)	n/a	n/a	n/a	0 ft	0 ft	0 ft
Rear Setback from Rear Lane/Alley (c) (Min)	15 ft from centerline	15 ft from centerline	15 ft from centerline	0 ft	0 ft	0 ft
Accessory Structure Side/Rear Setback (Min)	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Maximum Height (f)	5 stories	5 stories	5 stories	5 stories	5 stories	5 stories

**Notes:**

- (a) For lots less than 60 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60’ in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;  
**For lots less than 60’ in width:** Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.

2.11 HIGHWAY BUSINESS (HB)

1. **Purpose and Intent:** The intensity of commercial development in the Highway Business District is established by the traffic of the fronting thoroughfare. The intent of these regulations is to provide and encourage the development of high-intensity offices, services, retailing of durable and convenience goods, facilitate convenient access, minimize traffic congestion, and reduce the visual impact of excessive signage and parking lots.
2. **Specific District Provisions:**
  1. **Maximum Development Density:** Not Applicable
  2. **Lot and Building Dimensional Standards:**

Building Type (CH 5):	All Structures – Principal	All Structures – Accessory
Lot Width (at Right-of-Way)	150 ft	n/a
Front Setback (Min)	10 ft	n/a
Front Setback (Max)	90 ft	n/a
Side Setback (Min) (a)	0 ft or 6 ft	5 ft
Corner Side Setback (Min)	10 ft	n/a
Side Setback from RR, GR, UR and RMX districts	50 ft	50 ft
Rear Setback (Min)	10 ft	5 ft
Rear Setback from Rear Lane/Alley	15 ft from centerline	15 ft from centerline
Rear Setback from RR, GR, UR and RMX Districts	50 ft	50 ft
Maximum Height (b)	5 stories	35 ft

*Notes: (See Notes in Section 2.12 below)*

2.12 MANUFACTURING AND INDUSTRIAL (MI)

- A. **Purpose and Intent:** The Manufacturing and Industrial District is intended to permit the development and operation of industrial and/or flex space uses that are typically too large in scale to fit within a neighborhood environment and should be buffered from surrounding neighborhood uses. In the interest of economic development this District is reserved for non-residential uses only to preserve adequate opportunities for future relocation and expansion of employment-based uses.
- B. **Specific District Provisions:**
  1. **Maximum Development Density:** Not Applicable
  2. **Lot and Building Dimensional Requirements:**

Building Type (CH 5):	Commercial
Front Setback (Min)	10 ft
Side Setback (Min) (a)	0 ft or 6 ft
Corner Side Setback (Min)	10 ft
Rear Setback (Min)	10 ft
Front, Rear and Side Setbacks from OSP, RR, GR, UR, RMX, NMX, TC and HB Districts (Min)	50 ft
Maximum Height (b)	5 stories

**Notes:**

- (a) If a part/all condition is not provided, then the buildings shall be a minimum of six (6) feet apart.
- (b) Refer to Section 4.5 for computation of height.

2.13 PLANNED DEVELOPMENT DISTRICTS

A. Manufactured Home Development (MHD)

1. **Purpose and Intent:** Manufactured housing is a recognized form of affordable housing. To provide for this type of housing in an organized manner, this district permits two types of development beyond a single manufactured home on a qualifying lot in a GR or RR district; the Manufactured Home Neighborhood and the Mobile Home Park.

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

2. **General District Provisions:**

- a. **Maximum Development Density:** The maximum density of any Manufactured Home Development shall not exceed the maximum density of the underlying district up to a maximum of six (6) units per acre.
- b. **Minimum Area Required:** 3 acres
- c. **Maximum Area Allowed:** 40 acres

3. **Specific District Provisions:**

- a. **Manufactured Home Neighborhood**

- i. **General Description:** The Manufactured Home Neighborhood is a subdivision of land that permits manufactured houses that are aligned on the lots in a manner similar to site built homes with their front doors facing the streets. *(See Section 13.5 for non-conforming single-wide manufactured homes.)*
- ii. Individual homes shall be placed upon separately platted lots.
- iii. The manufactured home shall have the tow assembly and wheels removed and be mounted on and anchored to a permanent, continuous masonry (brick) foundation.
- iv. **Lot and Building Dimensional Specifications:**

House	
<b>Front, Side, Rear and Accessory Structure Side/Rear Setbacks</b>	<ul style="list-style-type: none"> <li>• Up to 1 unit/acre, use RR District setbacks <i>(Section 2.5B)</i>;</li> <li>• More than 1 unit/acre up to 6 units/acre, use GR District setbacks <i>(Section 2.6B3)</i></li> </ul>

- b. **Mobile Home Parks**

- i. **General Description:** The location of two or more manufactured homes on a parcel of land shall constitute a Mobile Home Park and shall be subject to the provisions of this section.
- ii. **Lot and Dimensional Specifications:**

House	
<b>Property Line Setback</b>	50 ft
<b>Minimum Manufactured Home Space Area</b>	5,000 sq ft
<b>Minimum Distance between Manufactured Home Units</b>	25 ft

- iii. **General Requirements:** The following standards shall be considered the minimum requirements for all new Mobile Home Parks:
  - a) The transfer of title of a manufactured home space or spaces either by sale or by any other manner shall be prohibited within a Mobile Home Park.
  - b) Within a Mobile Home Park, there shall be an administrative office.
  - c) The owner and/or operator of a Mobile Home Park shall not sell manufactured homes on or within a Mobile Home Park unless the manufactured home unit for sale shall be placed individually and separately upon an existing manufactured home space where all design standards and utilities have been completed as specified by this ordinance. This does not prohibit the Mobile Home Park owner and/or operator from owning or operating a retail sales business on adjoining property if zoning permits.
  - d) Any Mobile Home Park with greater than fifty (50) units shall construct a community center, which shall serve the needs of their residents for gatherings and emergency shelter.
  - e) Streets within the Mobile Home Park shall be private and constructed to the standards that would be required of a new Local Street inside the RR District (*Section 17.4A(2) and Section 2.2*), except that the total width of pavement with binder curb may be reduced to 20 feet.
  
- iv. **Manufactured Home Space**
  - a) Each manufactured home space shall be clearly defined by means of concrete or iron pipe markers placed at all corners.
  - b) Each manufactured home space shall be located on ground not susceptible to flooding and graded so as to prevent any water from ponding or accumulating on the premises and not located in "A Zones" as identified on FIRMs.
  - c) The manufactured home space shall be provided with anchors and tiedowns such as cast-in-place concrete "dead men" eyelets embedded in concrete foundations or runways, screen augers, arrowhead anchors, or other devices securing the stability of the manufactured home. Each manufactured home unit shall comply with the above standards or similar standards whichever are higher. Each manufactured home owner shall be responsible for securing his individual manufactured home to anchors provided by the Mobile Home Park operator.
  - d) Each manufactured home space shall be serially numbered for mailing address purposes. These numbers shall be displayed on a free-standing post on each manufactured home space.
  
- v. **Registration of Occupants:** Every Mobile Home Park owner or operator shall maintain an accurate register. The register shall be available for inspection at all times by authorized town

representatives. The register shall contain the following information on forms provided by the Planning Department:

- a) name of owner and/or occupant;
- b) manufactured home space number;
- c) make, model, registration number of manufactured home; and
- d) date of arrival and departure of the occupants.

Records shall be maintained for a period of three (3) years.

**B. Traditional Neighborhood Development (TND)**

1. **Purpose and Intent:** 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. Traditional Neighborhood Developments adhere to the following design principles:

- All neighborhoods have identifiable centers and edges.
- Edge lots are readily accessible to retail and/or recreation by non-vehicular means (a distance not greater than 1/4 - 1/2 mile).
- Non-residential uses and housing types are mixed and in close proximity to one another.
- Street networks are interconnected and blocks are short (*Section 9.4*).
- Civic uses are given prominent sites throughout the neighborhood.
- Close proximity to open space (*Chapter 7*).

2. **Specific District Provisions**

a. **Maximum Development Density:**

	Maximum Density By Right (units/acre)	Maximum Density as a Conditional District (units/acre)
GR3	3.75	4.5
GR8	10	12
UR12	15	18
RMX	27.5	No Maximum
NMX	No Maximum	No Maximum
TC	No Maximum	No Maximum

b. **Required Distribution of Uses:** (*Note: The figures in the table below are to be calculated as the net development area, which excludes street right-of-ways and dedicated open space as defined in Section 7.2G*)

	Minimum	Maximum
Single-Family Uses	15%	75%
Two-Family and Multi-Family Uses	10%	40%
Lodging/Office/Retail Uses	2%	40%
Civic Uses	2%	none

- c. **Lot and Building Dimensional Requirements:** The lot and building dimensional requirements shall be generally consistent with those found in the underlying district and shall exhibit a high level of uniformity for each building type found throughout the development.
- d. **Development Size (Minimum-Maximum):** 40 acres – 200 acres (*Note: Projects in excess of 200 acres should be developed as multiple Traditional Neighborhoods, each individually subject to all such provisions*)
- e. The entire land area of the TND shall be divided into blocks, streets, lots and open space areas.
- f. 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.
- g. 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.

**2.14 CONDITIONAL DISTRICTS (CD)**

**A. Purpose and Intent:** Conditional Districts provide for orderly and flexible development under the spirit and intent of the general policies of the General District without the constraints of the principal structure dimensional standards. Because Conditional Districts are constructed in a comprehensive manner, they establish their own street, block and lot pattern which may be unique from other surrounding blocks or neighborhoods. It also may provide for greater land use compatibility by allowing property owners to voluntarily place their property into zoning districts in which a Master Plan is required. A Conditional District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. All site-specific standards and conditions must be consistent with the spirit and intent of this Unified Development Ordinance as well as consistent with the goals and objectives of the 2027 Comprehensive Plan and adopted area plans. **This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.**

**B. Specific District Provisions:**

District	Minimum Area Required
Rural Residential (RR1)	40 Acres
General Residential (GR3, GR8)	20 Acres
Urban Residential (UR12)	2 Acres
Residential Mixed-Use (RMX)	2 Acres
Neighborhood Mixed-Use (NMX)	1 Acres
Town Center District (TC)	None
Highway Business (HB)	4 Acres
Manufacturing and Industrial (MI)	10 Acres
Manufactured Home Development (MHD)	3 Acres
Traditional Neighborhood Development (TND)	40 Acres

**C. District Types:**

1. **Self-Imposed Conditional Districts:** Within a Conditional District, all permitted uses and standards of the corresponding Base District must be met, except to the extent that conditions imposed are more restrictive than those standards. In these cases, conditional districts reduce or narrow the number of permitted uses and/or impose higher level design standards than that which exists within the corresponding Base District, thereby satisfying the applicant's desire to mitigate any perceived or real impacts on neighboring properties such as installing or constructing additional buffers or other physical features that would serve to increase the protection afforded neighboring properties and/or the appearance of the proposed development.
2. **Required Conditional Districts:** Some uses as identified in Section 2.3(C) are of a nature or scale that they have significant and/or unique impacts on both the immediate surrounding area and on the entire community and as such are **required** to be approved through the Conditional District rezoning process.

For such uses, petitioners shall promulgate appropriate development standards meeting the spirit and intent of this Ordinance to address potential unique impacts of the intended use. **If no unique development impact is identified by the petitioner along with an appropriate standard to address the same, the corresponding general zoning district guidelines and standards shall apply.**

By way of illustration, an applicant may propose a building height unique to our jurisdiction but would also be responsible for establishing appropriate development standards (such as increased building setbacks, increased emergency vehicle access, etc.) to protect the public from anticipated impacts associated with the unique height. It shall be within the Town Council's legislative discretion whether or not to grant approval of the zoning amendment in light of the specific development standards promulgated.

2.15 OVERLAY DISTRICTS

A. Quarry Overlay District (QOD)

1. **Purpose and Intent:** This district is established to acknowledge the unique land use impact of mining and quarrying on neighboring land uses, the need to notify the owners of the presence of neighboring quarry and to reduce potential negative impacts of the quarry on adjacent land uses.
2. **Location:** The QOD shall be located on parcels that otherwise allow residential development and are adjacent to the primary quarry parcel up to a maximum of 1,000 feet from the primary quarry parcel boundary as determined by the Town Council.
3. **Uses Permitted:** The district restricts any form of residential development to a maximum of one (1) dwelling unit per acre. All other uses in the underlying Base, Planned Development or Conditional use district are not restricted and permitted according to the Use Matrix (*Section 2.3C*)
4. **Full Disclosure Statement:** For all residential and/or non-residential structures constructed within the QOD, the owner shall disclose in writing to all prospective purchasers that they are located within an area that may be impacted by mining/quarry operations and blasting. Such notification will be accomplished by inclusion of the preceding disclosure in all sales contracts, brochures and promotional documents, including any illustrative site plans on display within any sales related office(s), as well as in homeowners association documents, and displayed on all subdivision and site plans, and within all deeds of conveyance.

B. Special Highway Overlay District (SHOD)

1. **Purpose and Intent:** The Town hereby establishes a SHOD along Interstate 540, U.S. 64 Bypass, and any other such roadway classified on the Capital Area Metropolitan Planning Organization’s (CAMPO) Comprehensive Transportation Plan as a freeway. The intent of the district is to promote the safe movement of traffic, to maintain and enhance the scenic beauty viewed by travelers on the highway, and to reduce potential negative impacts of the highway on adjacent land uses.

SHODs shall be located on both sides of a highway and shall be 50 feet wide in depth measured from the right-of-way line.

2. **Uses Permitted:** The overlay district does not replace or restrict the range of uses permitted in the underlying Base, Planned Development or Conditional district. The overlay district includes additional development requirements that shall be met by any development within the district.
3. **Lot and Dimensional Specifications:**

	All Structures
Building Setback from Highway Right-of-Way	50 feet
Minimum Buffer Adjacent to Highway ( <i>Type “D”</i> )	50 feet