

ARTICLE 3
ZONING DISTRICTS

ARTICLE 3: ZONING DISTRICTS

3.1 ZONING DISTRICTS ESTABLISHED

3.1.1 General Districts

The General Zoning Districts are established below in a hierarchy from "highest" to "lowest". Reclassification of property to any general zoning district is considered under the procedures of Section 11.4.3. The requirements of each general district are established in section 3.2.

<u>District</u>	<u>Classification</u>
OPS: Open Space District	Residential
NR: Neighborhood Residential District	Residential
GR: General Residential District	Residential
CC: City Center District	Mixed Use
HC: Highway Commercial District	Commercial
CB: Campus Business & Institutional District	Mixed Use
MH: Mobile Home District	Residential

3.1.2 Parallel Conditional Use Districts

Parallel conditional use districts correspond to general districts. They provide for those situations where a particular use, properly planned, may be appropriate for a particular site, but where the general district has insufficient standards to mitigate the site specific impact on surrounding areas. Uses which may be considered for a parallel condition use district are restricted to those uses permitted in the corresponding general zoning district. Parallel Conditional Use Districts are established on an individual basis, at the request of the property owner, according to the procedures of Section 11.4.3. Zoning of a parallel conditional use district is not intended for securing early or speculative reclassification of property. It is expected that, in most cases, the standards of the General Districts appropriately regulate site specific impact of permitted uses and structures on surrounding areas.

<u>District</u>	<u>Classification</u>
OPS (CU): Open Space District (Conditional Use)	Residential
NR (CU): Neighborhood Residential District (Conditional Use)	Residential
- GR (CU): General Residential District (Conditional Use)	Residential
CC (CU): City Center District (Conditional Use)	Mixed Use
HC (CU): Highway Commercial District (Conditional Use)	Commercial
CB (CU): Campus Business & Institutional District (Conditional Use)	Mixed Use

3.1.3 Overlay Districts

An Overlay District is a zoning district which is applied only in conjunction with another zoning district. It may grant additional uses, restrict permitted uses, or impose development requirements which differ from those of the underlying district. The underlying district and the overlay district, taken together, will control development. The Overlay Districts are established below. The requirements of each Overlay District are set forth in Section 3.3.

District

TND-O: Traditional Neighborhood Development Overlay District

Classification

Mixed use

3.1.4 Zoning District Boundary Interpretation

1. Where district boundaries are showing within a street or alley right-of-way, railroad or utility line right-of-way, recorded easement, or navigable or non-navigable waterway, such boundaries shall be construed to be in the center of the right-of-way, easement, or waterway.
2. Where District boundaries are so indicated that they approximately follow lot lines, or town, city, or county borders, such lot lines shall be construed to be said district boundaries, unless otherwise indicated.
3. Where district boundaries are so indicated that they are approximately parallel to the center lines of streets, highways, or railroads, or rights-of-way of same, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the zoning map. If no distance is shown, such distance shall be determined by use of the scale shown on the official Zoning Maps.
4. Where a district boundary line divides a single lot, each part of the lot shall be used in conformity with the standards established by these regulations for the district in which that part is located.
5. If, because of error or omission in the maps, any property within the jurisdiction of this ordinance is not shown as being in a zoning district, such property will be classified as OPS until changed by amendment.
6. When a zoning case file contains detailed, verifiable information regarding the boundary, that information will be used as the correct boundary location.
7. In instances where none of the above methods are sufficient to resolve the boundary location, the reasonable maintenance of a regular boundary will be used to establish the boundary location.

3.2 GENERAL DISTRICTS

3.2.1 OPEN SPACE DISTRICT (OPS)

"An environment without perceivable boundaries is amorphous, indistinguishable from its surroundings, and generally placeless." Alex Krieger, PLACES, Winter, 1996 (70)

Intent: The Open Space District is provided to encourage the development of compact neighborhoods and rural building groups that set aside significant natural vistas and landscape features (**rural heritage features**) for **permanent** conservation. Density of development is regulated on a sliding scale; permitted densities rise with increased open space preservation. Development typologies associated with the Open Space District are farms, the single house, the farmhouse cluster, the residential neighborhood, and the mixed-use Traditional Neighborhood Development, available as an Overlay District. The Locust Land Development Plan shows the general location of major open space areas to be preserved.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to two roomers
- single family homes

Uses permitted with conditions

- cemeteries
- churches
- duplexes
- essential services 1 and 2
- government buildings up to 5000 square feet of gross floor area
- neighborhood and outdoor recreation
- parks
- restaurants as part of a dwelling
- riding academies and/or commercial stables
- schools
- traditional neighborhood development (TND) on tracts of 65 acres or more with approval of a TND-O District
- transit shelters
- agricultural industry (subject to the issuance of a Special Use Permit)

b) Permitted Building and Lot Types

- attached house
- civic building
- detached house
- in approved TND-O, specified urban building types

c) Permitted Accessory Uses

- accessory dwelling
 - day care home (small)
 - home occupations • accessory uses
- permitted in all districts
- private stable

d) General Requirements

1) Frontage on a public street is required for all lots in the Open Space District except those comprising a Farmhouse Cluster (see Special Requirements, paragraph [el below.]

2) Development Intensity in the Open Space District shall meet the following standards:

- new single house 1pts, non-residential lots outside planned open space developments, and lots in exempt subdivisions not approved as Farmhouse Clusters require a minimum lot size of 20,000 square feet and a minimum lot width of 90'; there is no open space requirement.
- The number of housing units which may be built in a major or minor subdivision in the OPS District varies according to the amount of open space preserved. A base density of 2.0 dwelling units per acre, calculated across the entire project, is permitted with the preservation of 20% open space. Dwellings are expected to be clustered; projects may include a mixture of the building and lot types permitted in the district, from City homes and apartments to large lot single family houses. An incentive is provided to encourage more than the minimum amount of open space to be preserved. Generally, the percentage of apartments and mixed use buildings and attached homes should not exceed 30% of the total number of dwellings in a project. Some exceptions may be made for superior urban design quality. For each 1% of open space exceeding the required 20%, the number of units in the project may be increased by 1%. For example, the Open Space Matrix is as follows:

<i>Project Area (example)</i>	<i>Density in DU/A</i>	<i>Percent Open Space</i>	<i>Maximum Dwelling Units</i>	<i>Minimum Lot Size</i>	<i>Minimum Lot Width</i>
100 Acres	2.0	20%	200	N/A	N/A
100 Acres	N/A	30%	220	N/A	N/A
100 Acres	N/A	40%	240	N/A	N/A
100 Acres	N/A	50%	260	N/A	N/A
100 Acres	N/A	60%	280	N/A	N/A

- Individual residential lots within the OPS District, not part of any subdivision, and existing prior to the effective date of this ordinance, are construed to be conforming.
- No minimum lot size or width is required, so long as the project meets all other standards of the district.

3) Open Space is defined as any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements. Urban Open Space assumes one or more of the forms detailed in Article 7, and may contain recreation equipment and amenities as indicated. Rural Open Space is site specific in its designation. Golf courses and other neighborhood and outdoor recreational used uses which are designed and sited to preserve rural appearance (see paragraph 4, below,) will be construed, in whole or in part, to be rural open space.

4) Determination of rural open space(s) to be preserved will be based on a site specific analysis to identify scenic vistas and features of the natural and built landscape of Locust and its environs. These are considered rural heritage features, examples of which are:

- | | | |
|------------------------|----------------|----------------------|
| groves of mature trees | hedgerows | rock outcroppings |
| cultivated fields | ponds | woods |
| pastures | bridges | fence lines |
| rolling hills | farm buildings | curves in rural road |

In the Open Space District, at least 75% of the open space counted toward the basic open space requirement and density incentive shall be set aside to maintain public views of rural heritage features. Up to 25% may be placed within the project and detailed as urban open space (Article 7).

5) Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives which ensure the open space preservation required by this section will also be permitted. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pasture, land, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. Upon verification by the City that restriction of development has been established by a permanent and irrevocable instrument, a letter so noting shall be simultaneously issued to the property owner(s) and to the Stanly County Tax Administrator, Office of Real Estate Appraisal.

6) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing, in Article 12 illustrates the application of design techniques to reduce the visual perception of size and to integrate larger buildings with pre-existing smaller buildings.

7) On new streets, allowable building and lot types will establish the development pattern.

8) All development projects defined as major subdivisions in the OPS District require an approved subdivision sketch plan, according to the requirements of the Locust Subdivision Ordinance. Sketch Plan submittals shall provide sufficient information to determine rural heritage features on the site. Therefore, submittal shall require a topographic survey, including, among other information, the location of existing buildings, fences, hedgerows, rock outcroppings, tree lines, creeks and other bodies of water. Submission requirements must comprise a land grading plan showing circumstances before and after development. Major regrading and flattening of landscape will not be permitted.

e) Special Requirements: Farmhouse Cluster Developments

A Farmhouse Cluster permits the subdivision of land for up to six house lots accessed by way of a shared private drive when the following conditions have been met:

1) Minimum project size: 10 acres;

2) A paved or graveled private drive shall be constructed on a recorded easement not less than 20 feet in width. If such a private drive crosses a creek or other topographical feature that requires the construction of a bridge, the bridge shall be constructed so as to allow the passage of the heaviest emergency vehicle according to current North Carolina State standards.

3) An association of all property owners shall be established for maintenance of the common drive and commonly held spaces, if any;

- 4) The location of building sites shall be determined through a site analysis which identifies rural heritage features to be preserved (3.2.1,d);
- 5) No minimum lot size or width is required, so long as the project meets all other standards of the district;
- 6) Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common.
- 7) Permitted uses of open space lands to be preserved shall correspond generally to physical conditions at the time of subdivision approval. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pasture land, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. For example, fields or pasture land preserved as required open space may continue to support cultivation or grazing; however existing woodlands may not be clear-cut.
- 8) The project shall maintain a generally rural appearance from nearby streets and highways.
- 9) Where a Farmhouse Cluster would eliminate a planned street connection or a street connection indicated on the Land Development Plan, and no alternate alignment can reasonably provide the connection, the design of the farmhouse cluster shall provide for said connection by the dedication of right-of-way for streets less than 70 feet in width and by the reservation of right-of-way for streets 70 feet or wider.
- 10) A Farmhouse Cluster requires an approved subdivision sketch plan, according to the requirements of the Locust Subdivision Ordinance and shall meet all other requirements for review and approval, which may include preliminary plan approval prior to approval of a final plat.

3.2.2 GENERAL RESIDENTIAL DISTRICT (GR)

Intent: The General Residential District is coded specifically to permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the Locust Board of Commissioners prior to the effective date of these regulations or by the Stanly County Board of Commissioners under the prior jurisdiction of the county. The application of the General Residential District is not intended for development projects in the Locust jurisdiction which are initiated after the effective date of this ordinance.

a) Permitted Uses

Uses permitted by right

- single family homes

Uses permitted with conditions

- cemeteries
- churches
- duplexes on corner lots
- essential services 1 and 2
- government buildings up to 5000 square feet of gross floor area
- neighborhood and outdoor recreation
- parks
- schools
- transit shelters

b) Permitted Building and Lot Types

- civic building
- detached house

c) Permitted Accessory Uses

- accessory dwellings for use by related person(s)
- day care home (small)
- home occupations
- accessory uses permitted in all districts

d) General Requirements

1) Development density, amount and location of open space, arrangement of streets and lots, yard dimensions, and access to existing roads shall be controlled by the most recently approved subdivision plan (sketch, preliminary, or plat.) Any modifications to an approved subdivision plan shall maintain the density of the original plan.

2) Developments in the general residential district which are approved but not yet built, may be permitted minor modifications through the administrative process; however, such developments, if redesigned, must conform to all of the requirements of this ordinance for the Neighborhood Residential District (NR) District (3.2.3 below)

3) In the absence of a subdivision sketch or preliminary plan approved prior to the effective date of this ordinance, the following lot dimensions *shall* apply:

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Minimum Lot Size	Minimum Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yards	Minimum Corner Lot Side Yard
20,000	90'	40'	25'	10'	20'

3.2.3 NEIGHBORHOOD RESIDENTIAL DISTRICT (NR)

"Towns offer an important lesson in both architecture and citizenship: buildings, like citizens, warrant their idiosyncrasies so long as they behave civilly toward their neighbors. . . "Alex Krieger, PLACES, Winter, 1996 (67)

Intent: The Neighborhood Residential District provides for residential infill development surrounding the traditional City center and its logical extensions. Streets in the Neighborhood Residential District must be interconnected, according to Article 5, Streets, and Urban Open Space provided according to Article 7. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed use buildings at residential scale, according to location criteria. The intensity to which permitted uses may be built is regulated by the building type which corresponds to the use.

a) Permitted Uses**Uses permitted by right**

- bed and breakfast inns
- boarding or rooming houses for up to four roomers
- congregate housing
- multi-family homes
- single family homes

Uses permitted with conditions

- cemeteries
- churches
- essential services 1 and 2
- government buildings up to 5000 square feet of gross floor area
- commercial use in a mixed use building, located on an arterial or at the intersection of a neighborhood street and a larger capacity street
- neighborhood and outdoor recreation
- parks
- riding academies and/or commercial stables
- schools
- traditional neighborhood development (TND) on tracts of 40 acres or more with approval of a TND-O District
- transit shelters

b) Permitted Building and Lot Types

- apartment
- attached house
- civic building
- detached house
- mixed use¹
- in approved TND-O, specified urban building types

c) Permitted Accessory Uses

- accessory dwelling

¹ The mixed use building duplicates the shop front building type and has at least two occupiable stories, at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.

- day care home (small)
- home_occupations
- accessory uses permitted in all districts
- private stable

d) General Requirements

1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing small buildings.

2) On new streets, allowable building and lot types will establish the development pattern.

3) All developments of more than 10 acres shall provide 10% of the site area as public open space in accordance with Article 7.

4) In new developments, the aggregate number of multi-family dwellings (apartments and condominiums) shall generally not exceed 30% of the total number of dwellings in a project. **Exceptions may be approved based** upon superior urban design quality of the project and overall composition of uses surrounding the development, or on infill sites of under five acres.

5) Every building lot shall have frontage upon a public street.

6) Residential densities shall be compatible with particular site conditions. Densities are a function of design compliance with the appropriate Building Type Regulations and not prescribed by mathematical formulae. Above the base density of two dwellings per acre, calculated across the entire project, the number of housing units which may be built in a major or minor subdivision may vary according to the amount of open space provided above the general minimum of 10% of site area. Projects may include a mixture of the building and lot types permitted in the district subject to the 30% rule in (4) above. For each extra 1% of site area preserved of open space in accordance with Article 7, a 1% increase in dwelling units is permitted, up to a maximum open space provision of 30%. The Open Space Matrix is as follows:

<i>Project Area (example)</i>	<i>Density in DU/A</i>	<i>Percent Open Space</i>	<i>Maximum Dwelling Units</i>	<i>Minimum Lot Size</i>	<i>Minimum Lot Width</i>
100 Acres	2.0	10%	200	N/A	N/A
100 Acres	N/A	20%	220	N/A	N/A
100 Acres	N/A	30%	240	N/A	N/A

3.2.4 CITY CENTER DISTRICT (CC)

Place: ". . . a piece of the whole environment that has been claimed by feelings." Alan Gussow, Placeways: A Theory of the Human Environment (209).

"... begin with the place, with a sense of what it is, and then try to imagine a way of being public which would fit the place." Daniel Kemmis, Community and the Politics of Place (41).

Intent: The City Center District provides for revitalization, reuse, and infill development in Locust's traditional City center. A broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The City Center anchors the surrounding residential neighborhoods while also serving the broader community.

a) Permitted Uses**Uses permitted by right**

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing
- government buildings
- indoor amusement
- multi-family homes
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

Uses permitted with conditions

- automobile service and repair
- cemeteries
- churches
- day care centers
- essential services 1 and 2
- neighborhood gasoline stations, excluding major service and repair of motor vehicles
- parking lot as principal use
- government buildings up to 10,000 square feet of gross floor area
- commercial use in a mixed use building, located on an arterial or at the intersection of a neighborhood street and a larger capacity street
- neighborhood and outdoor recreation
- parks
- schools
- temporary outdoor sales of seasonal agricultural products and customary accessory products (examples: farmers' markets, Christmas tree/pumpkin sales)
- transit shelters

b) Permitted Building and Lot Types

- apartment

- attached house
- civic building
- detached house
- mixed use² up to 40,000 SF of first floor area
- storefront up to 40,000 SF of first floor area
- workplace up to 40,000 SF of first floor area

c) Permitted Accessory Uses

- accessory dwelling
- day care home (small)
- home occupations
- stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited³
- accessory uses permitted in all districts
- drive through windows excluding those associated with restaurants

d) General Requirements

- 1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.

- 2) On new streets, allowable building and lot types will establish the development pattern.
- 3) New construction favors retail first floor, office or residential second floor
- 4) Every building lot shall have frontage upon a public street or square.

² The mixed use building duplicates the shop front building type and has at least two occupiable stories, at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.

³ Items for outdoor sales are returned inside the building at end of each business day; goods not brought in at the close of business day are considered outdoor storage.

3.2.5 HIGHWAY COMMERCIAL DISTRICT (HC)

Intent: The Highway Commercial District is established to provide primarily for auto-dependent uses in areas less amenable to easy pedestrian access and a comfortable pedestrian environment. It is expected that the Highway Commercial District will serve not only the Locust Community, but highway travelers as well. Because of the scale and access requirements of uses in this category, they often cannot be compatibly integrated within the City Center District. Development at district boundaries must provide a compatible transition to uses outside the district; frontages on major and minor arterials will require formal street tree planting.

a) Permitted Uses**Uses permitted by right**

- amusement facilities: all indoor uses
- armories for meetings and training of military organizations
- auction sales
- boarding or rooming houses for up to six roomers
- churches
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- contractor offices and accessory storage yards, excluding the storage of general construction equipment and vehicles
- day care centers
- government buildings
- indoor and outdoor recreation
- multi-family homes
- nightclubs, music clubs, bars, and similar entertainment facilities
- pawnshops and second-hand shops
- single family homes
- vocational and technical schools
- wholesale sales with related offices, storage and warehousing entirely within an enclosed building; truck terminal not permitted.

Uses permitted with conditions

- adult establishments
- amusement facilities, outdoor, limited to par 3 golf courses, golf driving ranges, and archery ranges
- car wash
- essential services 1 and 2
- gasoline service stations, including major service and repair of motor vehicles
- parking lot as principal use
- parks
- temporary outdoor sales of seasonal agricultural products and customary accessory products (examples: farmers' markets, Christmas tree/pumpkin sales)
- transit shelters
- vehicle and boat sales, service, rental, cleaning, mechanical repair and body repair

b) Permitted Building and Lot Types

- apartment
- attached house
- civic building
- detached house
- highway commercial; up to 80,000 SF of gross floor area on major thoroughfare; up to 25,000 SF on minor thoroughfare.¹
- mixed use⁵ up to 80,000 SF of first floor area on major thoroughfare; up to 25,000 SF on minor thoroughfare.
- shop front up to 80,000 SF of gross floor area on major thoroughfare; up to 25,000 SF on minor thoroughfare; second floor apartments or offices encouraged for most uses.
- workplace; up to 80,000 SF of gross floor area on major thoroughfare; up to 25,000 SF on minor thoroughfare; second floor apartments or offices encouraged for most uses.

c) Permitted Accessory Uses

- commercial outdoor kennels
- drive through windows associated with any use
- helistop
- outdoor storage, excluding construction equipment
- stalls or merchandise stands for outdoor sale of goods at street front; outdoor storage must be behind building and screened from view from public spaces.⁶
- warehousing accessory to merchandise showroom, within an enclosed building
- accessory uses permitted in all districts.

d) General Requirements

1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.

2) On new streets, allowable building and lot types will establish the development pattern.

3) Where screening is required for activities involving any sale, use, repair, storage, or cleaning operation, the standards of Article 7 shall apply:

4) Any Highway Commercial District shall be bordered on at least one side by a major or minor thoroughfare.

5) The arrangement of multiple buildings on a single lot shall establish building facades generally parallel to the frontage property lines along existing streets and proposed interior streets.

¹Maximum gross floor area for Highway Commercial buildings may be exceeded only where the massing of the building is varied to reduce its perceived scale and volume.

⁵The mixed use building duplicates the shop front building type and has at least two occupiable stories, at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.

⁶Items for outdoor sales are returned inside the building at end of each business day; goods not brought in at the close of business day are considered outdoor storage.

6) Every building lot shall have frontage upon a public street or square except as follows: in specific locations where factors beyond developer control, such as a limited access highway, an existing development, or the location of an existing intersection, prohibit completing a street connection in the Highway Commercial District, a private drive may be substituted for the interior street which cannot be connected to the public network.

3.2.6 CAMPUS BUSINESS & INSTITUTIONAL DISTRICT (CBI)

*"Any **serious move** by a **local economic development** organization goes **hand in hand** with an effort to identify and describe the characteristics of that locality which set it apart and give it a distinct identity." Daniel Kemmis, Community and the Politics of Place (88)*

Intent: The Campus Business & Institutional District is established to provide for large business or light industrial parks and institutional complexes which are already in place and for new developments of these uses on 15 acres or more which, because of the scale of the **buildings or the nature** of the activity, cannot be fully integrated into the fabric of the community. Campus districts, unlike City districts, are buffered from neighboring properties; nonetheless, buildings in the campus district that front a City street shall relate to the street as prescribed by building type. *Individual institutional buildings oriented to streets, and scaled for compatibility with the surrounding built environment, are permitted in any district and should not be reclassified to the Campus Institutional District. Individual workplace buildings oriented to the street and scaled for compatibility with the surrounding environment are also permitted in the Highway Commercial district and, on a smaller scale, in the City Center and TND Overlay District. Such workplaces should not be reclassified to the Campus Business District.*

a) Permitted Uses**Uses permitted by right**

- academic institutions, including elementary, middle, and high schools, technical, vocational, college, and university
- churches and church-related facilities
- single family and multi-family homes on the premises which are intended for use by employee(s) of the institution or of companies providing on-site services to the institution (114
- governmental complexes, including indoor and outdoor recreation, but excluding correctional and waste management facilities
- health institutions, including hospitals and congregate care facilities with accessory shop fronts, sheltered workshops, and similar uses
- conference facilities
- distributive businesses
- hotels and motels
- laboratories and research facilities
- manufacturing and assembly, excluding heavy manufacturing
- offices
- warehouses, including mini-warehouse storage
- wholesales
- vocational and technical schools

Uses permitted with conditions

- day care centers
- essential services 1 and 2
- parks
- car wash
- commercial communication tower
- temporary outdoor sales of seasonal agricultural products and customary accessory

products (examples: farmers' markets, Christmas tree/pumpkin sales)

- transit shelters

b) Uses Permitted with a Special Use Permit •

essential services 3

c) Uses Permitted with a Conditional Use Permit

- Heavy Industrial Uses
- Airports
- Hazardous and Infectious Material incinerating, handling, and storage
- Environmentally Sensitive Uses not expressly permitted
- Quarries
- Raceways and Drag strips
- Sanitary Landfill
- Transfer Station for Organic or Inorganic Waste Products
- Trucking terminal
- correctional facilities
- other uses that may constitute health or safety hazards, have greater than average impacts on the environment, or degrade the use and enjoyment of nearby property by the generation of noise, fumes, smoke, odor, glare, commercial vehicle traffic, or similar nuisances not expressly permitted in the district may only be allowed subject to the issuance of a conditional use permit.

d) Permitted Building and Lot Types

- apartment
- attached house
- civic building
- detached house
- highway commercial, up to 80,000 SF of gross floor area
- mixed use, up to 6000 SF of gross floor area'
- shop front
- workplace

e) Permitted Accessory Uses

- commercial uses and structures that are clearly accessory to a permitted principal use
- helistop
- single family and multi-family homes intended for use by personnel employed for campus security or maintenance
- outdoor storage, excluding the storage of construction equipment
- retail, restaurant, personal services, clinics and similar workplace support uses up to 10% of gross floor area within the campus or 70,000 SF, whichever is less
- accessory uses permitted in all districts.

The mixed use building duplicates the shop front building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.

f) General Requirements

1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.

Where necessary scale of building prevents design compatibility, buffer standards of Article 7 and Sections 8.20 and 8.21 shall apply.

2) On new streets, allowable building and lot types will establish the development pattern.

3) The interior of new campus developments shall be laid out along a street pattern and maintain well defined open space to give prominence to important structures and allow for assembly and pedestrian circulation; quadrangles are recommended.

4) Every building lot shall have frontage upon a public street, square, or quadrangle; buildings fronting on quadrangles shall provide for vehicular access from a rear alley or street.

5) The arrangement of multiple buildings on a single lot shall establish building facades generally parallel to the frontage property lines along existing streets and proposed interior streets.

3.2.7 MOBILE HOME DISTRICT (MH)

Intent: The Mobile Home District is established to provide for existing neighborhoods which include mobile homes and for their improvement. The application of the MH District is not intended for development purposes in the Locust jurisdiction which are initiated after the effective date of this ordinance.

a) Permitted Uses

Mobile Homes provided that:

- (i) The home shall be set up in accordance with the standards set by the North Carolina Department of Insurance.
- (ii) A continuous, permanent masonry wall, brick or stucco covered block work, having the appearance of a conventional load-bearing foundation wall, unpierced except for required ventilation and access, shall be installed under the perimeter of the manufactured home.
- (iii) The home will have all wheels, transporting lights, and towing apparatuses removed.
- (iv) The structure must be at least 14 feet in width along the majority of its length.
- (v) The roof shall have at least a 4/12 pitch.
- (vi) Exterior wall and roofing materials and finishes shall be comparable in composition, appearance and durability to those commonly used in conventional residential construction. As examples, exterior walls would be expected to be covered in wood, stucco, brick, stone, other masonry materials, or similar conventional exterior finishes. Roofing material should consist of wood shingle, wood shake, synthetic composite shingle, ceramic tile, concrete tile, or similar conventional roofing materials.
- (vii) All entrances to a mobile home shall be provided with permanent steps, porch or similar suitable entry.

b) Permitted Building and Lot Types

- mobile home placed in accordance with adjacent dwellings.

c) Permitted Accessory Uses

- dwelling accessory to any principal dwelling which meets the NC Housing Code
- day care home (small), accessory to any principal dwelling which meets the NC Housing Code
- home occupations accessory to any principal dwelling which meets the NC Housing Code
- accessory uses permitted in all districts

d) General Requirements

- 1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
- 2) On streets, allowable building and lot types will establish the development pattern.
- 3) All subdivision standards will be met.

ARTICLE 3 _____ **ZONING DISTRICTS**

4) In mobile home subdivisions, any mobile home may be replaced with another mobile home of at least comparable width. The replacement mobile home must meet all code requirements and be less than five years old.

5) Existing mobile home parks that are not subdivided into individual deeded lots may continue operation but may not be expanded. Any mobile home may be replaced with another mobile home of at least comparable width. The replacement mobile home must meet all code requirements and be less than five years old.

3.3 OVERLAY DISTRICT

3.3.1 TRADITIONAL NEIGHBORHOOD DEVELOPMENT OVERLAY (TND-O) Intent: The

Traditional Neighborhood Development Overlay District is provided for the development of new neighborhoods and the revitalization or extension of existing neighborhoods, which are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. Traditional Neighborhood Developments (TNDs) offer a mixture of housing types and prices, prominently sited civic or community buildings, and stores/offices/workplaces to provide a balanced mix of activities. Church and preschool/elementary school facilities are encouraged. A Traditional Neighborhood Development (TND) has a recognizable center and clearly defined edges; optimum size is a quarter mile from center to edge. The TND Overlay District can be applied in the Neighborhood Residential District, on a site of 40 acres or more, and in the Open Space District, on a site of 65 acres or more.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing
- government buildings
- multi-family homes

- single family homes

Uses permitted with conditions

- cemeteries
- churches
- day care centers
- essential services 1 and 2
- neighborhood gasoline stations, excluding major service and repair of motor vehicles
- parks
- parking lot as principal use
- schools
- transit shelters
- stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited.

b) Permitted Building and Lot Types

- apartment
- attached house
- civic building
- detached house
- mixed use up to 6,000 SF of first floor area
- storefront up to 6,000 SF of first floor area
- workplace up to 6,000 SF of first floor area

c) Permitted Accessory Uses

- accessory dwelling
- day care home (small)
- home occupations
- accessory uses permitted in all districts

d) General Requirements

- 1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.

- 2) On new streets, allowable building and lot types will establish the development pattern.

- 3) A master plan in compliance with Traditional Neighborhood Development standards shall be provided with any application to reclassify property to a TND-O. The master plan shall include a topographic survey and shall show the location and hierarchy of streets and public open spaces, location of residential, commercial, and civic building lots, street sections and/or plans, a master sign program, an outline of any additional regulatory intentions, phasing, and any other information, including building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges.

e) TND Development Provisions

- 1) Minimum Development Size: generally 40 acres as an overlay of the NR District and 65 acres in the OPS District

To allow for the gradual accretion of a TND, which may include the participation of several property owners over an extended period of time, a partial TND of less than the minimum number of acres may be considered for approval, so long as the project shows an integrated design for at least the minimum size and the potential to become a TND of at least 40 or 65 acres as noted above.

- 2) Maximum Development Size: 200 acres Tracts larger than 200 acres shall be developed as multiple Traditional Neighborhood Developments, each individually subject to all provisions.

- 3) Maximum Permitted Densities are determined by the standards of the underlying district. Density in the OPS District correlates to open space provision; density in the NR District is a function of permitted building and lot types.

f) TND Design Provisions

- 1) Neighborhood Form (see diagrams on page 3.24)

- The illustrations of Traditional Neighborhood Street Typologies in Article 5 show the general arrangement and distribution of elements in a more urban TND, overlaying the NR District, and in a less urban TND, overlaying the OPS District.

The area of the TND shall be divided into blocks, streets, lots, and open space.

- Similar land uses shall generally enfront across each street. Dissimilar categories shall general abut at rear lot lines. Corner lots which front on streets of dissimilar use shall generally observe the setback established on each fronting street.

2) Streets

- Public streets shall provide access to all tracts and lots.
- Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development. Cul-de-sac shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround, and are permitted where topography makes a street connection impracticable. In most instances, a "close" or "eyebrow" is preferred to a cul-de-sac. Vehicular turnarounds of various configurations are acceptable so long as emergency access is adequately provided.
- The average perimeter of all blocks within the TND should not exceed 1,350 feet. No block face should have a length greater than 500 feet without a dedicated alley or pathway providing through access.
- A continuous network of rear alleys is recommended for all lots in a TND; rear alleys shall provide vehicular access to lots less than 60 feet in width.
- Utilities shall run along alleys wherever possible.
- TND streets shall be organized according to a hierarchy based on function, size, capacity, and design speed; streets and rights-of-way are therefore expected to differ in dimension. The proposed hierarchy of streets shall be indicated on the submitted sketch plan. Each street type in a TND shall be separately detailed. Street types illustrated in Article 5 represent the array of elements that are combined to meet the purposes of TND neighborhood streets: building placement line, optional utility allocation, and sidewalk, planting strip, curb and gutter, optional parallel parking, and travel lane(s). Alternative methods of assembling the required street elements will be considered to allow neighborhood street designs that are most appropriate to setting and use.
- To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of visual enclosure, long uninterrupted segments of straight streets should be avoided. Methods: (1) a street can be interrupted by intersections designed to calm the speed and disperse the flow of traffic (Article 5) and terminate vistas with a significant feature (building, park, natural feature); (2) a street can be terminated with a public monument, specifically designed building facade or a curve where the outside edge of the curve is bounded by a building or other vertical elements that hug the curve and deflect the view; (4) other traffic calming configurations are acceptable so long as emergency access is adequately provided.

3) Buildings and Lots

- All lots shall share a frontage line with a street or square; lots fronting a square shall be provided rear alley access.
- Consistent build-to lines shall be established along all streets and public space frontages. Build-to lines determine the width and ratio of enclosure for each public street or space. A minimum percentage build-out at the build-to line shall be established on the plan along all streets and public square frontages.
- Building and lot types shall comply with Article 4.
- Large-scale, single use facilities (conference spaces, theaters, athletic facilities, for example) shall generally occur behind or above smaller scale uses of pedestrian

orientation. Such facilities may exceed maximum first floor area standards if so sited.

4) Open Space

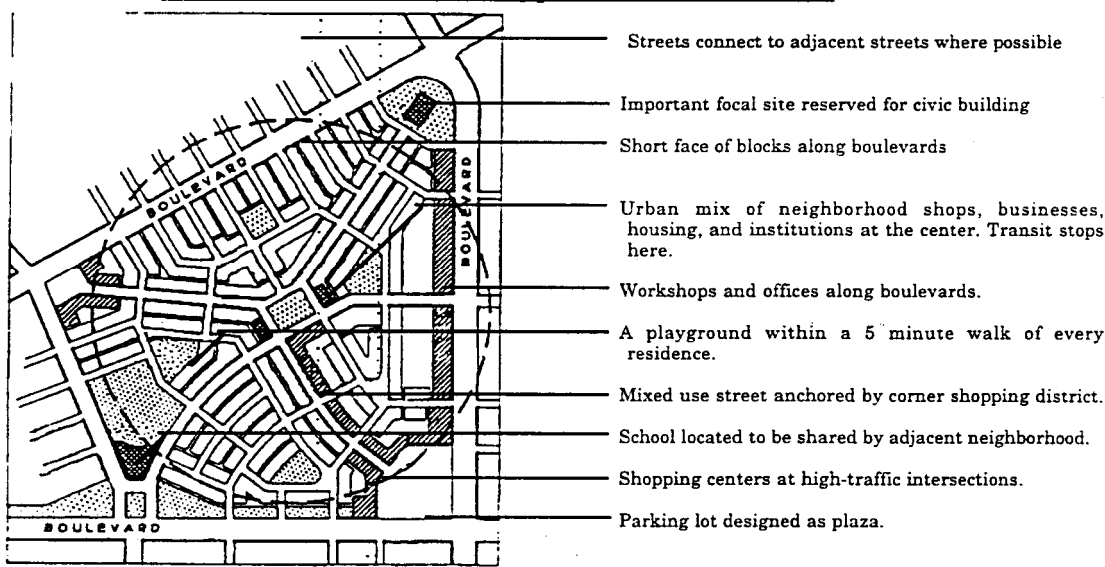
Open Space is defined as any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements. Design of urban open space shall comply with Article 7. Rural open space, as required in the OPS District, is site specific in its designation. Paragraphs d-3 & 4 of Section 3.2.1 describe the site analysis required to identify qualifying rural open space.

5) Parking and Landscaping

Off-street parking shall comply with Article 6.
Landscaping shall comply with Article 7.

6) Typical TND layouts

More Urban Condition: Typical Characteristics



Less Urban Condition: Typical Characteristics

